

# **APPENDIX A**

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## **Project Correspondence**

### **Rio Culebrinas Aguada and Aguadilla, Puerto Rico Study Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion Draft Environmental Assessment**



**US Army Corps of Engineers  
JACKSONVILLE DISTRICT**

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DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BLVD  
JACKSONVILLE, FL 32207-8915

Planning and Policy Division  
Environmental Branch

FEB 19 2019

To Whom It May Concern:

Pursuant to the National Environmental Policy Act and the U.S. Army Corps of Engineers Regulation (33 CFR 230.11), this letter constitutes the Notice of Availability of the proposed Finding of No Significant Impact (FONSI) and draft Environmental Assessment (EA) for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. The purpose of the project is to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. The Recommended Plan consists of the construction of two segments of earthen levees, a short cutoff channel, drainage structures, interior drainage channels, and three paved road ramps across the levees to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada. The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as socio-economic considerations.

The proposed FONSI, draft EA, and associated appendices are available for your review on the Jacksonville District's Environmental planning website, under Puerto Rico:

<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

Questions or comments can be submitted to Kristen Donofrio at the letterhead address, or via email to [Kristen.L.Donofrio@usace.army.mil](mailto:Kristen.L.Donofrio@usace.army.mil) within 60 days from the date of this Notice of Availability. Ms. Donofrio may also be reached by telephone at 904-232-2918.

Sincerely,

  
Jason J. Spinning  
Acting Chief, Environmental Branch



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-0019

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

FEB 19 2019

Honorable Tania Vázquez Rivera  
Secretary, Department of Natural and Environmental Resources  
P.O. Box 366147  
San Juan, PR 00936

Dear Ms. Rivera:

In accordance with Section 401 of the Clean Water Act of 1972, the U.S. Army Corps of Engineers, Jacksonville District, (Corps) will be submitting water quality certification (WQC) applications for applicable projects in Puerto Rico. The Department of Natural and Environmental Resources (DNER) has represented that in order to obtain a WQC, projects must comply with section 4B(3) of the Puerto Rico Environmental Policy Law (Law 416-2004) ("4B(3)") and in order to complete the 4B(3) process, an application must be submitted through the Office of Permits Management's (OGPe) website, which requires the applicant to pay a fee.

While the Corps intends to demonstrate compliance with procedural requirements of 4B(3) to obtain WQC, there is no waiver of sovereign immunity which would allow the federal government to pay fees to the Commonwealth of Puerto Rico for this process. Currently, the Corps is unable to complete the electronic submittal of materials in support of its WQC process through the OGPe website due to the imposition of the fee. The Corps respectfully requests an alternative method to comply with the 4B(3) requirements.

This letter also constitutes the Notice of Availability of the proposed Finding of No Significant Impact (FONSI) and draft Environmental Assessment (EA) for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. Pursuant to the National Environmental Policy Act and the U.S. Army Corps of Engineers Regulation (33 CFR 230.11), the Corps prepared an Environmental Assessment (EA) for this project. The draft EA evaluates various alternatives, assesses existing and affected environment conditions, and determines a recommended plan. As required by the NEPA process, the draft EA is currently being coordinated with Federal, Commonwealth, and local government agencies as well as interested parties and the general public for a 60-day review and comment period. These documents are available for your review on the Jacksonville District's Environmental planning website, under Puerto Rico:



<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

In summary, as there is no waiver of sovereign immunity, the Corps cannot pay the fee imposed by the OGPe website. Please provide the Corps with an alternative method for the 4B(3) process so the projects in Puerto Rico can obtain water quality certification. Additionally, questions or comments on the project's NEPA documents can be submitted to Kristen Donofrio at the letterhead address, or via email to [Kristen.L.Donofrio@usace.army.mil](mailto:Kristen.L.Donofrio@usace.army.mil) within 60 days from the date of this Notice of Availability.

If you have any questions or need additional information, please contact Ms. Kristen Donofrio via email ([Kristen.L.Donofrio@usace.army.mil](mailto:Kristen.L.Donofrio@usace.army.mil)) or via telephone at (904) 232-2918.

Sincerely,



Jason J. Spinning  
Acting Chief, Environmental Branch

Enclosures



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

FEB 19 2019

Ms. Elizabeth Fred  
District Conservationist  
Puerto Rico Planning Board  
4100 Arcadio Estrada Avenue, Suite 6  
San Sebastián, PR 00685

Dear Ms. Fred:

Pursuant to the Farmland Protection Policy Act of 1981 (7 U.S.C. §4201 *et seq.*), the U.S. Army Corps of Engineers, Jacksonville District (Corps), is coordinating with the Natural Resources Conservation Service (NRCS) for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. The purpose of the project is to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. The Recommended Plan consists of the construction of two segments of earthen levees, a short cutoff channel, drainage structures, interior drainage channels, three paved road ramps across the levees, and mitigation for impacts to wetlands. A review of the 2004 Recommended Plan resulted in several design modifications. Included with this letter is additional information describing the project background, project location and Recommended Plan, the project's coordination history with NRCS, changes to the 2004 Recommended Plan, and the Corps' effect determination. Additionally, a copy of the draft Environmental Assessment and associated appendices, is available for review on the Corps' environmental planning website, under Puerto Rico. For your convenience, the website link is: <http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

If you have any questions, or need additional information, please contact Kristen Donofrio by email [Kristen.L.Donofrio@usace.army.mil](mailto:Kristen.L.Donofrio@usace.army.mil) or telephone 904-232-2918. Thank you for your assistance.

Sincerely,

  
Jason J. Spinning  
Acting Chief, Environmental Branch

Enclosure



## **Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study**

### **Section 205 Flood Risk Reduction**

### **Continuing Authorities Program (CAP) Conversion**

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In order to comply with the Farmland Protection Policy Act of 1981 (7 U.S.C. §4201 *et seq.*), the U.S. Army Corps of Engineers, Jacksonville District (Corps), is coordinating with the Natural Resources Conservation Service (NRCS) for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. The Corps is providing the following information:

- Project Background;
- Project Location;
- Recommended Plan;
- Project's Coordination History with the NRCS;
- Corps' Effect Determination.

#### **Project Background**

The Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction CAP Conversion was initially authorized under the CAP Section 205 of the Flood Control Act of 1948, Public Law 80-858, as amended; however, no portion of the project has been constructed since the project's initial approval due to the project cost exceeding the capacity of the statutory CAP budget limits. The project is now being planned under the authority of Section 204 of the Flood Control Act of 1970, Public Law 91-611, authorizing the Secretary of the Army, acting through the Chief of Engineers, to prepare plans for the development, utilization and conservation of water and related land resources of drainage basins and coastal areas in the Commonwealth of Puerto Rico. Division B, Subdivision 1, Title IV of the Bipartisan Budget Act (BBA) of 2018 (Public Law 115-123), authorizes the Corps to conduct the study at full federal expense to the extent that appropriations provided under the Investigations heading of the 2018 BBA are available and used for such purpose.

The purpose of the project is to reduce flood damages to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. Although flooding in the Rio Culebrinas basin can occur at any time during the year, it is most frequent during the period of May through December. The large rainfall-driven peak discharges in the basin are generally associated with hurricanes, tropical depressions and tropical waves passing over or near Puerto Rico. Due to the steep slopes in the upper basin, flash floods from intense thunderstorms are a common event affecting this area and can occur anytime during the year. During the flood season, floodwaters overtopping the Rio Culebrinas and Caño Madre Vieja pose potential dangers to surrounding residents, inundate all major highways and roads in the Rio Culebrinas floodplain, and are a source of frequent flood damage to properties. Effects from Hurricane Maria, which hit the island in September 2017, prompted the Corps to include the project for consideration for funding under the BBA.

**Project Location**

The Rio Culebrinas is approximately 43.94 kilometers (km) (27.3 miles) long and originates in the western part of the central mountain range of Puerto Rico, approximately 130 km (80.8 miles) west of the city of San Juan (see **Figure 1**). The Caño Madre Vieja, a 2.09 km (1.3 miles) long tributary of Rio Culebrinas, is an old river outlet that flows across the project area and discharges into the Aguadilla Bay. This small intermittent stream is the political boundary dividing the municipalities of Aguadilla and Aguada. The project is located between the Espinar and Aguadilla communities (see **Figures 1** and **2**).



