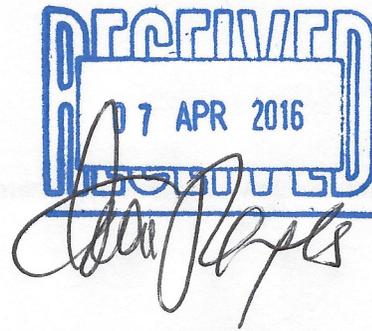


ARC Environmental Services

P.O. Box 12331 Tamuning, Guam, 96931
(671) 969-6723 (office) (671) 482-6088 (cell)
jsablan@arcguam.com

April 6, 2016



William Castro
Director
Bureau of Statistics and Plans
P.O. Box 2950
Hagatna, Guam 96932

Subject: Reconstruction of Guam Fisherman's Cooperative Association Facility – Hagatna, Guam

Hafa Adai Mr. Castro,

On behalf of my client, Mr. Manual Duenas President of the Guam Fisherman's Cooperative Association ARC Environmental Services is pleased to submit this updated application for a Federal Consistency Determination relative to the reconstruction and expansion of the Co-Op facility at its present location in Hagatna. Attached is a project Environmental Assessment.

In 2006 this same project received Federal Consistency approval through the Coastal Zone Management program. After stalling for a number of years, the project proponent is now seeking to obtain all the relevant approvals. The project as originally proposed is unchanged.

A corresponding application has been submitted to the US Army Corps of Engineers. A request to recertify (401 Water Quality Certification) the project was submitted to Guam EPA. A similar request will be submitted to the Department of Land Management (Seashore Clearance) shortly.

If there are any questions, please call me at 482-6088. Thank you for your time and consideration of this application.

Senseramente,

Joel Sablan
ARC Environmental Services

Attachments

DETERMINATION: () CONSISTENT () NON-CONSISTENT () FURTHER INFORMATION

REQUESTED

DCRM NOTIFIED: _____ UIC AGENCY NOTIFIED: _____

**GUAM COASTAL MANAGEMENT PROGRAM
ASSESSMENT FORMAT**

DATE OF APPLICATION: April 6, 2016

NAME OF APPLICANT: Mr. Manual Duenas, President - Guam Fisherman's Cooperative Association

ADDRESS: P.O. Box 24023 GMF Barrigada, Guam 96921

TELEPHONE NO. 671. 472.6323 FAX 671.477.2986

TITLE OF PROPOSED PROJECT: Proposed Reconstruction of the Guam Fisherman's Cooperative
Association Facility

COMPLETE FOLLOWING PAGES

FOR BUREAU OF PLANNING ONLY:

DATE APPLICATION RECEIVED: _____

OCRM NOTIFIED: _____ LC. AGENCY NOTIFIED: _____

APPLICANT NOTIFIED: _____ PUBLIC NOTICE GIVEN: _____

OTHER AGENCY REVIEW REQUESTED: _____

DETERMINATION: () CONSISTENT () NON-CONSISTENT () FURTHER INFORMATION

REQUESTED

OCRM NOTIFIED: _____ LIC. AGENCY NOTIFIED: _____

APPLICANT NOTIFIED: _____

ACTION LOG: 1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

DATE REVIEW COMPLETED: _____

GUAM COASTAL MANAGEMENT PROGRAM

ASSESSMENT FORMAT

DEVELOPMENT POLICIES (DP):

DP1. Shore Area Development

Intent: To insure environmental and aesthetic compatibility of shore area land uses.

Policy: Only those uses shall be located within the Seashore Reserve which:

- enhance, are compatible with or do not generally detract from the surrounding coastal area's aesthetic and environmental quality and beach accessibility; or
- can demonstrate dependence on such a location and the lack of feasible alternative sites.

Discussion: The proposed reconstruction project is located at the Gregorio D. Perez Marina (Figure 1) and involves replacement of the existing building, improvements to the adjacent shoreline to provide for vessel docking and shoreline stabilization and maintenance dredging (refer to Drawings in Appendix B of EA attached). The existing facilities are in an advanced state of deterioration and must be replaced. The proposed improvements are compatible with existing land use activities and will enhance the visual quality of the area.

