



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Ann Ventura  
Puerto Rico Aqueduct  
and Sewer Authority

Published: March 25, 2025  
Expires: April 24, 2025

**Caribbean District  
Permit Application No. SAJ-2023-02914 (SP-LOB)**

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) **and** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work 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 [luis.o.betancourt@usace.army.mil](mailto:luis.o.betancourt@usace.army.mil).

**APPLICANT:** Ann Ventura  
Puerto Rico Aqueduct and Sewer Authority  
604 Ave. Barbosa  
Edif. Sergio Cuevas, Hato Rey  
San Juan, PR 00917

**AGENT:** Orlando Sánchez  
Arcadis Caribe, PSC  
48 Street  
165 Suite 301  
Guaynabo, PR 00968

**WATERWAY AND LOCATION:** The project site is located at the north side of Caño Martín Peña, Buena Vista Sector, Santurce Ward, Municipality of San Juan, Puerto Rico (Latitude: 18.43179°; Longitude: -66.04996°).

**EXISTING CONDITIONS:** Caño Martín Peña is a tidal channel located in the heart of San Juan, Puerto Rico. It connects the San José Lagoon to the east with the San Juan Bay to the west, running through several densely populated neighborhoods, including Santurce and Hato Rey. Historically, this area has faced significant environmental challenges, such as water pollution, poor drainage, and habitat degradation, largely due to urban development and informal housing along its banks. The project components are situated on the north side of the Caño Martín Peña channel.

## **PROJECT PURPOSE:**

**Basic:** Sanitary/storm sewer and potable water infrastructure

**Overall:** To improve existing sanitary/storm sewer and potable water infrastructure at the Buena Vista Community in the Municipality of San Juan.

**PROPOSED WORK:** The project will include several key components for the rehabilitation of the Buena Vista Community's sanitary, stormwater, and potable water infrastructure, including the installation of new pump stations and measures for flood control. For New Pump Station No. 1, 0.001 acres of riprap would be discharged within waters of the United States (WOTUS) for storm sewer outlet protection. New Pump Station No. 2 would involve the permanent discharge of fill material into approximately 0.01 acre of open waters for the placement of riprap for the protection of a storm sewer structure and 0.02 acre of wetlands for the construction of a berm and the pump station itself. In addition, it would include the installation of a 10-meter (m) long sheet pile in open waters and wetlands associated with the Martín Peña Channel. For New Pump Station No. 3, the project would require the discharge of fill material into approximately 0.01 acre of open waters for the placement of riprap for the protection of a storm sewer structure and 0.26 acre of wetlands for the construction of a (flood control) berm and the pump station itself. Furthermore, the project would include the installation of a 63.69-m long sheet pile in open waters and wetlands associated with the Martín Peña Channel. Additional project components include the construction of a berm not associated with the pump stations, requiring 0.06 acre of fill in open waters and wetlands, and the installation of 25.62-m long sheet pile not associated with the pump stations. The total surface area to be permanently filled within WOTUS would be approximately 0.35 acre, with 0.08 acre accounting for permanent impacts to open waters and 0.27 acre of impacts to wetlands. Additionally, temporary impacts would be anticipated on approximately 0.44 acre of open waters and wetlands to support the proposed works, including 0.23 acre of fill material in wetlands and 0.21 acre in open waters. Moreover, the project would also include the installation of a total of 99.31 linear m of sheet piles. Specifically, 10 linear m of sheet pile would be installed at New Pump Station No. 2, 63.69 linear m at New Pump Station No. 3, and 25.62 linear m for additional project components not associated with the pump stations.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment. The proposed project has been designed to operate within areas that have been previously impacted. Many of these areas are part of ongoing works related to the Caño de Martín Peña Dredging Project. Much of the wetland space within the project area lacks vegetation and contains various fill materials, including debris and refuse from historical filling for the Buena Vista Community's development. Consequently, total avoidance of jurisdictional impacts is not feasible, as the project aims to enhance existing infrastructure essential for the Caño de Martín Peña Dredging Project.

