



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, CARIBBEAN DISTRICT**  
**FUNDACIÓN ÁNGEL RAMOS ANNEX BLDG.**  
**383 FRANKLIN D. ROOSEVELT AVE.**  
**SAN JUAN, PUERTO RICO 00918**

March 4, 2025

Regulatory Branch

## ***PUBLIC NOTICE***

Permit Application No. SAJ-2023-02853 (SP-DCM)

**TO WHOM IT MAY CONCERN:** The Caribbean District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below.

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at [Deborah.J.Cedeno-Maldonado@usace.army.mil](mailto:Deborah.J.Cedeno-Maldonado@usace.army.mil).

**APPLICANT:** Municipality of Jayuya  
POC: Adrián Bennett-Rodríguez  
P.O. Box 488  
Jayuya, Puerto Rico 00664

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Río Grande de Jayuya. The proposed project site is located immediately adjacent to the Jayuya Sports Complex, at State Road PR-144, Km 4.3, Jayuya Abajo Ward, Municipality of Jayuya, Puerto Rico.

Directions to the site are as follows: From San Juan, take Expressway PR-52 (southbound) toward Ponce. When you arrive at Ponce, take exit 98A to your right and merge onto State Road PR-10 (North). Continue driving on PR-10 for 6.2 kilometers; take exit to your right to stay on PR-10 and keep driving for an additional 13 kilometers. Turn right onto municipal road "Camino Santa Rosa"; turn left onto PR-503 and then, turn right onto PR-143. Turn left onto PR-140 and then right onto PR-144. Continue driving on PR-144 until you reach the Jayuya Sports Complex, which will be on your right side. The project site is right behind the athletic complex facilities.

**APPROXIMATE CENTRAL COORDINATES:** Latitude: 18.21558°  
Longitude: -66.59683°

**PROJECT PURPOSE:**

Basic: Embankment restoration/stabilization

Overall: Restore and stabilize the severely eroded western embankment segment of Río Grande de Jayuya bordering the Jayuya Sports Complex, as to protect the athletic facilities from erosion impacts during flooding events.

**EXISTING CONDITIONS:** The proposed project site consists of a section approximately 400 meters (m) long of Río Grande de Jayuya (including the riverbed and western embankment) and immediately adjacent uplands. The site adjoins the Jayuya Sports Complex (which includes the Marcos A. Massini Municipal Stadium, basketball and tennis courts, and a track and field facility) to the east-southeast. The high water velocities and flooding associated with Hurricane María caused severe erosion and failure of the western riverbank. This resulted in the partial collapse of an existing concrete wall in the rear margin of the sports complex and damage to the baseball stadium and track and field facility, both of which remain inoperable to this date. Due to the current conditions at the site, whenever an extraordinary rain event occurs, the river floods the sports complex, as well as the adjacent La Montaña Public Housing and Baxter Pharmaceutical facilities. Thus, there is an imperative need to restore and stabilize the eroded river embankment to protect the sports complex facilities from further damage, ensure safe and continuous operations at the Baxter Pharmaceutical facility, and protect the life and property of adjacent neighbors. The existing area surrounding the project site consists of undeveloped lands and dense urban areas. There are no wetlands within the proposed bank restoration/stabilization area.

**PROPOSED WORK:** The applicant seeks authorization to discharge fill material into approximately 0.75 acres of waters of the U.S. for the construction of a gabion gravity wall along a segment 398 m (1,305 feet (ft)) long of the western embankment of Río Grande de Jayuya adjoining the Jayuya Sports Complex. The gabion wall would be built with PVC-covered gabion baskets filled with rocks. The wall would have a flat side facing the river (with two lines of gabion baskets at the toe under the riverbed) and a stepped side facing the sports complex. Reno mattresses would be installed along the riverbed to help stabilize the gabion gravity wall and prevent scouring beneath the wall's footing. Shotcrete (sprayed concrete) would be applied to the flat side of the gabion wall and to the Reno mattresses to prevent growth of vegetation that could break the galvanized steel baskets containing the rocks. The project would require excavation of riverbed material for the installation of Reno mattresses and construction of the footings of the gabion wall. The excavated material would be used to build eight temporary berms (each measuring 82 ft long by 15 ft wide) within the river channel to divert water flow and isolate the in-water work areas during project construction. The construction of the berms would be conducted in stages (there would only be one berm at a time) and would require total temporary fill impacts to approximately 0.23 acres of waters of the U.S. Any excess excavated material would be removed from the river channel and temporarily stockpiled in uplands to be later used as backfill behind the gabion wall. A new concrete wall would be built in uplands along the rear margin of the sports complex to help stabilize the embankment and support the fill behind the proposed gabion wall. Staging areas and temporary access roads/ramp for this project would be established in uplands. The project would require the use of excavators, dump trucks, and diggers, among others.