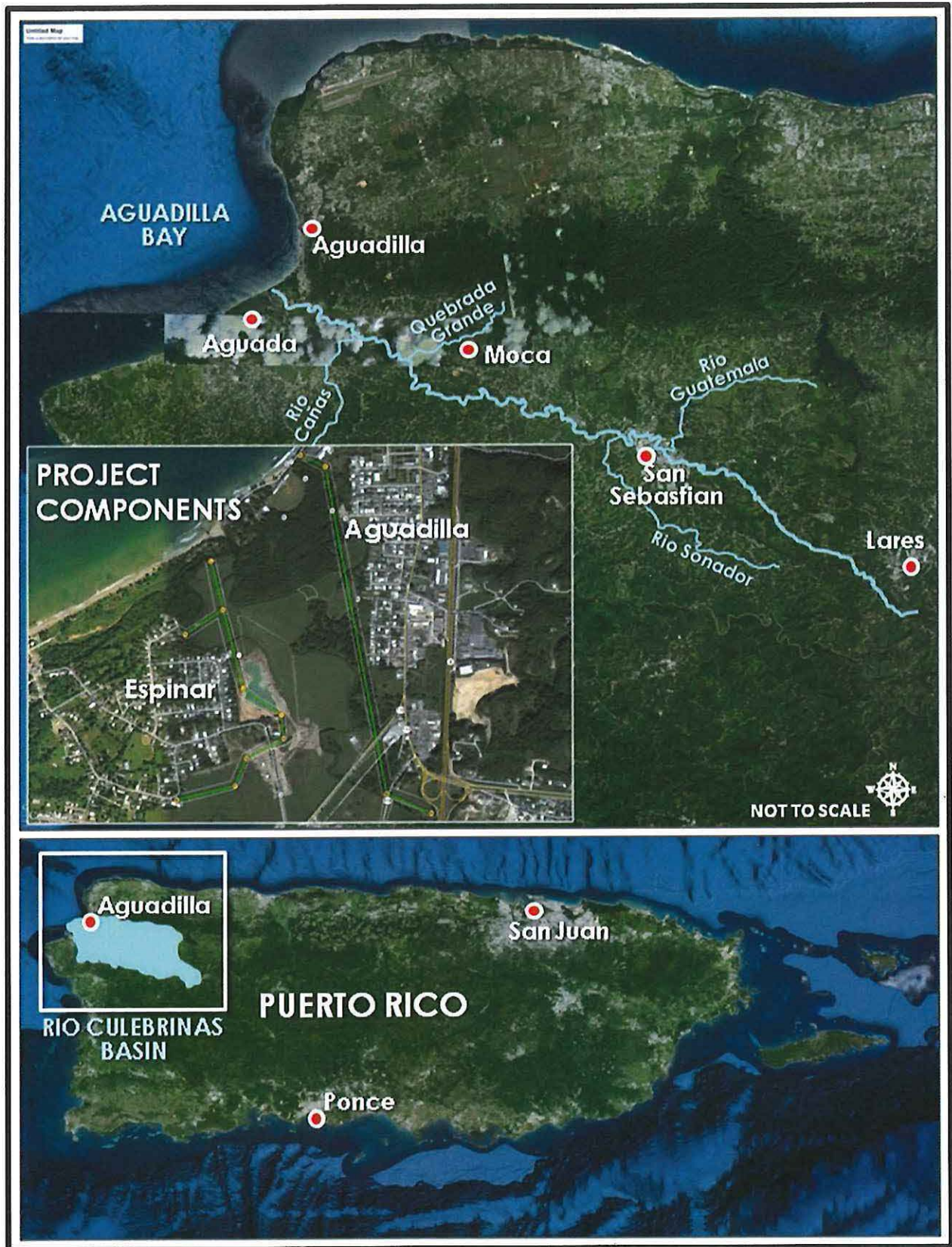


Figure 1. Rio Culebrinas Section 205 project location map.

## Recommended Plan

The Recommended Plan (see **Figure 2**) consists of the following construction:

- Two drainage levees with a combined total length of approximately 3.3 kilometers (km) (2.05 miles) and average height of 2.5 meters (8.2 feet) with 3:1 side slopes and levee crest of 3 meters (9.84 feet):
  - *Espinar Levee* – Begins at the southern end of the Espinar community and extends east then north for approximately 1.5 km (0.93 miles) and ends south of the Caño Madre Vieja mouth;
  - *Aguadilla Levee* – Begins near Highway 2 and extends north for approximately 1.8 km (1.12 miles) and ends near Yumet Avenue. The Aguadilla Levee will transect the Caño Madre Vieja.
- Cutoff channel to reconnect the two sections of the Caño Madre Vieja interrupted by the levee. The cutoff channel will measure approximately 60 meters long by 4 meters deep by 43.2 meters wide (196.85 feet long by 3.12 feet deep by 141.73 feet wide);
- Three paved roadway ramps across the levees;
- Drainage components:
  - Interior drainage channels measuring approximately 1 meter deep by 7 meters wide (3.28 feet deep by 22.97 feet wide) constructed adjacent to the protected side of the levees;
  - One, two-way drainage structure near the north end of the Espinar levee;
  - Three, one-way drainage structures along the Aguadilla levee.



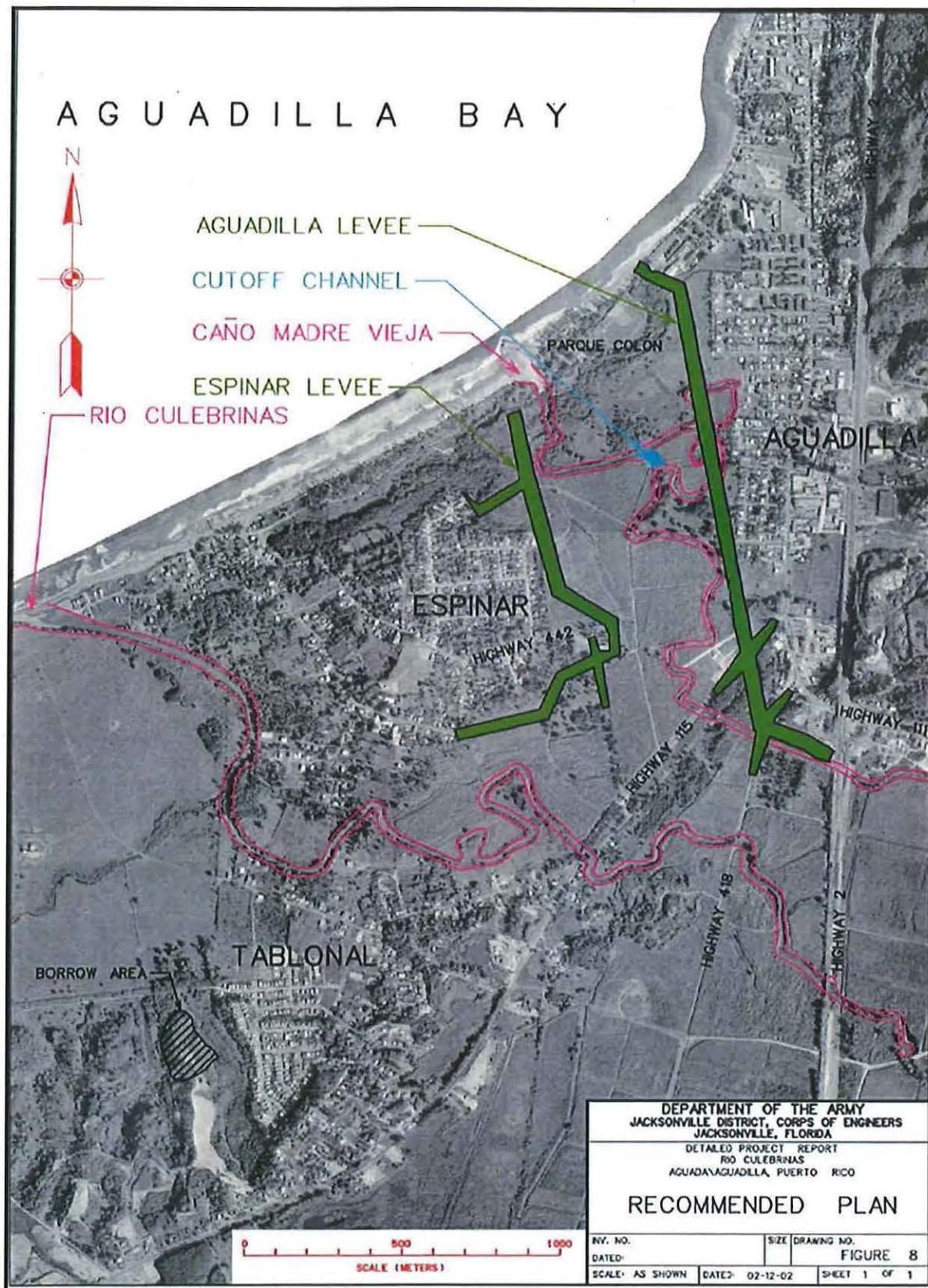


Figure 2. Project features.