**COMPENSATORY MITIGATION:** The applicant stated that they are willing to comply with any necessary compensatory mitigation if required by the Corps.

**CULTURAL RESOURCES:** The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application and the Puerto Rico and U.S. Virgin Islands Regulatory Viewer to determine if any threatened, endangered, proposed, or candidate species, as well as any proposed and final designated critical habitat may occur in the vicinity of the proposed project area. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and/or critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

**Table 1:** ESA-listed species and/or critical habitat potentially present in the action area.

<b>Species Common Name and/or Critical Habitat Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>
Puerto Rican Boa	<i>Chilabothrus inornatus</i>	Endangered
Roseate tern	<i>Sterna dougallii dougalli</i>	Threatened

Pursuant to Section 7 of the ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**ESSENTIAL FISH HABITAT:** This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact 0.35 acre of habitat type utilized by various life stages of species. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries. Our final determination relative to project impacts and the need for mitigation

measures is subject to review by and coordination with the National Marine Fisheries Service.

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

**SECTION 408:** The applicant will require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would alter, occupy, or use a Corps Civil Works project.

**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. This public notice serves as the notification to the EPA pursuant to section 401(a)(2) of the Clean Water Act. Water Quality Certification is required from the Department of Natural and Environmental Resources.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** The Coastal Zone of the Commonwealth of Puerto Rico is legally defined as the: Strip of coastal land one thousand linear meters (1,000 m) inland, measured from the coastline, as well as additional distances needed to include key coastal natural systems. The location of the project site is within the Coastal Zone. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board.

**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 geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

**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.

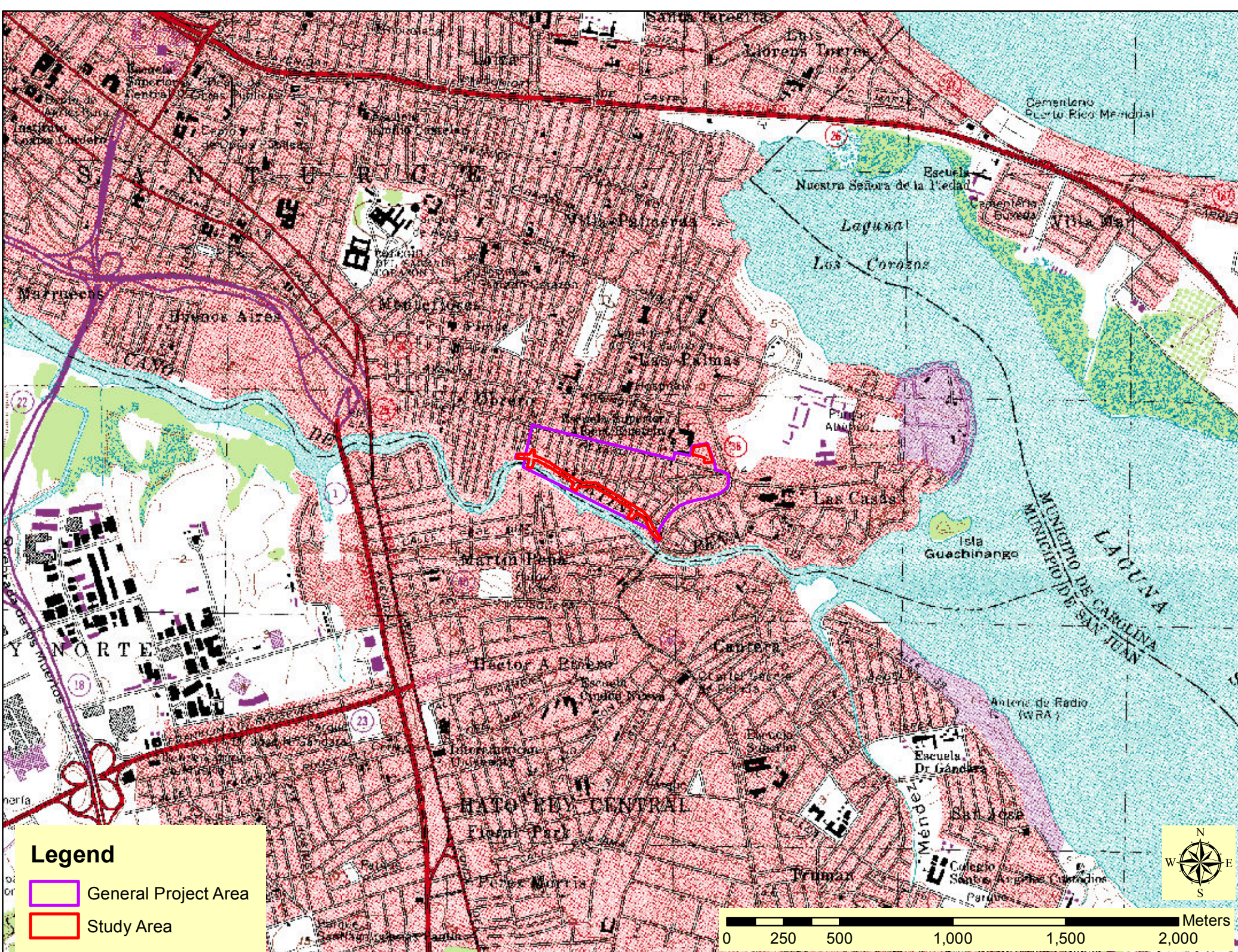
**COMMENTS:** The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether 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 used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