**AVOIDANCE AND MINIMIZATION INFORMATION** – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Due to the severely eroded condition of the western riverbank, total avoidance of impacts to waters of the U.S. is not possible. However, the applicant has minimized proposed impacts to waters of the U.S. by redesigning the proposed gabion gravity wall, which was originally designed to have its stepped side facing the river channel, as to reduce its footprint below the ordinary high water mark. In addition, impacts to waters of the U.S. would be avoided by locating the proposed temporary access roads and earthen ramp in uplands. Further avoidance/minimization of impacts to waters of the U.S. would be achieved through the removal of all temporary fill material associated with the construction of the temporary berms immediately upon completion of project construction and by implementing best management practices and turbidity/sedimentation control measures (such as the use of hay bales and installation of silt fences and a turbidity barrier around the in-water work area) during the construction work.

**COMPENSATORY MITIGATION** – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

The applicant has expressed that the proposed gabion gravity wall would prevent/reduce future erosion and failure of the western river embankment and would thus improve water quality and the general conditions of the river channel within the project area. Therefore, no compensatory mitigation should be required.

#### **CULTURAL RESOURCES:**

The Federal Emergency Management Agency (FEMA) is the lead federal agency for this proposal. FEMA completed the required consultation with the P.R. State Historic Preservation Officer (PRSHPO) for potential project impacts to historic properties, pursuant to Section 106 of the National Historic Preservation Act. As a result of said consultation, via letter dated January 25, 2023, the PRSHPO concurred with FEMA's determination that no historic properties would be affected by the proposed project.

#### **ENDANGERED SPECIES:**

In their role as lead federal agency for this proposal, FEMA satisfied the federal responsibilities and consultation requirements pursuant to Section 7 of the Endangered Species Act (ESA). The applicant provided copy of the Record of Environmental Consideration (REC) document prepared by FEMA, whereby they determined that the proposed project is not likely to adversely affect the federally protected the Puerto Rican boa (*Chilabothrus inornatus*), Puerto Rican harlequin butterfly (*Atlantea tulita*), and Puerto Rican parrot (*Amazona vittata*). The above effect determinations were made

based on the use of the PR ESA Matrix in accordance with the agreement between FEMA the U.S. Fish and Wildlife Service (USFWS) Caribbean Field Office, dated December 27, 2023.

NAVIGATION: The proposed activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing within 30 days from the date of this notice. Comments should be submitted via the Regulatory Request System public notice module at <https://rrs.usace.army.mil/rrs/public-notices>. Alternatively, you may submit written comments through the Regulatory Branch, Fund. Ángel Ramos Annex Bldg., 383 F.D. Roosevelt Ave., San Juan, Puerto Rico 00918.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Deborah J. Cedeño-Maldonado, in writing at the Regulatory Branch, Fund. Ángel Ramos Annex Bldg., 383 F.D. Roosevelt Ave., San Juan, Puerto Rico 00918; by electronic mail at [Deborah.J.Cedeno-Maldonado@usace.army.mil](mailto:Deborah.J.Cedeno-Maldonado@usace.army.mil); or by telephone at (787) 249-6975.

IMPACT ON NATURAL RESOURCES: Coordination with the USFWS, Environmental Protection Agency (EPA), National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

EVALUATION: 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 protection and utilization of important resources. The benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general

environmental concerns, wetlands, historical 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.

Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**WATER QUALITY CERTIFICATION:** An individual Water Quality Certification from the P.R. Department of Natural and Environmental Resources, Point Sources Permits Division, would be required for this project.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.