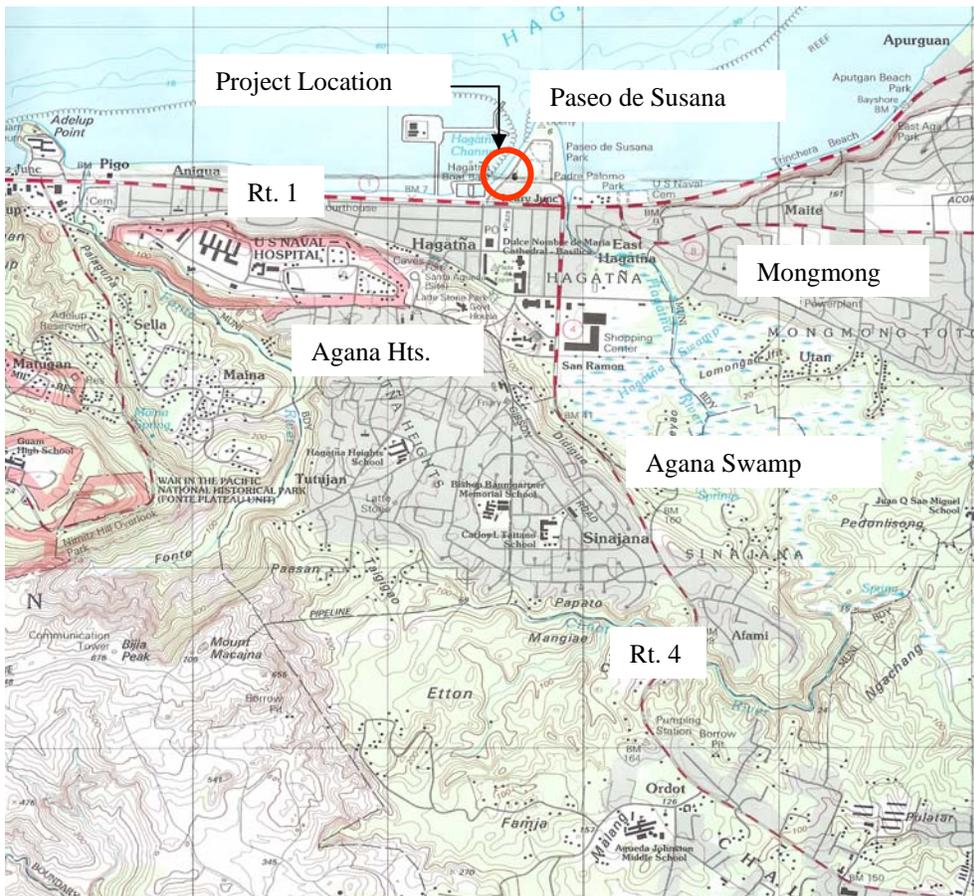
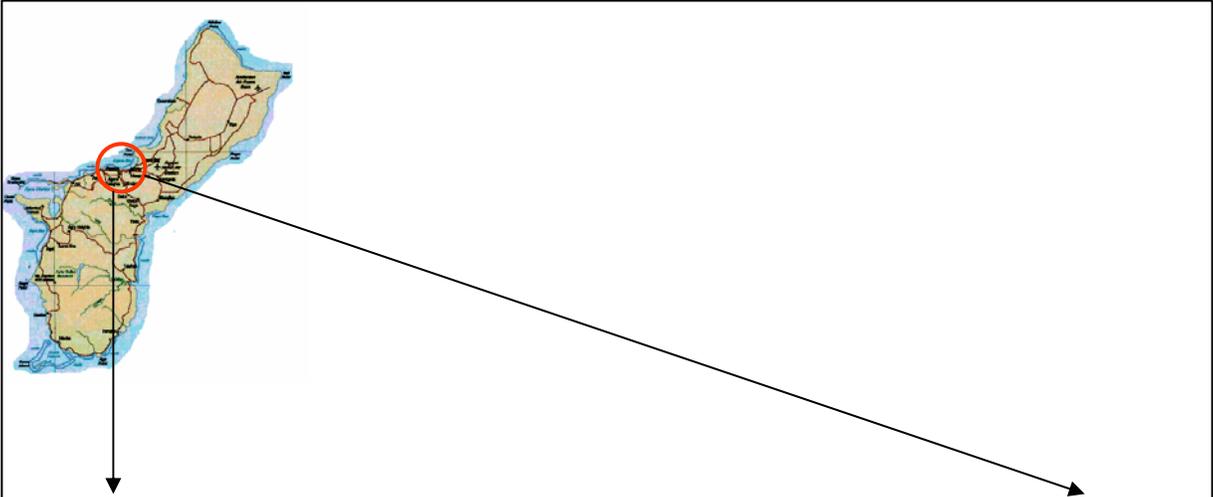
The current location offers unique linkages to existing shoreline and marina access, vessel traffic, support facilities and consumers at the only small boat marina in Central Guam. The interdependence between Co-Op operations, the Co-Op members and consumers at the existing location can not be overstated. Refer to Photographs in Appendix A of the EA.