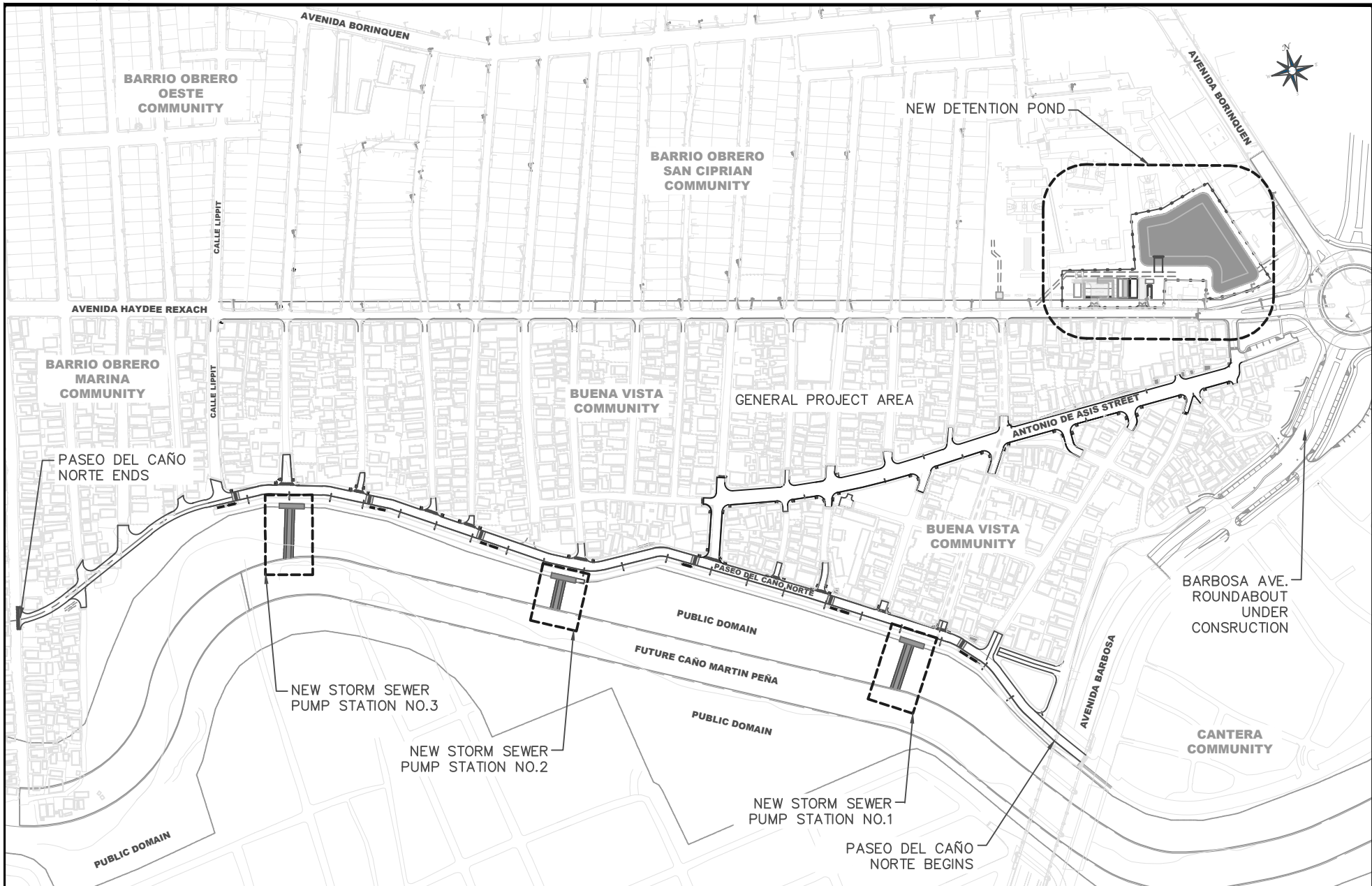
The Caribbean District will receive written comments on the proposed work, as outlined above, until April 24, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Luis O. Betancourt at [luis.o.betancourt@usace.army.mil](mailto:luis.o.betancourt@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Caribbean District, Attention: Luis O. Betancourt, 383 Franklin D. Roosevelt Ave., San Juan, PR 00918. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.