VICINITY MAP

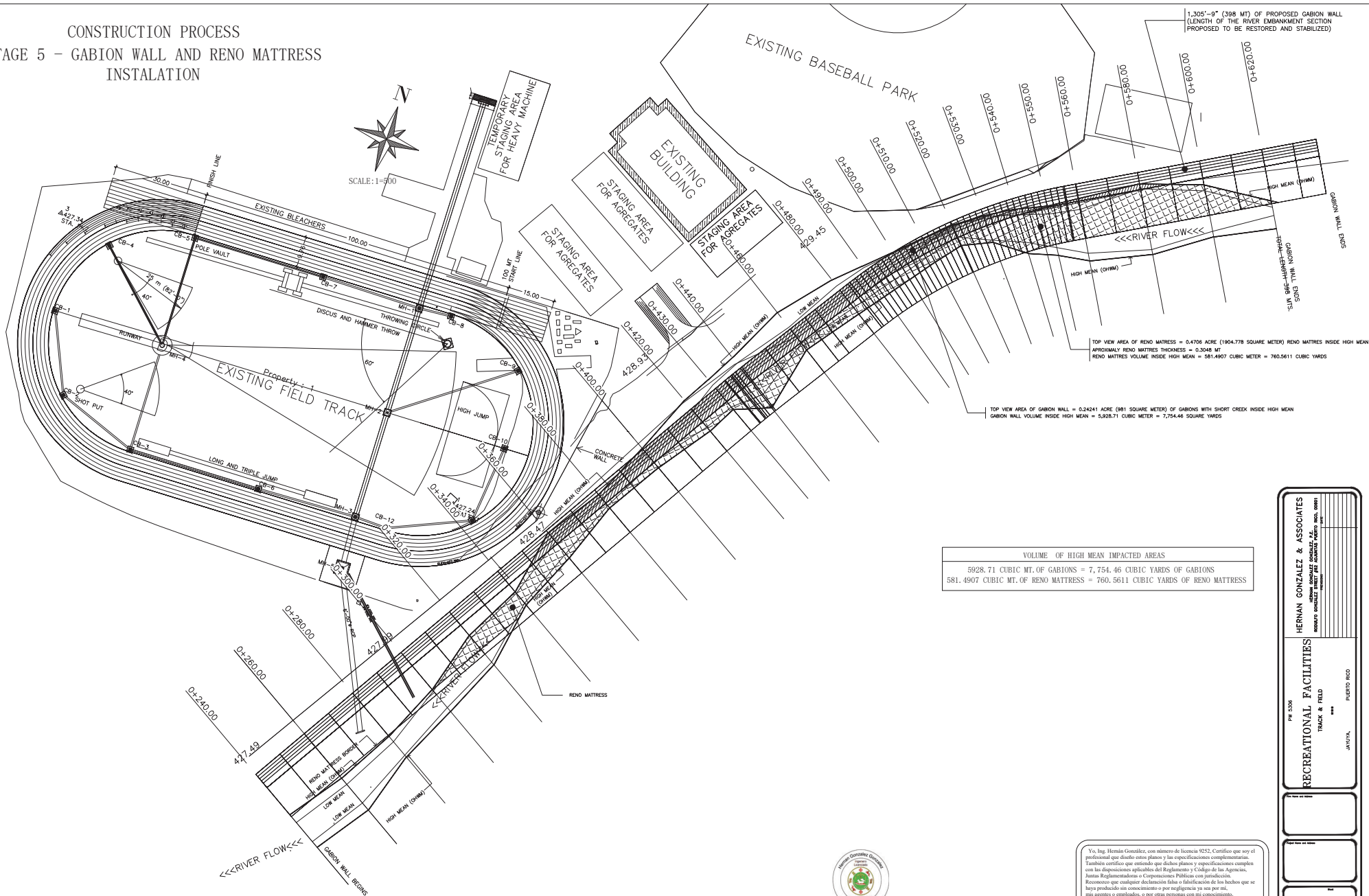


FOTO AEREA  
MUNICIPAL RECREATIONAL FACILITIES  
JAYUYA – PUERTO RICO

COORDENADAS NAD 83    X = 182574.6726                      Y = 242398.6150  
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Sheet  2	Project Name and Address	Firm Name and Address	***	HERNAN GONZALEZ & ASSOCIATES	
			PW 5306	HERNAN GONZALEZ GONZALEZ, P.E. RODOLFO GONZALEZ STREET #82 ADJUNTAS PUERTO RICO, 00601	
				PREVISIONS	DATE
JAYUYA	**	PUERTO RICO			