Construction of the levees, interior drainage facilities, and cutoff channel will require approximately 84,101 cubic meters (110,000 cubic yards) of fill. Approximately 24,466 cubic meters (32,000 cubic yards) would come from the excavation of the cut-off and interior drainage channels, while the rest of the fill would come from a permitted and approved commercial borrow site.

Additional information, including a copy of the draft Environmental Assessment and associated appendices, is available for review on the Corps' environmental planning website, under Puerto Rico. For your convenience, the website link is:

<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

### **History of Coordination with the Natural Resources Conservation Service**

The project was previously coordinated with the NRCS under the 2004 Environmental Assessment (EA). In a letter dated May 17, 2002, the NRCS concluded coordination with the Corps for this project stating that the EA report clearly addressed the Farmland Protection Policy Act of 1981 and the agency had no further environmental concerns.

A recent review of the 2004 Recommended Plan identified several design modifications resulting in the following changes:

- Concrete instead of metal culverts;
- Armoring for the cutoff channel;
- Increased levee side slopes (2.5:1 in the 2004 plan to 3:1 in the revised plan) to meet current Corps levee design guidance criteria.

The increases in the levee dimensions result in increases in the width of the levee cross sections and the need for additional lands. The total project footprint coordinated with NRCS in 2004 totaled 36.55 acres. The revised levee dimensions increases the total project footprint to 46.17 acres.

### **Corps' Effect Determination**

Components of construction activities for the Recommended Plan will occur within farmland areas previously coordinated with the NRCS. Additional acreage of farmland may be affected; however, the route of the levees and cutoff channel is constrained by nearby development and has been optimized for hydraulic and engineering considerations.





DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

FEB 19 2019

Ms. Arleen Reyes Rodríguez, PE, MSCE, CFM  
Coastal Zone Management Consistency Office  
Puerto Rico Planning Board  
P.O. Box 41119, Minillas Station  
San Juan, Puerto Rico 00940

Dear Ms. Rodríguez:

Enclosed with this letter is the U.S. Army Corps of Engineers, Jacksonville District (Corps) Federal Consistency Determination for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. The purpose of the project is to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. The Recommended Plan consists of the construction of two segments of earthen levees, a short cutoff channel, drainage structures, interior drainage channels, and three paved road ramps across the levees to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada. The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as cultural and socio-economic considerations.

Additional information, including a copy of the draft Environmental Assessment and associated appendices, is available for review on the Corps' environmental planning website, under Puerto Rico. For your convenience, the website link is:  
<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

The Corps has determined that the proposed federal action is consistent with the enforceable policies of Puerto Rico's Coastal Zone Management Program. The Corps respectfully requests a letter of concurrence with our Federal Consistency Determination within 60 days of the date of this letter.

-2-

If you have any questions, or need additional information, please contact Kristen Donofrio by email [Kristen.L.Donofrio@usace.army.mil](mailto:Kristen.L.Donofrio@usace.army.mil) or telephone 904-232-2918. Thank you for your assistance.

Sincerely,



Jason J. Spinning  
Acting Chief, Environmental Branch

Enclosure

Commonwealth of Puerto Rico  
Office of the Governor  
Puerto Rico Planning Board  
Physical Planning Area  
Land Use Planning Bureau

**Application for Certification of Consistency with the  
Puerto Rico Coastal Management Program**

General Instructions:

- A. Attach a 1:20,000 scale, U.S. Geological Survey topographic quadrangular base map of the site.
- B. Attach a reasonably scaled plan or schematic design of the proposed object, indicating the following:
  - 1. Peripheral areas
  - 2. Bodies of water, tidal limit and natural systems.
- C. You may attach any further information you consider necessary for proper evaluation of the proposal.
- D. If any information requested in the questionnaire does not apply in your case, indicate by writing "N/A"(not applicable).
- E. Submit a minimum of seven (7) copies of this application.

DO NOT WRITE IN THIS BOX	
Type of application: _____	Application Number: _____
Date received: _____	Date of Certification: _____
Evaluation result:	<input type="checkbox"/> Objection <input type="checkbox"/> Acceptance <input type="checkbox"/> Negotiation
Technician: _____	Supervisor: _____
Comments: _____	

- 1. Name of Federal Agency: US Army Corps of Engineers, Jacksonville District
- 2. Federal Program Catalog Number: \_\_\_\_\_
- 3. Type of Action:
  - ☒ Federal Activity    ☐ License or permit    ☐ Federal Assistance
- 4. Name of Applicant: Jason J. Spinning, Acting Chief, Environmental Branch  
Postal Address: P.O. Box 4970, Jacksonville, FL 32232-0019  
Telephone: 904-232-1231    Fax: 904-232-3442
- 5. Project name: Rio Culebrinas, Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction CAP Conversion
- 6. Physical Description of Project Location (area, facilities such as vehicular access, drainage, storm and sanitary sewer placement, etc.): See attachment 2.

Lambert Coordinates:

X = 18.4115778

Y = -67.1598167

7. Type of construction or other work proposed:

- ☒ drainage
 ☐ channeling
 ☐ landfill
 ☐ sand extraction  
☐ pier
 ☐ bridge
 ☐ residential
 ☐ tourist

others (specify and explain) Two earthen levees, a short cutoff channel, drainage structures, interior drainage channels, and three paved road ramps across the levees

Description of proposed work: See attachment 2.

8. Natural, artificial, historic or cultural systems likely to be affected by the project

Place an X opposite any of the systems indicated below that are in the project area or its surroundings, which are likely to be affected by that activity. Indicate the distance from the project to any outside system that would likely be affected.

System	Within Project	Outside Project	Distance (meters)	Local name of affected system
beach, dunes				
marshes				
coral, reefs				
river, estuary	X			Caño Madre Vieja
bird sanctuary				
pond, lake, lagoon				
agricultural unit	X			Area bound between Río Culebrinas and Caño Madre Vieja
forest, wood				
cliff, breakwater				
cultural or tourist area				
other (explain)	X			Degraded wetlands

Describe the likely impact of the project on the identified system (s).

Positive ☐

Negative ☐

Explain:

Construction of the Recommended Plan will reduce flood damages to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. The Aguadilla Levee will transect the Caño Madre Vieja; however, a cutoff channel will be constructed to reconnect the two sections of the Caño Madre Vieja. The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as socio-economic considerations.




9. Indicate permits, approvals and endorsements of the proposal by Federal and Puerto Rican government agencies. Evidence of such support should be attached to the proposal.

See attachment 1 for detailed information.	Yes	No	Pending	Application Number
a. Planning Board	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
b. Regulation and Permits Administration	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
c. Environmental Quality Board	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
d. Department of Natural Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
e. State Historic Preservation Office	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
f. U.S. Army Corps of Engineers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
g. U.S. Coast Guard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
h. Other (s) (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

#### CERTIFICATION

I CERTIFY THAT (project name) Rio Culebrinas, Aguada and Aguadilla, Puerto Rico is consistent with  
Study, Section 205 Flood Risk Reduction CAP  
the Puerto Rico Coastal Zone Management Program, and that to the best of my knowledge the above  
information is true.