DP2. Urban Development

Intent: To cluster high impact uses such that coherent community design, function, infrastructure support and environmental compatibility are assured.

Policy: Commercial, multi-family, industrial and resort-hotel zone uses and uses requiring high levels of support facilities shall be concentrated within urban districts as outlined on the Land Use Districting Map.

Discussion: The Gregorio D. Perez Marina is located in the Central Business District of Hagatna. Marina operations in general to include the Fisherman's Co-Op activities, are compatible with existing land uses in the area and are an integral component of the Paseo De Susana Planned Development District Master Plan of 2003.

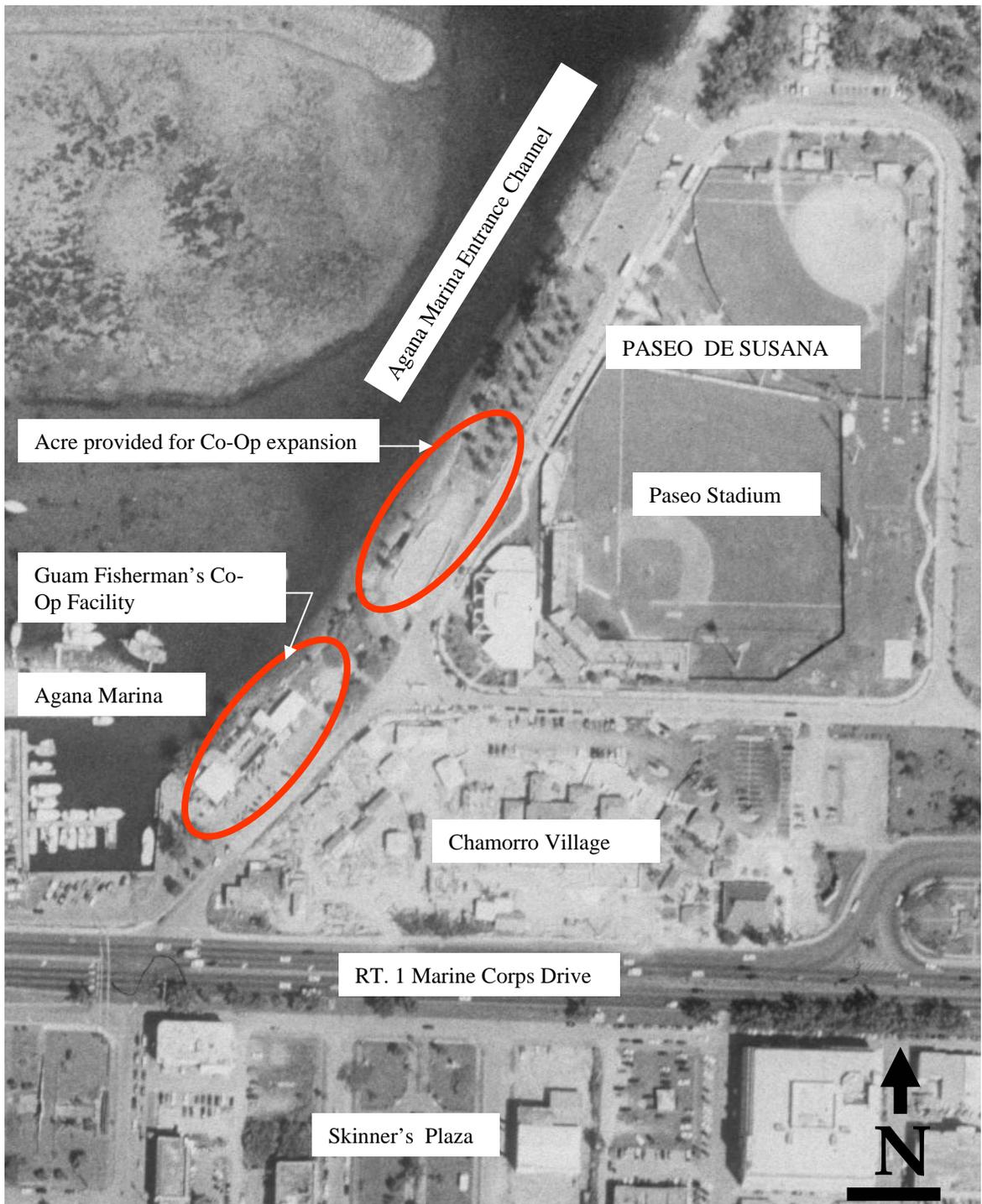


**Guam Fisherman's Co-Op Project
Location/Vicinity Map**

ARC Environmental Services

Date
March 2006

Figure No.
1



Source: Bureau of Statistics and Plans

**Guam Fisherman's Co-Op Project
Aerial Photograph - 1994**

ARC Environmental Services

Date
March 2006

Figure No.
2

DP3. Rural Development

Intent: To provide a development pattern compatible with environmental and infrastructure support suitability and which can permit traditional lifestyle patterns to continue to the extent practicable.

Policy: Rural districts shall be designated in which only low density residential and agricultural uses will be acceptable. Minimum lot size for these uses should be one-half acre until adequate infrastructure including functional sewerage is provided.

Discussion: N/A, The proposed project is not located in a rural area of the island but rather in the central governmental and business district of Hagatna.

DP4. Major Facility Siting

Intent: To include the national interest in analyzing the siting proposals for major utilities, fuel and transport facilities.

Policy: In evaluating the consistency of proposed major facilities with the goals, policies, and standards of the Comprehensive Development and Coastal Management Plans, the Territory shall recognize the national interest in the siting of such facilities including those associated with electric power production and transmission, petroleum refining and transmission, port and air installations, solid waste disposal, sewage treatment, and major reservoir sites.

Discussion: N/A, The proposed project does not constitute a major siting.

DP 5. Hazardous Areas

Intent: Development in hazardous areas will be governed by the degree of hazard and the land use regulations.

