



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS, ANTILLES OFFICE
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SAN JUAN, PUERTO RICO 00901-3299

REPLY TO
ATTENTION OF

Antilles Regulatory Section

SEP 10 2001

PUBLIC NOTICE

Environmental Impact Statement

Scoping Process

Invitation for Comments

TO WHOM IT MAY CONCERN: The purpose of this notice is to invite interested parties to provide written comments as part of the Scoping Process for an Environmental Impact Statement (EIS). The Jacksonville District of the U.S. Army Corps of Engineers (Corps) intends to prepare a Draft Environmental Impact Statement for the Las Americas Transshipment Port Complex being proposed by the Puerto Rico Infrastructure Financing Authority (AFI, acronym in Spanish). The purpose of the Scoping Process is to provide an early and open process to determine the scope of the issues to be addressed and analyzed in the EIS, pursuant to Section 102 of the National Environmental Policy Act (NEPA) (42 U.S.C, 4371 et seq., 43 CFR Section 1501.7).

PROJECT NAME: Environmental Impact Statement for the for the Las Americas Transshipment Port Complex.

LOCATION: Puerto Rico

BACKGROUND: In September 1999, the Corps published a report titled "Preliminary Transshipment Port Assessment for Puerto Rico". This study was performed at the request of the Puerto Rico Ports Authority (PRPA). This report includes a preliminary assessment of alternative sites for a potential new transshipment port to be located in Puerto Rico. The sites considered were locations that have the potential to support deep-draft navigation and associated facilities. A total of thirteen sites were considered. The assessment was based on available information combined with the professional knowledge of the Corps, Jacksonville District staff, in the planning of waterway systems and associated port development. The assessment was considered preliminary in nature, and it was not prepared to be used as the sole source of information from which to make a final site selection. Nevertheless, the assessment made a recommendation on the most suitable sites. The assessment also recommended further studies that will help provide the additional detailed information required for making a more informed decision concerning the most appropriate location for a future transshipment site.

AFI is proposing the development of the Las Americas Transshipment Port Complex in Puerto Rico. The proposal includes the development of hubs at one or more sites on the south coast of Puerto Rico, in the Municipalities of Ponce, Peñuelas and Guayanilla. AFI stated that a transshipment port complex would represent a major infrastructure development for all Puerto Rico, especially in the south coast of the island.

In the development of a transshipment port complex, there would be considerable dredge and fill activities in the proposed project area, impacting significant wetlands and other special aquatic sites, and other resources. The proposed action may significantly affect the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) and/or growth and distribution of population, may have significant adverse effects on wetlands, including indirect and cumulative effects, or any major part of a structure or facility constructed or operated under the proposed action may be located in wetlands. Also, the proposed action may significantly affect threatened and endangered species or their habitats identified in the Department of the Interior's list.

Pursuant to Section 10 of the Rivers and Harbors Act structures the Corps has regulatory authority over structures and/or work in or affecting navigable waters of the United States. Under Section 404 of the Clean Water Act, the Corps of Engineers has regulatory authority to permit the discharge of dredged or fill material into wetlands and other waters of the United States. Also, under Section 103 of the Marine Protection, Research and Sanctuaries Act, the Corps has regulatory authority over the transportation of dredged material for the purpose of dumping it in ocean waters at dumping sites designated under 40 CFR Part 228. The guidelines pursuant to Section 404(b) of the act require that impacts to the aquatic environment be avoided and minimized to the extent practicable. Permit applications for the transportation of dredged material for the purpose of dumping it in ocean waters will be evaluated to determine whether the proposed dumping will unreasonably degrade or endanger human health, welfare, amenities, or the marine environment, ecological systems or economic potentialities.

In determining whether to issue a permit, the Corps must also comply with other requirements including, but not limited to, the Endangered Species Act, the National Environmental Policy Act, the Coastal Zone Management Act, the Magnuson-Stevens Fishery Conservation and Management Act Section 401 of the Clean Water Act, and other applicable Federal laws. Modifying land for new uses also involves zoning, land use planning, water management, and other regulatory/planning requirements at the local, Commonwealth, and Federal level.

PURPOSE:

The purpose of this EIS is to: (1) establish a better foundation of information and knowledge of existing conditions; and, (2) identify and assess alternative.