Jason J. Spinning  
Name (legible)  
Acting Chief, Environmental Branch  
Position

  
Signature  
2-15-19  
Date

**Attachment 1**

**Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study  
Section 205 Flood Risk Reduction  
Continuing Authorities Program (CAP) Conversion**

**General Instructions A:**

**U.S. Geological Survey Topographic Quadrangular Base Map of the Site**

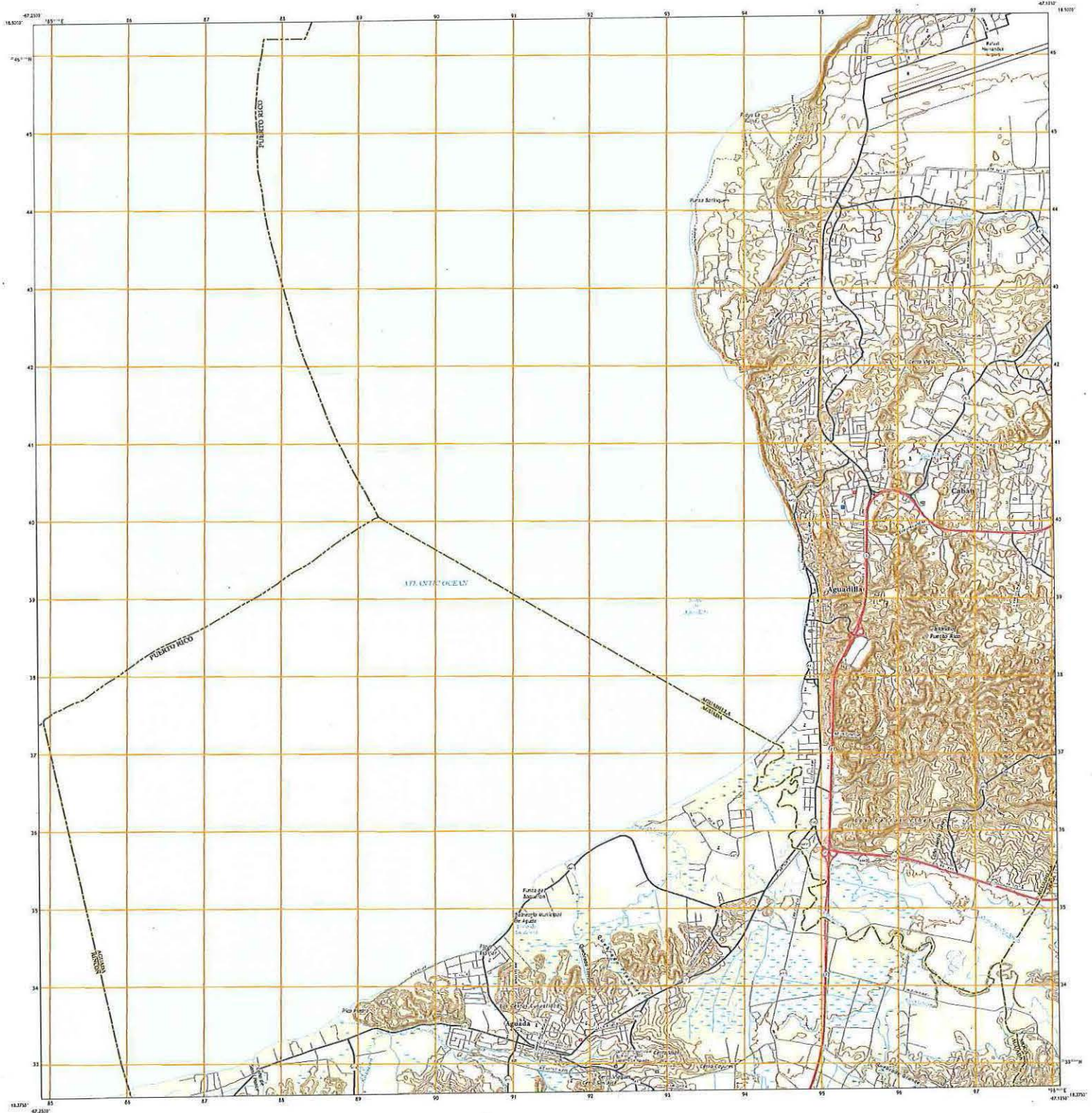
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U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

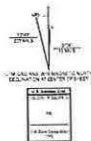


AGUADILLA QUADRANGLE  
PUERTO RICO  
7.5-MINUTE SERIES



Produced by the United States Geological Survey

Map showing the town of Aguadilla, Puerto Rico, and surrounding areas. The map includes a grid of latitude and longitude coordinates, a scale bar, and a north arrow. The map is titled 'AGUADILLA QUADRANGLE' and 'PUERTO RICO'.



ROAD CLASSIFICATION  
Legend for road classification: Solid line for main roads, dashed line for secondary roads, and dotted line for tertiary roads.



AGUADILLA, PR  
2018





**Attachment 2**  
**Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study**  
**Section 205 Flood Risk Reduction**  
**Continuing Authorities Program (CAP) Conversion**

**General Instructions B and C:**  
**Proposed Project Plan and Additional Project Information**

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**6. Physical Description of Project Location (area, facilities such as vehicular access, drainage, storm and sanitary sewer placement, etc.):**

The Rio Culebrinas is approximately 43.94 kilometers (km) (27.3 miles) long and originates in the western part of the central mountain range of Puerto Rico, approximately 130 km (80.8 miles) west of the city of San Juan (see **Figure 1**). The Caño Madre Vieja, a 2.09 km (1.3 miles) long tributary of Rio Culebrinas, is an old river outlet that flows across the project area and discharges into the Aguadilla Bay. This small intermittent stream is the political boundary dividing the municipalities of Aguadilla and Aguada. The project is located between the Espinar and Aguadilla communities (see **Figures 1 and 2**).



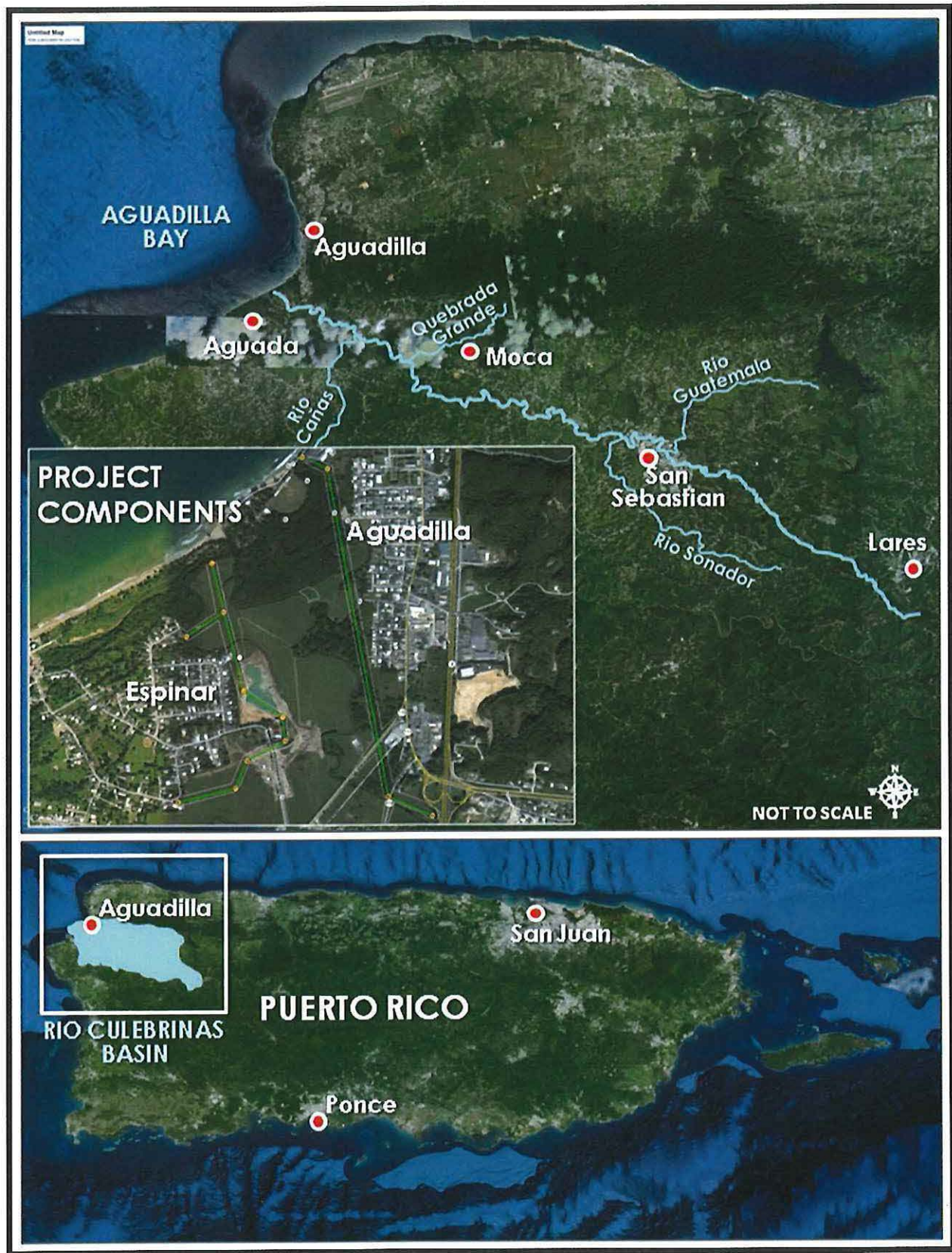


Figure 1. Rio Culebrinas Section 205 project location map.