Policy: Identified hazardous lands, including flood plains, erosion-prone areas, air installations, crash and sound zones and major fault lines shall be developed only to the extent that such development does not pose unreasonable risks to the health, safety or welfare of the people of Guam, and complies with the land use regulations.

Discussion: The proposed replacement building, vessel docking facility and shoreline stabilization measures are designed to meet Federal regulations for development in floodplains. These improvements will not pose a risk to community health, safety or welfare. Shoreline stabilization measures will reduce the risk of further shoreline erosion along the eastern edge of the marina adjacent to the current Co-Op facility. The proposed project is consistent with local land use regulations, specifically the Paseo De Susana Planned Development District Master Plan of 2003 which includes specific reference to the “redevelopment” of the Co-Op facilities.

DP 6. Housing

Intent: To promote efficient community design placed where the resources can support it.

Policy: The government shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and manmade hazards, and recognize the limitations of the island's resources to support historical patterns of residential development.

Discussion: N/A, The proposed project does not include a residential component nor will it impact existing residential development patterns.

DP 7. Transportation

Intent: To provide transportation systems while protecting potentially impacted resources.

Policy: The Territory shall develop an efficient and safe transportation system, while limiting adverse environmental impacts on primary aquifers, beaches, estuaries and other coastal resources.

Discussion: The proposed project will not impact existing highway or air transportation systems. Vessel traffic at the marina will not be impacted. No adverse impacts to primary aquifers, beaches, estuaries or other coastal areas are anticipated. Proposed shoreline stabilization and vessel docking will improve the condition of the shoreline adjacent to the Co-Op facility which has experienced accelerated erosion from recent storm events. Maintenance dredging of areas within the marina fronting the proposed dock will improve vessel access and mooring capabilities.

DP 8. Erosion and Siltation

Intent: To control development where erosion and siltation damage is likely to occur.

Policy: Development shall be limited in areas of 15% or greater slope by requiring strict compliance with erosion, sedimentation, and land use districting guidelines, as well as other related land use standards for such areas.