Autoridad de  
Acueductos y  
Alcantarillados

GOBIERNO DE PUERTO RICO



**ARCADIS CARIBE, PSC.**  
48 CITY VIEW PLAZA, SUITE 301, RD 165 KM  
1.2 GUAYNABO, P.R. 00968 TEL:  
787-755-1919 FAX:787-755-1922

# SITE PLAN

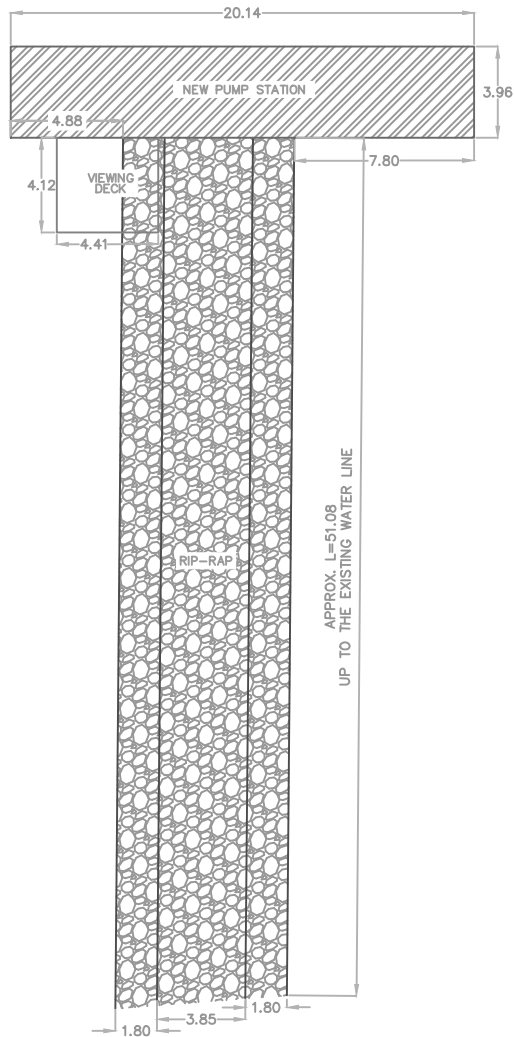
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BUENA VISTA SANTURCE COMMUNITY  
SANTURCE , PUERTO RICO