Access to the site will be provided via public access roads. Construction of the levees, interior drainage facilities, and cutoff channel will require approximately 84,101 cubic meters (110,000 cubic yards) of fill. Approximately 24,466 cubic meters (32,000 cubic yards) would come from the excavation of the cut-off and interior drainage channels, while the rest of the fill would come from a permitted and approved commercial borrow site.

## **7. Description of proposed work:**

The Recommended Plan (see **Figure 2**) consists of the following construction:

- Two drainage levees with a combined total length of approximately 3.3 kilometers (km) (2.05 miles) and average height of 2.5 meters (8.2 feet) with 3:1 side slopes and levee crest of 3 meters (9.84 feet):
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- Three paved roadway ramps across the levees;
- Drainage components:
  - Interior drainage channels measuring approximately 1 meter deep by 7 meters wide (3.28 feet deep by 22.97 feet wide) constructed adjacent to the protected side of the levees;
  - One, two-way drainage structure near the north end of the Espinar levee;
  - Three, one-way drainage structures along the Aguadilla levee.

The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as socio-economic considerations.

Construction of the Recommended Plan will reduce flood damages to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico.



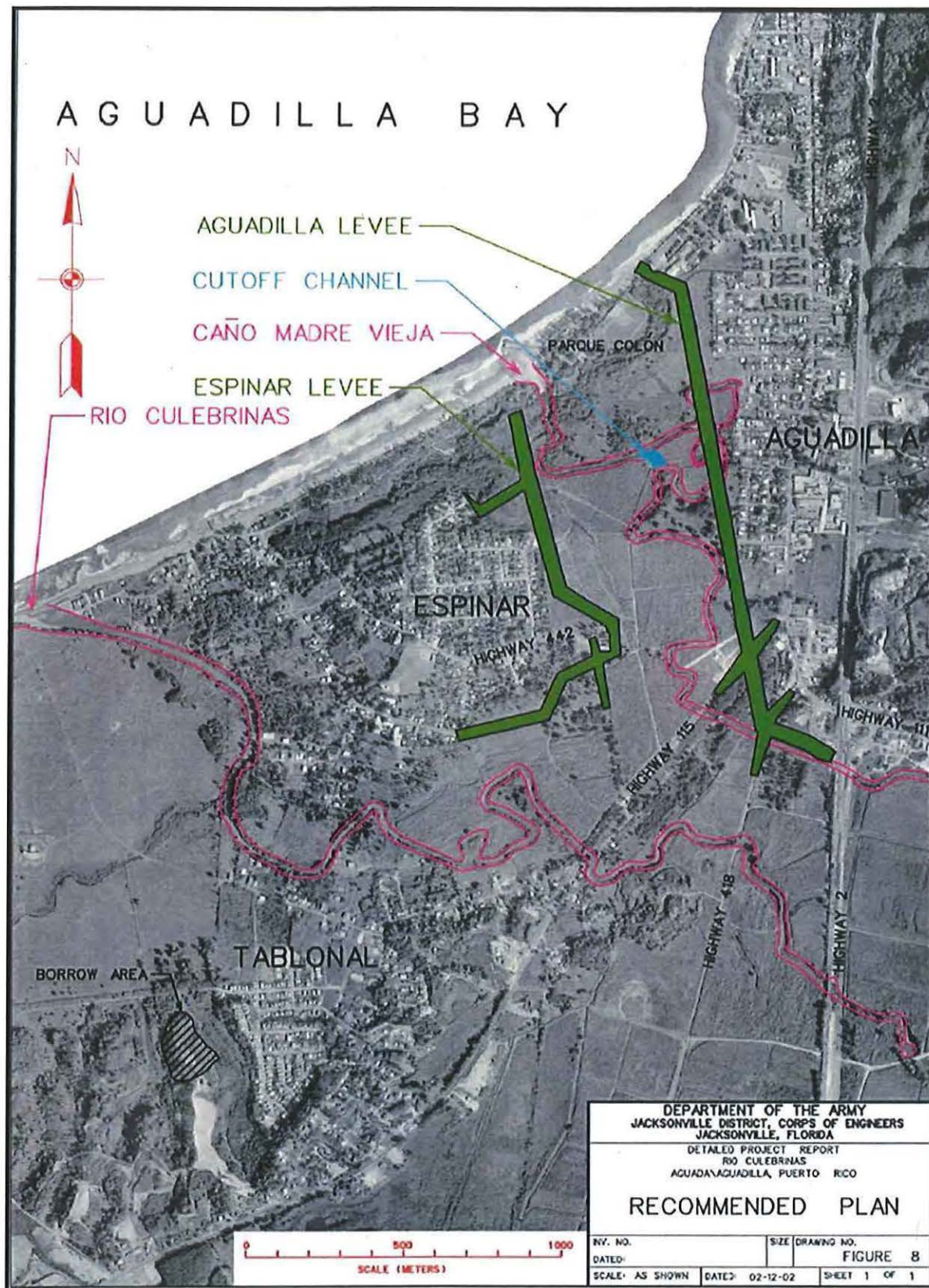


Figure 2. Project features.

**9. Indicate permits, approvals and endorsements of the proposal by Federal and Puerto Rican government agencies. Evidence of such support should be attached to the proposal.**

The project was coordinated with Federal, state, and local government agencies as well as the general public through the 2004 Environmental Assessment (EA) and will be coordinated again during the public review of this National Environmental Policy Act (NEPA) document. The Corps has determined that implementation of the 2015 Recommended Plan may affect, but will not adversely affect the Puerto Rican boa (*Epicrates inornatus*). Coordination with the agencies to address project changes is ongoing.

The Corps has initiated consultation for the Recommended Plan with the Puerto Rico Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, and consideration given under NEPA. The Corps is currently coordinating a Programmatic Agreement with Puerto Rico SHPO and the Advisory Council of Historic Preservation. The Programmatic Agreement will outline the process in which the Corps will consult with the agencies to avoid, minimize, and mitigate adverse effects to historic properties and will be executed prior to the signing of this EA's Finding of No Significant Impact (FONSI).

This project will be performed in compliance with Puerto Rico's water quality standards. An application for a water quality certification will be submitted once final engineering designs are completed. All permits and approvals will be obtained prior to the start of construction.

Additional information, including a copy of the draft Environmental Assessment and associated appendices, is available for review on the Corps' environmental planning website, under Puerto Rico. For your convenience, the website link is: <http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>





DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BLVD  
JACKSONVILLE, FL 32207-8915

Planning and Policy Division  
Environmental Branch

FEB 19 2019

Edwin Muñiz  
Field Supervisor  
Caribbean Ecological Services Field Office  
U.S. Fish and Wildlife Service  
Road 301 Km 5.1  
Boquerón, Puerto Rico 00622

Dear Mr. Muñiz:


Pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Army Corps of Engineers, Jacksonville District (Corps), respectfully requests a letter of concurrence from the U.S. Fish and Wildlife Service (USFWS) for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. The purpose of the project is to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. The Recommended Plan consists of the construction of two segments of earthen levees, a short cutoff channel, drainage structures, interior drainage channels, and three paved road ramps across the levees to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada. The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as cultural and socio-economic considerations.