Discussion: The project location is flat. Marine water within the marina and entrance channel is designated M-3 or fair and is intended for general commercial and industrial use according to the Guam Water Quality Standards. Shoreline stabilization (appx. 110LF) is being proposed to address historical erosion along the shoreline. Activities to develop the shoreline stabilization feature, the vessel mooring dock and associated maintenance dredging will be conducted using appropriate Best Management Practices, as contained within the required Environmental Protection Plan, to minimize erosion and siltation.

RESOURCES POLICIES (RP):

RP1. Air Quality

Intent: To control activities to insure good air quality.

Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate Federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.

Discussion: Increased emissions during the short term construction period will be mitigated through adherence to engine and exhaust system maintenance requirements for all fuel combustion sources. Potential fugitive dust emissions will need to be addressed through periodic sprinkling. Plans to include fish smoking operations at the Co-Op will include an elevated emissions point such as a stack or second story exhaust configuration. These emissions would dissipate toward the marina and across Route 1 Marine Corps Drive and are not anticipated to adversely impact air quality.

RP2. Water Quality

Intent: To control activities that may degrade Guam's drinking, recreational, and ecologically sensitive waters.

Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuaries, reef and aquifer areas.

Discussion: The proposed project will not impact aquifer areas. Marine water within the marina and entrance channel is designated M-3 or fair and is intended for general commercial and industrial use according to the Guam Water Quality Standards. Shoreline stabilization (appx. 110LF) is being proposed to address historical erosion along the shoreline. Activities to develop the shoreline stabilization feature, the vessel mooring dock and associated maintenance dredging will be conducted using appropriate Best Management Practices, as contained in the required Environmental Protection Plan to minimize erosion and siltation.

RP3. Fragile Areas

Intent: To protect significant cultural areas, and natural marine and terrestrial wildlife and plant habitats.

Policy: Development in the following types of fragile areas shall be regulated to protect their unique character.

- historical and archeological sites
- wildlife habitats
- pristine marine and terrestrial communities
- limestone forests
- mangrove stands and other wetlands

Discussion: The proposed project location is within an existing urban environment. There are no significant or fragile terrestrial or marine resources present in the project vicinity. For additional detail related to natural resources please refer to the attached EA.

A WWII Japanese Pillbox is located on the shoreline north of the existing Co-Op facility. This fortification is

listed in the Guam Historic Properties Inventory and included in the Guam and National register of Historic Places. This feature will not be disturbed and a buffer will be established. Additionally the Historic Resources Division (HRD) of the Department of Parks and Recreation (DPR) is on record (Appendix C of EA) as requiring the development of archeological discovery and monitoring plan and close consultation with their office prior to construction. Please refer to the attached EA for additional detail.

RP4. Living Marine Resources

Intent: To protect marine resources in Guam's waters.

Policy: All living resources within the territorial waters of Guam, particularly corals and fish, shall be protected from over harvesting and, in the case of marine mammals, from any taking whatsoever.

Discussion: The Fisherman's Cooperative Association members adhere to all local and federal regulations pertaining to the harvesting of fish in Guam. No harvesting of or marketing of coral or marine mammals is conducted as part of the Co-Op operations. No significant impacts will occur to essential fish habitat and no Federally listed corals are present. For additional detail on potential impacts to marine habitat or marine wildlife species please refer to the attached EA.

RP5. Visual Quality

Intent: To protect the quality of Guam's natural scenic beauty

Policy: Preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement of and compliance with sign, litter, zoning, subdivision, building and related land-use laws. Visually objectionable uses shall be located to the maximum extent practicable so as not to degrade significant views from scenic overlooks, highways and trails.

Discussion: The current facility is in disrepair and portions of the shoreline area are eroding and not maintained. Metallic waste and miscellaneous debris are present. The proposed reconstruction of the Co-Op facility and development of shoreline facilities will enhance the visual quality of the general area.

RP6. Recreation Areas

Intent: To encourage environmentally compatible recreational development.

Policy: The Government of Guam shall encourage development of varied types of recreational facilities located and maintained so as to be compatible with the surrounding environment and land uses, adequately serve community centers and urban areas and protect beaches and such passive recreational areas as wildlife and marine conservation areas, scenic overlooks, parks and historical sites.

Discussion: The proposed Co-Op facility will enhance the number of patrons visiting the Paseo de Susana. It is anticipated that the new facility will compliment activities throughout the area by increasing interest in the Paseo de Susana benefiting the existing Chamorro Village operations.