NOT TO SCALE

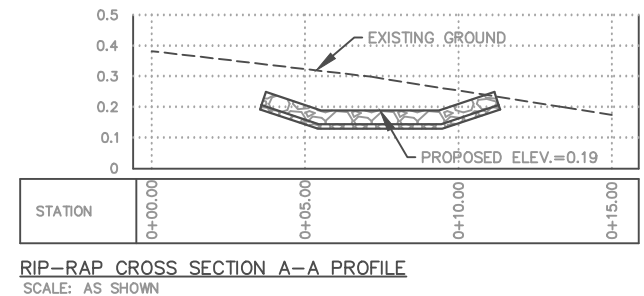
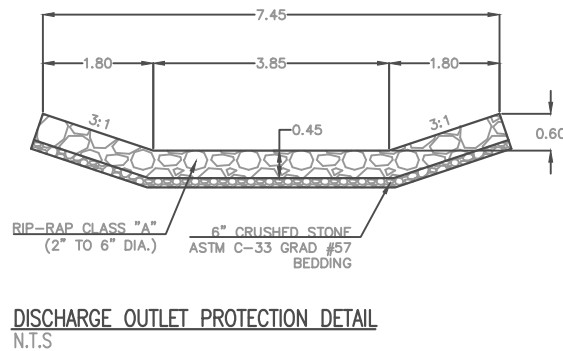
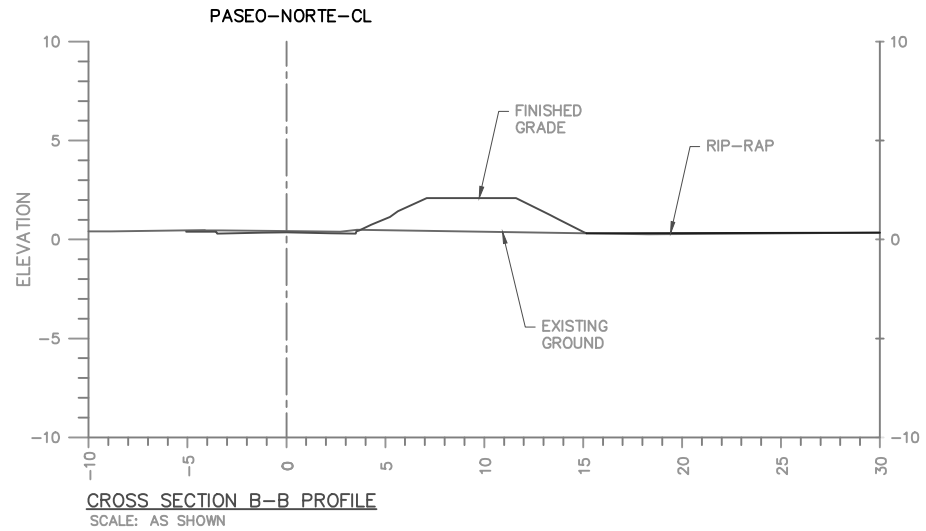
4/15/2024

DRAWING

1  
OF  
25



NEW PUMP STATION NO.1 AND RIP-RAP DIMENSIONS  
N.T.S



PUMP STATION NO.1 CROSS SECTION  
CIP No. 1-66-5105, CIP No. 1-66-6091, CIP No. 1-66-6094  
BUENA VISTA SANTURCE COMMUNITY  
SANTURCE , PUERTO RICO