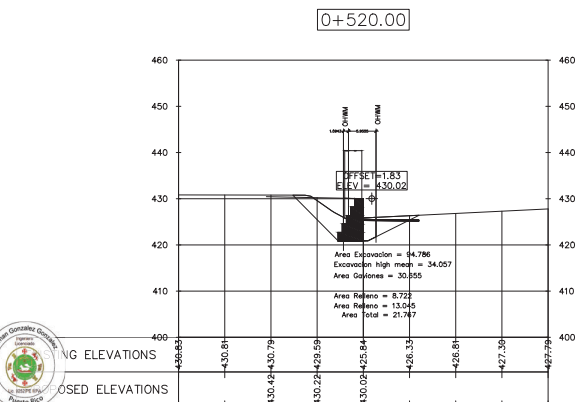
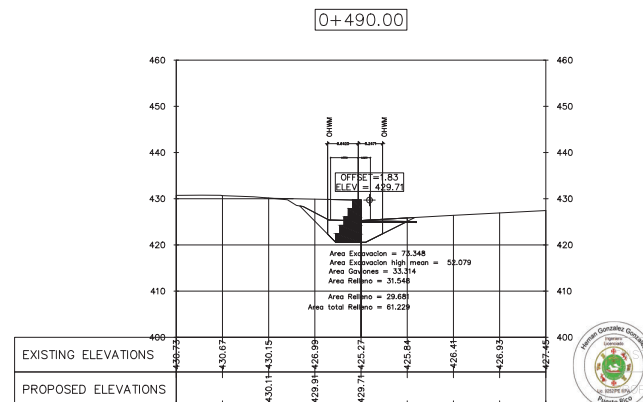
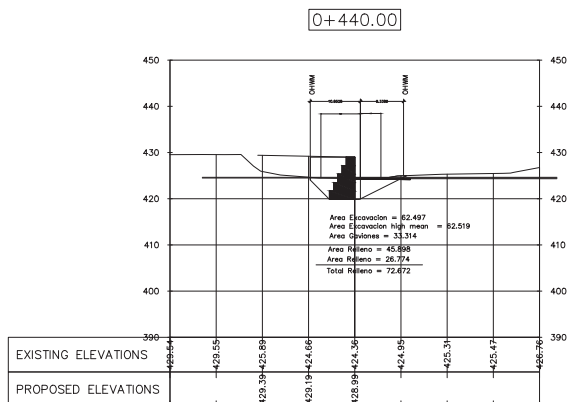
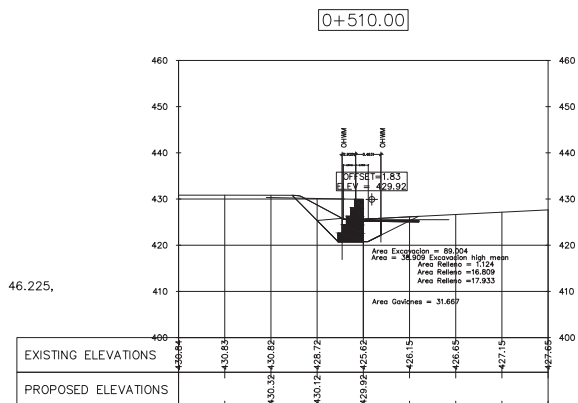
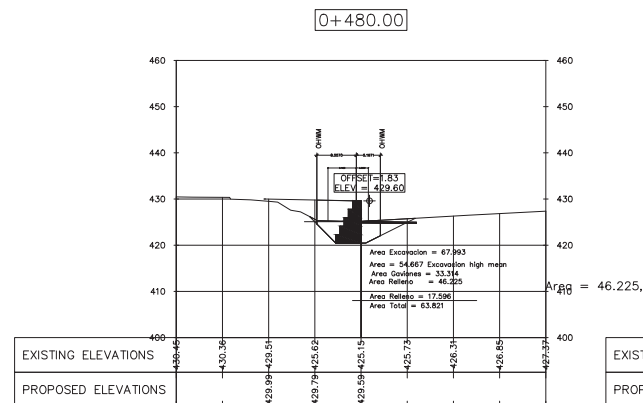
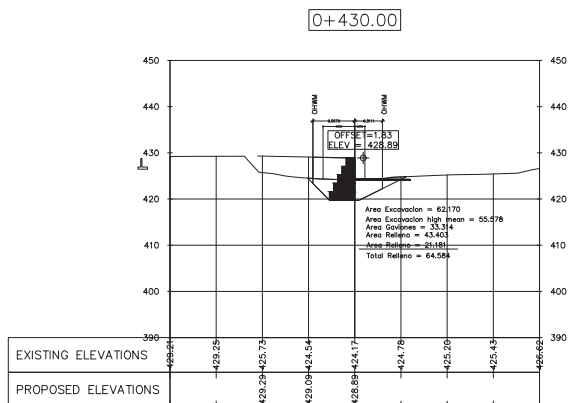
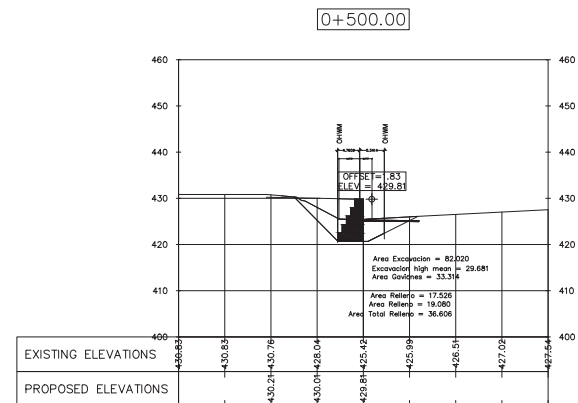
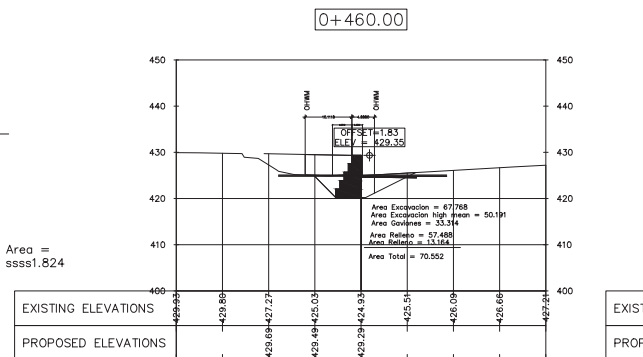
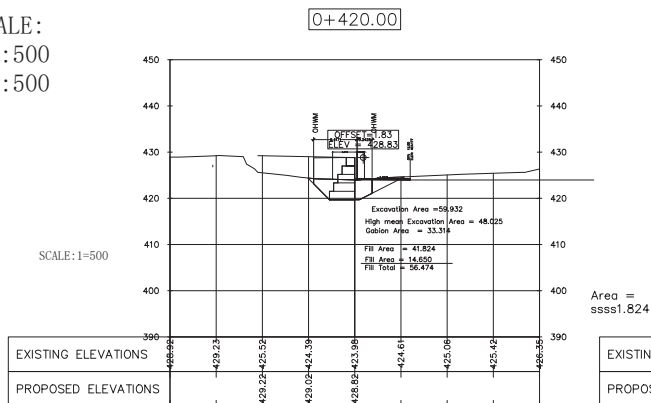
## STAGE 5 - GABION WALL AND RENO MATTRESS INSTALATION