Currently the islands paddling and traditional seafaring communities use a portion of the acre north of the existing Co-Op property. The area is used to launch and retrieve canoes and kayaks and the wooden shelter is used for gatherings. The PL 27-24 stipulates that the proposed Co-Op facility (including potential auxiliary parking and ponding basin construction) not impede public access to the shoreline except when necessary for public safety and security and for use of proposed docking or wharf improvements.

Access to the beach and to the shelter will be preserved.

RP7. Public Access

Intent: To ensure the right of public access.

Policy: The public's right of unrestricted access shall be ensured to all non-federally owned beach areas and all Territorial recreation areas, parks, scenic overlooks, designated conservation areas and their public lands; and agreements shall be encouraged with the owners of private and federal property for the provision of releasable access to and use of resources of public nature located on such land.

Discussion: Public access to the areas to the north used by the paddling/seafaring community will be preserved. Access to the Japanese Pillbox will be preserved.

RP8. Agricultural Lands

Intent: To stop urban types of development on agricultural land.

Policy: Critical agricultural land shall be preserved and maintained for agricultural use.

Discussion: N/A, The proposed project is not located on or near agricultural land.

**FEDERAL CONSISTENCY
SUPPLEMENTAL INFORMATION FORM**

Date: April 6, 2016

Project/Activity Title or Description: Proposed Reconstruction of the Guam Fisherman's Cooperative Association Facility

Location: Gregorio D. Perez Marina in Hagatna

Other applicable area(s) affected, if appropriate: N/A

Est. Start Date: Spring 2017 Est. Duration: 1 Year

APPLICANT

Name & Title: Mr. Manual Duenas, President

Agency/Organization: Guam Fisherman's Cooperative Association

Address: P.O. Box 24023 GMF Barrigada, Guam 96921

Telephone No. during business hours:

A/C (671) 472.6323

Fax (671) 477-2986

AGENT

Name & Title: Joel Sablan

Agency/Organization: ARC Environmental Services

Address: P.O. Box 12331 Tamuning, Guam 96931

Telephone No. during business hours:

A/C (671) 969-6723

Fax None Email: jsablan@arcguam.com

CATEGORY OF APPLICATION (check one only)

- I Federal Agency Activity
- II Permit or License
- III Grants & Assistance

TYPE OF STATEMENT (check one only)

- Consistency
- General Consistency (Category I only)
- Negative Determination (Category I only)
- Non-Consistency (Category I only)

APPROVING FEDERAL AGENCY (Categories II & III only)

Agency: U.S. Army Corps of Engineers (ACOE)

Contact Person: Ms. Katy Damico

Telephone No. during business hours:

A/C (671) 339-2108

A/C ()

FEDERAL AUTHORITY FOR ACTIVITY

Title of Law: Section 10 Rivers and Harbors Act and Section 404 Clean Water Act

Section: (33 U.S.C. 403) and (33 U.S.C. 1344) respectively

OTHER TERRITORIAL APPROVALS REQUIRED

Agency	Type of Approval	Date of Application	Status
Guam EPA	Section 401 Water Quality Cert.	Pending response to recertification request	
Department of Land Mgmt.	Seashore Clearance	Pending	Scoping
USACOE	Department of the Army Permit		Under Review

ARC Environmental Services

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jsablan@arcguam.com

April 6, 2016

William Castro
Director
Bureau of Statistics and Plans
P.O. Box 2950
Hagatna, Guam 96932

Subject: Consistency Statement - Reconstruction of Guam Fisherman's Cooperative Association Facility

Hafa Adai Mr. Castro,

The Guam Fisherman's Cooperative Association is proposing the reconstruction and expansion of the existing CoOp facility to better meet the needs of its members and customers. This expansion effort is thoroughly detailed in the attached EA. The main components of this proposal include the replacement of the existing building with a 2 – storey concrete structure, a vessel and supply docking facility, shoreline stabilization and maintenance dredging within a portion of the existing marina footprint.

A Federal Consistency application has been developed for this project as well. After a careful evaluation of the project goals and the potential impacts that it may imply, we have come to the determination that the project as proposed is consistent with and will be conducted (or supported) in a manner consistent with the Guam Coastal Management Program to the maximum extent practicable.

If there are any questions, please call me at 482-6088. Thank you for your time and consideration of this application.

Senseramente,



Joel Sablan
ARC Environmental Services