The Corps has determined that the proposed project may affect, but is not likely to adversely affect (MANLAA) the Puerto Rican boa (*Epicrates inornatus*). Included with this letter is additional information describing the project background, project location and proposed action, potential effects to boas, and efforts to eliminate/avoid impacts. Additionally, a copy of the draft Environmental Assessment and associated appendices, is available for review on the Corps' environmental planning website, under Puerto Rico. For your convenience, the website link is:  
<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

-2-

The Corps respectfully requests that the USFWS provide a letter of concurrence to the Corps' MANLAA effect determinations within 30 days of the receipt of this letter. If you have any questions, or need additional information, please contact Kristen Donofrio by email [Kristen.L.Donofrio@usace.army.mil](mailto:Kristen.L.Donofrio@usace.army.mil) or telephone 904-232-2918. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Spinning", is written over the typed name and title.

Jason J. Spinning  
Acting Chief, Environmental Branch

Enclosure



## **Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion**

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In order to comply with Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Army Corps of Engineers, Jacksonville District (Corps), respectfully requests a letter of concurrence within 30 days of the date of this letter from the U.S. Fish and Wildlife Service (USFWS) on the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion. The Corps has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa (*Epicrates inornatus*).

Pursuant to our request, the Corps is providing the following information:

- Project Background;
- Project Location;
- Recommended Plan;
- Listed Species Under USFWS Jurisdiction;
- Potential Effects to Listed Species and Efforts to Eliminate/Avoid Impacts; and
- Corps' Effect Determination.

### **Project Background**

The Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction CAP Conversion was initially authorized under the CAP Section 205 of the Flood Control Act of 1948, Public Law 80-858, as amended; however, no portion of the project has been constructed since the project's initial approval due to the project cost exceeding the capacity of the statutory CAP budget limits. The project is now being planned under the authority of Section 204 of the Flood Control Act of 1970, Public Law 91-611, authorizing the Secretary of the Army, acting through the Chief of Engineers, to prepare plans for the development, utilization and conservation of water and related land resources of drainage basins and coastal areas in the Commonwealth of Puerto Rico. Division B, Subdivision 1, Title IV of the Bipartisan Budget Act (BBA) of 2018 (Public Law 115-123), authorizes the Corps to conduct the study at full federal expense to the extent that appropriations provided under the Investigations heading of the 2018 BBA are available and used for such purpose.

The purpose of the project is to reduce flood damages to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico. Although flooding in the Rio Culebrinas basin can occur at any time during the year, it is most frequent during the period of May through December. The large rainfall-driven peak discharges in the basin are generally associated with hurricanes, tropical depressions and tropical waves passing over or near Puerto Rico. Due to the steep slopes in the upper basin, flash floods from intense thunderstorms are a common event affecting this area and can occur anytime during the year. During the flood season, floodwaters overtopping the Rio Culebrinas and Caño Madre Vieja pose potential dangers to surrounding residents,



inundate all major highways and roads in the Rio Culebrinas floodplain, and are a source of frequent flood damage to properties. Effects from Hurricane Maria, which hit the island in September 2017, prompted the Corps to include the project for consideration for funding under the BBA.

### **Project Location**

The Rio Culebrinas is approximately 43.94 kilometers (km) (27.3 miles) long and originates in the western part of the central mountain range of Puerto Rico, approximately 130 km (80.8 miles) west of the city of San Juan (see **Figure 1**). The Caño Madre Vieja, a 2.09 km (1.3 miles) long tributary of Rio Culebrinas, is an old river outlet that flows across the project area and discharges into the Aguadilla Bay. This small intermittent stream is the political boundary dividing the municipalities of Aguadilla and Aguada. The project is located between the Espinar and Aguadilla communities (see **Figures 1 and 2**).



Figure 1. Rio Culebrinas Section 205 project location map.



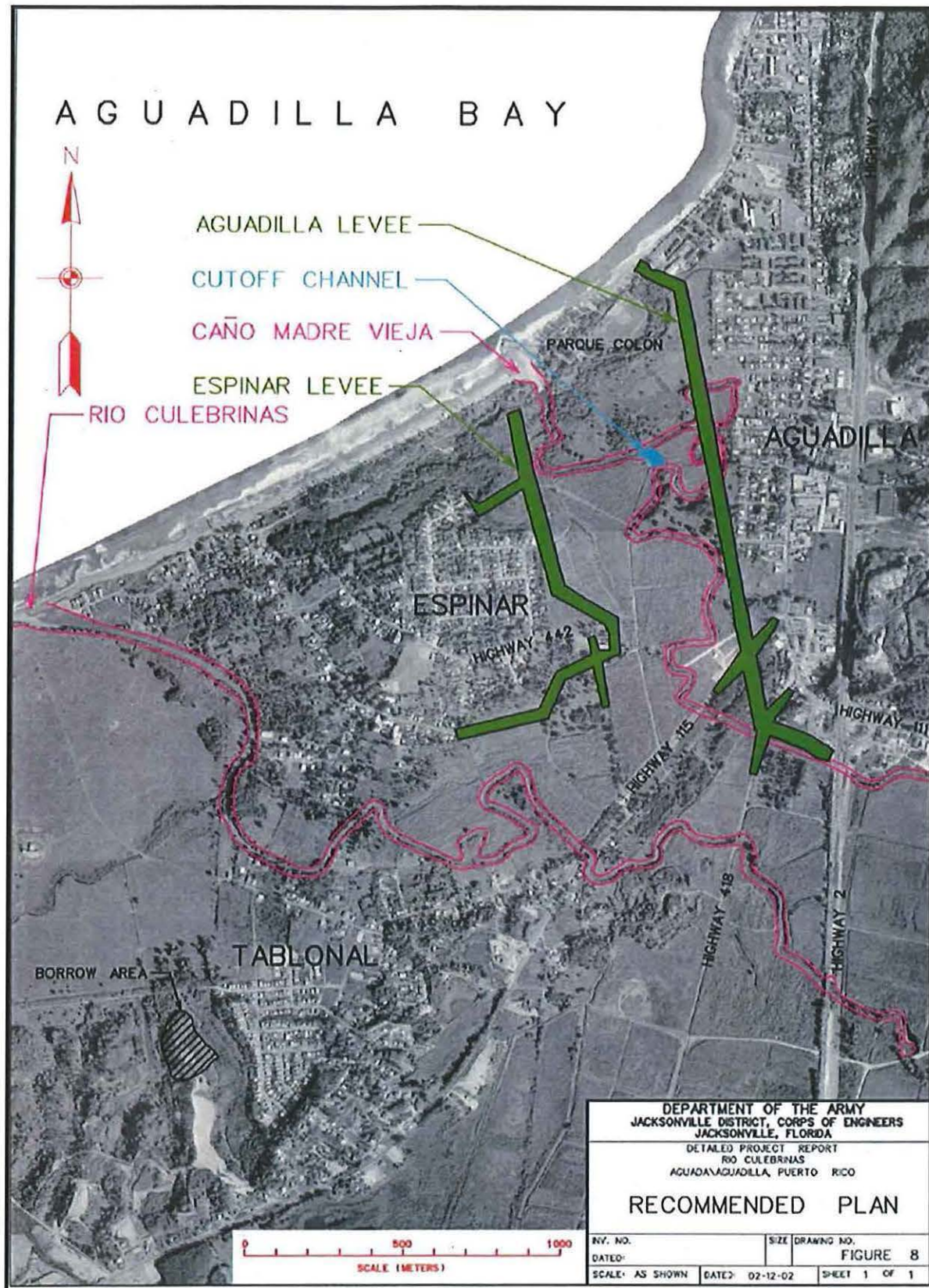


Figure 2. Project features.



## Recommended Plan

The Recommended Plan consists of the following construction:

- Two drainage levees with a combined total length of approximately 3.3 kilometers (km) (2.05 miles) and average height of 2.5 meters (8.2 feet) with 3:1 side slopes and levee crest of 3 meters (9.84 feet):
  - *Espinar Levee* – Begins at the southern end of the Espinar community and extends east then north for approximately 1.5 km (0.93 miles) and ends south of the Caño Madre Vieja mouth;
  - *Aguadilla Levee* – Begins near Highway 2 and extends north for approximately 1.8 km (1.12 miles) and ends near Yumet Avenue. The Aguadilla Levee will transect the Caño Madre Vieja.
- Cutoff channel to reconnect the two sections of the Caño Madre Vieja interrupted by the levee. The cutoff channel will measure approximately 60 meters long by 4 meters deep by 43.2 meters wide (196.85 feet long by 3.12 feet deep by 141.73 feet wide);
- Three paved roadway ramps across the levees;
- Drainage components:
  - Interior drainage channels measuring approximately 1 meter deep by 7 meters wide (3.28 feet deep by 22.97 feet wide) constructed adjacent to the protected side of the levees;
  - One, two-way drainage structure near the north end of the Espinar levee;
  - Three, one-way drainage structures along the Aguadilla levee.