Yo, Ing. Hernán González, con número de licencia 9252. Certifico que soy el profesional que diseño estos planos y las especificaciones complementarias. También certifico que entiendo que dichos planos y especificaciones cumplen con las disposiciones establecidas del Reglamento del Código de las Aguas, Juntas Reglamentadoras o Corporaciones Públicas con jurisdicción. Reconozco que cualquier declaración falsa o falsificación de los hechos que se haya producido sin conocimiento o por negligencia ya sea por mí, mis agentes o empleados, o por otras personas con mis conocimientos, me hacen responsable de cualquier acción judicial y disciplinaria por la OIGPE y otras autoridades competentes que se deriven de mi omisión a la autorización de la participación en los procedimientos de certificación.



SCALE:  
V=1:500  
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Yo, Ing. Hernán González, con número de licencia 9252, Certifico que soy el profesional que diseño estos planos y las especificaciones complementarias. También certifico que ante los datos que dichos planos y especificaciones cumplen con las disposiciones aplicables del Reglamento y Código de las Américas, Revisión Reglamentaria de la Corporación de Fomento de la Producción de la República Argentina, y que los planos y especificaciones que se han producido en la consecución tanto a por un digitalizado, y son por mí mismo aprobados, o por cualquier persona con mi consentimiento, me hacen responsable de cualquier acción judicial y disciplinaria por la OICPE y otras autoridades competentes, incluyendo, pero sin limitarse a la terminación de la parte pública en los casos de incumplimiento de certificación.

PW 5506 <b>RECREATIONAL FACILITIES</b> TRACK & FIELD JAVITA, PUERTO RICO	HERNAN GONZALEZ & ASSOCIATES HERNAN GONZALEZ, P.E. RODOLFO GONZALEZ DIRECT P.E. AGUADA PUERTO RICO, 00981
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