AFI has presented three alternatives for the development of a transshipment port in Puerto Rico. These alternatives are as follow:

Alternative 1: Immediate development of a deep draft navigation harbor at the Guayanilla and Ponce Bays to accommodate Post-Panamax vessels at both ports. In the Guayanilla Bay this alternative would entail the construction of a 6,000 feet long pier with support facilities capable of handling as many as four Post-Panamax vessels at Punta Guayanilla Peninsula; the discharge of fill material in approximately 110 acres of navigable waters in the Punta Gotay area, Punta Guayanilla Peninsula, for the development of loading-unloading storage area and other support facilities; the development of a 480 acre parcel owned by Union Carbide in Peñuelas adjoining Punta Guayanilla (where a petrochemical complex previously operated and recently selected by the Environmental Protection Agency for inclusion in the Brownfield RCRA Program) for added value activities (approximately 10 acres of wetlands would be filled for the development of value- added activities); and the development and/or improvement of other infrastructure within the Guayanilla Harbor needed to operate the Port efficiently. In Ponce this alternative would consist in the expansion of the existing piers to a length of about 3,000 feet to allow simultaneous handling of as many as two Post-Panamax vessels; the immediate dredging of the navigation channel and berthing areas to a minimum depth of 45 feet to allow the navigation of Post-Panamax vessels and the disposal of the dredged material at either the EPA designated ocean disposal site and/or uplands; and the development of a 90 acres of land adjacent to the port for value-added activities.

Alternative 2: Immediate development of a deep draft navigation harbor at the Guayanilla to handle Post-Panamax vessels and immediate improvements to the Port of Ponce to handle Panamax-class vessels and eventual dredging (5 to 10 years) of the navigation channel and berthing areas to further allow the Port of Ponce to handle Post-Panamax vessels. In the Guayanilla Bay this alternative would entail the construction of a 6,000 feet long pier with support facilities capable of handling as many as four Post-Panamax vessels at Punta Guayanilla Peninsula; the discharge of fill material in approximately 110 acres of navigable waters in the Punta Gotay area, Punta Guayanilla Peninsula, for the development of loading-unloading storage area and other support facilities; the development of a 480 acre parcel owned by Union Carbide in Peñuelas adjoining Punta Guayanilla (where a petrochemical complex previously operated and recently selected by the Environmental Protection Agency for inclusion in the Brownfield RCRA Program) for added value activities (approximately 10 acres of wetlands would be filled for the development of value- added activities); and the development and/or

improvement of other infrastructure within the Guayanilla Harbor needed to operate the Port efficiently. In Ponce, this alternative would consist of the expansion of the existing piers to a length of about 3,000 feet to initially allow Panamax-type vessels and eventually Post-Panamax vessels; the development of a 90 acres of land adjacent to the port for value-added activities; and the eventual or long-term dredging (5 to 10 years) of the navigation channel and berthing areas to a minimum depth of 45 feet to allow the navigation of Post-Panamax vessels and the disposal of the dredged material at either the EPA designated ocean disposal site and/or uplands.

Alternative 3: Immediate development of a deep draft navigation harbor at the Guayanilla to handle Post-Panamax vessels and immediate rehabilitation of the Port of Ponce to handle Panamax-class vessels. In the Guayanilla Bay this alternative would entail the construction of a 6,000 feet long pier with support facilities capable of handling as many as four Post-Panamax vessels at Punta Guayanilla Peninsula; the discharge of fill material in approximately 110 acres of navigable waters in the Punta Gotay area, Punta Guayanilla Peninsula, for the development of loading-unloading storage area and other support facilities; the development of a 480 acre parcel owned by Union Carbide in Peñuelas adjoining Punta Guayanilla (where a petrochemical complex previously operated and recently selected by the Environmental Protection Agency for inclusion in the Brownfield RCRA Program) for added value activities (approximately 10 acres of wetlands would be filled for the development of value-added activities); and the development and/or improvement of other infrastructure within the Guayanilla Harbor needed to operate the Port efficiently. In Ponce, this alternative would consist of the expansion of the existing piers to a length of about 3,000 feet to allow of Panamax-type vessels; and the development of a 90 acres of land adjacent to the port for value-added activities.

In addition to the above alternatives, the no action alternative and other geographic alternatives identified in the Corps "Preliminary Transshipment Port Assessment For Puerto Rico" would also be considered, as well as any other alternative or alternative site identified during the Scoping Process.

COMMENTS:

The Corps hereby solicits comments from the public, Federal agencies, State and local agencies and officials, and any other interested parties on the scope of this EIS. If possible, please provide within the body of the comments a one sentence synopsis of the particular issue concerned and the geographic area germane to that issue. Comments may be made on more than one issue. After consideration of the comments, the Corps will define the scope of the EIS.

In the evaluation of the alternatives, the EIS will consider impacts on protected species, health, conservation, economics, aesthetics, general environmental concerns, wetlands (and other aquatic resources), 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, and other issues identified through scoping, public involvement, and interagency coordination.

Any other views, opinions, or information are also welcomed and will be considered by the Corps in the determination of the scope.

SUBMISSION OF COMMENTS: Comments should be submitted in writing to the Chief, Antilles Regulatory Section at the letterhead address not later than 30 days from the date of this Public Notice.

INTERESTED PARTIES: Anyone interested in receiving future communications and/or published information regarding the preparation of this EIS should provide the information on the attached sheet.

QUESTIONS: If you have any questions on this public notice, you may contact Mr. Edwin E. Muñiz at the letterhead address or by telephone at (787) 729-6905/6944.


John R. Hall
Chief, Regulatory Division

Enclosure