Construction of the levees, interior drainage facilities, and cutoff channel will require approximately 84,101 cubic meters (110,000 cubic yards) of fill. Approximately 24,466 cubic meters (32,000 cubic yards) would come from the excavation of the cut-off and interior drainage channels, while the rest of the fill would come from a permitted and approved commercial borrow site.

The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as socio-economic considerations.

Additional information, including a copy of the draft Environmental Assessment and associated appendices, is available for review on the Corps' environmental planning website, under Puerto Rico. For your convenience, the website link is:

<http://www.saj.usace.army.mil/About/Divisions-Offices/Planning/Environmental-Branch/Environmental-Documents/>

## Listed Species under USFWS Jurisdiction

Listed species which may occur in the vicinity of the proposed work and are under the jurisdiction of the USFWS include the Puerto Rican boa (*Epicrates inornatus*), which is

endangered. The Corps has determined the project may affect, not likely to adversely affect the boa.

**Corps' Analysis and Effect Determinations on Listed Species under USFWS Jurisdiction:**

Puerto Rican boa (*Epicrates inornatus*)

The Puerto Rican boa was listed as endangered in 1970 (35 FR 13519). It is the largest snake in Puerto Rico, averaging a length of 6½ feet. The color can be variable but typically ranges dark browns, grays, and blacks with a series of spots or black bars and a blackish belly. This boa is unique to Puerto Rico and is widespread in its distribution across the island. The species is abundant in protected and inaccessible areas. It can be found in a variety of habitats and is arboreal and terrestrial. Sub-adults and adults' diet consists of birds, small mammals, and lizards. The Puerto Rican boa is non-poisonous and generally harmless unless provoked. No DCH has been identified for this species.

*Corps' Effect Determination: MANLAA*

Components of construction activities for the Recommended Plan may occur within areas where the Puerto Rican boa could be present; however, by utilizing the USFWS Standard Protection Measures for the Puerto Rican boa, potential effects to this species can be minimized. Therefore, the Corps has determined that the proposed project may affect, but is not likely to adversely affect Puerto Rican boas.

**References:**

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USFWS. 2018. "Puerto Rican boa (*Epicrates inornatus*).  
<https://ecos.fws.gov/ecp0/profile/speciesProfile?sld=6628>. Website accessed February 1, 2019.



## CONSERVATION MEASURES FOR THE PUERTO RICAN BOA - USFWS

### General Information:

The Endangered Puerto Rican boa (*Epicrates inornatus*) is an endemic species and it is the largest snake that inhabits the Puerto Rico Island Shelf. The color and pattern of the Puerto Rican boa is highly variable. The species color can range from tan to dark brown with irregular diffuse marking on the dorsum but some individuals lack marking and are uniformly dark. Juveniles have reddish brown ground color with numerous pronounced markings. The Puerto Rican boa can be found in the habitat range from the sea level to about 400 m of elevation. The boa tolerates a wide variety of habitat types ranging from wet montane to subtropical dry forest and can be found from virgin forest to areas that exhibit various degrees of human disturbance like roadside or out buildings. Boas are more active at night, remaining less active concealed or basking in the sun during the day. The U.S. Fish and Wildlife Service (Federal Register October 13, 1970) listed the Puerto Rican boa (*Epicrates inornatus*) as endangered in 1970 and it is protected by the Endangered Species Act of 1973, as amended. Any person that injures, captures, or kills a Puerto Rican boa is subject to penalties under federal law of up to \$100,000, one year in prison or a combination of both.



### Recommendations:

The U.S. Fish and Wildlife Service (hereafter the Service) has developed recommendations to avoid or minimize impacts on the boa during a project development in an area where the boa may occur. The recommendations are the following:



1. Prior to any earth movements or vegetation clearing, the boundaries of the project area, the buffer areas and areas to be protected should be clearly marked in the project plan and in the field.
2. A pre-construction meeting should be conducted to inform supervisors and employees about the conservation of protected species, as well as penalties for harassing or harming such species.
3. Prior to any use of machinery on areas where the boa may occur, the vegetation should be cleared by hand to provide time to the boa, if present, to be detected or move away from the area. All personnel involved in site clearing must be informed of the potential presence of the snake, and the importance of protecting the snakes.
4. Site personnel should be conscious of the possibility of boas sunning in open areas.
5. Before activities commence each workday during the vegetation clearing phase, the experienced personnel in identifying and searching for boas should survey the areas to be cleared that day, to ensure that boas are not present or affected within the work area. If boas are found within the working area, activities should stop at the area where the boas are found until the boas move out of the area on their own. Activities at other work sites, where no boas have been found after surveying the area, may continue. If relocation of the species is necessary, any relocated boas should be transferred by authorized personnel of the Department of Natural and Environmental Resources (DNER) to appropriate habitat close to the project site. Any findings should be reported to the Service and to the DNER Ranger office so they can further assist you in developing sound conservation measures and specific recommendations to avoid, minimize and/or compensate for any impacts to this species.
6. Strict measures should be established to minimize boa casualties by motor vehicles or other equipment. Before operating or moving equipment and vehicles in staging areas near potential boa habitats (within 25 meters of potential boa habitat), these should be thoroughly inspected to ensure that no boas are lodged in the standing equipment or vehicles. If boas are found within vehicles or equipment, authorized personnel of DNER must be notified immediately for proper handling and relocation. Any relocated boas should be transferred to appropriate habitat close to the project site.



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BLVD  
JACKSONVILLE, FL 32207-8915

FEB 19 2019

CESAJ-PD-E (ER 200-2-2)

MEMORANDUM FOR THE RECORD

SUBJECT: Coordination Act Report for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion.

PURPOSE: To document an informal understanding between the U.S. Army Corps of Engineers, Jacksonville District (Corps), and the U.S. Fish and Wildlife Service (USFWS), Caribbean Ecological Services Field Office.

**Background.** The Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction Continuing Authorities Program (CAP) Conversion project was initially authorized under the CAP Section 205 of the Flood Control Act of 1948, Public Law 80-858, as amended; however, no portion of the project has been constructed since the project's initial approval due to the project cost exceeding the capacity of the statutory CAP budget limits. The project is now being planned under the authority of Section 204 of the Flood Control Act of 1970, Public Law 91-611, authorizing the Secretary of the Army, acting through the Chief of Engineers, to prepare plans for the development, utilization and conservation of water and related land resources of drainage basins and coastal areas in the Commonwealth of Puerto Rico. Division B, Subdivision 1, Title IV of the Bipartisan Budget Act (BBA) of 2018 (Public Law 115-123), authorizes the Corps to conduct the study at full federal expense to the extent that appropriations provided under the Investigations heading of the 2018 BBA are available and used for such purpose.

**Recommended Plan.** The Recommended Plan consists of the construction of two segments of earthen levees, a short cutoff channel, drainage structures, interior drainage channels, and three paved road ramps across the levees to reduce flood damage to the southwest portion of Aguadilla and the community of Espinar in Aguada. The Recommended Plan will result in unavoidable impacts to approximately 10.25 acres of mostly degraded wetlands within the levee right of way (formerly Coloso sugar cane fields). The Corps will mitigate for these unavoidable impacts and has proposed a conceptual plan. The final location, size, and configuration of the wetland mitigation areas are subject to change based on additional investigations on the elevation and character of material to be excavated as well as socio-economic considerations.

Construction of the Recommended Plan will reduce flood damages to the southwest portion of Aguadilla and the community of Espinar in Aguada, Puerto Rico.

**Coordination.** The Fish and Wildlife Coordination (FWCA; 16 U.S.C. 661 et seq., March 10, 1934, as amended 1946, 1958, 1978, and 1995) requires Federal agencies to consult with USFWS regarding project related effects to fish and wildlife resources and proposed measures to avoid, minimize, and/or mitigate unavoidable effects. Additional coordination authorities exist through the review process of the National Environmental Policy Act (NEPA; 42 U.S.C. 4321-4347, January 1, 1970, as amended 1975 and 1982) and the consultations required under the Endangered Species Act of 1973 (ESA; 7 U.S.C. 136, 16 U.S.C. 1531 et seq. December 28, 1973).



CESAJ-PD-E (ER 200-2-2)

SUBJECT: Coordination Act Report for the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction CAP Conversion.

The USFWS prepared a Coordination Act Report (CAR) for the project in 1999. The 1999 CAR did not identify any endangered or threatened species or effects to critical habitat. The project was also coordinated with USFWS through the 2004 EA with a no-effect determination for any federally listed endangered or threatened species.

USFWS continues to coordinate and consult with the Corps through NEPA and the ESA in which impacts to fish and wildlife resources are adequately addressed via these two authorities. Funds may be sent to the USFWS during the Preconstruction Engineering and Design (PED) phase to provide support during design refinements. USFWS will include comments relevant to FWCA in the USFWS response to the Corps' ESA coordination letter.

**Agreement.** The undersigned, the Corps and USFWS, agree to utilize the Rio Culebrinas at Aguada and Aguadilla, Puerto Rico Study, Section 205 Flood Risk Reduction CAP Conversion project NEPA review and ESA consultation processes to complete coordination responsibilities under the FWCA. This agreement will avoid duplicate analysis and documentation as authorized under 40 CFR section 1500.4 (k), 1502.25, 1506.4, and is consistent with Presidential Executive Order for Improving Regulation and Regulatory Review, released January 18, 2011.

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Edwin Muñiz  
Field Supervisor  
Caribbean Ecological Services Field Office



---

Jason J. Spinning  
Acting Chief, Environmental Branch





DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

FEB 13 2019

John M. Fowler  
Executive Director  
Advisory Council on Historic Preservation  
401 F Street NW Suite 308  
Washington, DC 20001-2637

Re: Río Culebrinas Section 205 Flood Risk Reduction, Aguada and Aguadilla, Puerto Rico

Dear Mr. Fowler:

The U.S. Army Corps of Engineers, Jacksonville District (Corps) is studying the environmental effects of reducing flood damage to the community of Espinar in the northwest of Aguada Municipality and Aguadilla in the southwest of Aguadilla Municipality, Puerto Rico. The Río Culebrinas Flood Risk Reduction Project (Project) was initially authorized under Continuing Authorities Program (CAP), Section 205 of the Flood Control Act of 1948, as amended. The purpose of this Project is to develop an implementable and acceptable plan to reduce damages resulting from the overflow of Río Culebrinas into Caño Madre Vieja. During the flood season, floodwaters overtopping the Río Culebrinas and Caño Madre Vieja pose potential dangers to surrounding residents and are a source of frequent flood damage to residential, public, and commercial properties. The Project was originally studied in 2004; however, in 2015 it was determined that non-Federal costs for project completion would exceed the CAP programmatic spending limits. The Project is currently subject to additional investigation and validation as part of the Bipartisan Budget Act of 2018 (Public Law 115-123) for full Federal funding.

The Corps is currently developing an Environmental Assessment and reviewing alternatives as part of the Corps' compliance with the National Environmental Policy Act. As a result of the current study, the Recommended Plan includes the construction of two earthen levees, a cutoff channel, and drainage features. The area of potential effects (APE) includes two drainage levees (Aguadilla and Espinar) with a total length of approximately 3.03 km (2.05 miles); a 60-meter (196.85 feet) long by 43.2-meter (141.73 feet) wide cutoff channel for the Caño Madre Vieja to connect two meanders of the stream; drainage structures; interior drainage channels; and three paved roadway ramps across the levees (Figure 1).

The majority of the APE has been subject to a 1998 cultural resources survey conducted by Panamerican Consultants, Inc. (PCI) entitled; *Cultural Resource Survey of the Río Culebrinas Flood Protection Project, Municipio of Aguadilla, Puerto Rico*. As a result of this survey, two archaeological sites (Culebrinas Site 1 and the Iglesia de Espinar archaeological site) were determined to be eligible for the National Register of Historic Places (NRHP) within the proposed Espinar Levee footprint. One archaeological site was also identified within the proposed Aguadilla Levee footprint (Culebrinas Site 2); however, more information is necessary to determine if the site is eligible for inclusion in the NRHP. Additionally, the Iglesia de Espinar (*Hermitage of Immaculada Concepcion of Barrio Espinar*) is located adjacent to the Espinar levee and is one of Puerto Rico's earliest churches. The church was originally constructed in 1526 and is eligible for listing in the NRHP. The Espinar levee has been designed to avoid adverse effects and provide flood protection to the Iglesia de Espinar.

Culebrinas Site 1 is a multicomponent site that was occupied through the late prehistoric period to the early-nineteenth century. The site predominately consists of historic ceramic artifacts with a small number of prehistoric lithic artifacts. The Iglesia de Espinar archaeological site was identified east of the existing historic church and represents historic ceramics and architectural materials likely associated with the early church community. During the initial 2004 study, both Culebrinas Site 1 and the Iglesia de Espinar archaeological site were determined eligible for inclusion in the NRHP and avoidance, minimization, or mitigation of adverse effects caused by the Project was determined necessary. Culebrinas Site 2 consists of a scatter of historic period artifacts, likely dating from the late-nineteenth century. As a result of the 2004 study, Phase II NRHP eligibility testing was deemed necessary to determine if the site is eligible for inclusion in the NRHP.

Since the 1999 archaeological investigation, the study area has been heavily disturbed by unknown local entities. Aerial photography of the study area indicates that Culebrinas Site 1, the Iglesia de Espinar archaeological site, and potentially Culebrinas Site 2 have been severely impacted by ground disturbing activities (Figures 2 and 3). Additional Phase I cultural resources surveys are necessary at these site locations to verify the presence of intact archaeological deposits and determine National Register eligibility. Additional cultural resources surveys are also needed at those portions of the Recommended Plan that have not been previously surveyed (Figure 4). The Recommended Plan may then be redesigned to minimize or avoid adverse effects to historic properties. If historic properties cannot be avoided, mitigation of adverse effects would be coordinated with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP). Due to the timing of the Project, the Corps is currently unable to identify and evaluate cultural resources and determine effects of the Recommended Plan on historic properties prior to completion of the environmental assessment. Therefore; pursuant to 54 U.S.C. 306108 and § 800.4(b)(2), the Corps is deferring final identification and evaluation of historic properties until after Project approval, additional funding becomes available, and prior to construction by executing a programmatic agreement with the SHPO and the ACHP, if inclined to participate.

Pursuant to the Section 106 of the National Historic Preservation Act (54 U.S.C. 300101) and respective implementing regulations (36 CFR 800), the Corps is formally notifying the ACHP of the Corps' proposal to develop a Programmatic Agreement. The Corps has provided a draft Programmatic Agreement to the Puerto Rico SHPO for review and comment. Please indicate if the ACHP requests to be a signatory and/or participate in consultation during the development of the Programmatic Agreement for the Rio Culebrinas Project. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at [Meredith.A.Moreno@usace.army.mil](mailto:Meredith.A.Moreno@usace.army.mil).

Sincerely,

A handwritten signature in dark ink, appearing to read "Andrew LoSchiavo". The signature is fluid and cursive, with the first name "Andrew" written in a larger, more prominent script than the last name "LoSchiavo".

Andrew LoSchiavo  
Acting Chief, Environmental Branch

Enclosure

cc:

Carlos Rubio-Cancela, State Historic Preservation Officer, Office of the Governor  
P.O. Box 9023935, San Juan, Puerto Rico 00902-3935





DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
701 San Marco Boulevard  
JACKSONVILLE, FLORIDA 32207-8175

REPLY TO  
ATTENTION OF

Planning and Policy Division  
Environmental Branch

FEB 13 2019

Mr. Carlos Rubio-Cancela  
State Historic Preservation Officer  
Office of the Governor  
P.O. Box 9023935  
San Juan, Puerto Rico 00902-3935

Re: Río Culebrinas Section 205 Flood Risk Reduction, Aguada and Aguadilla, Puerto Rico

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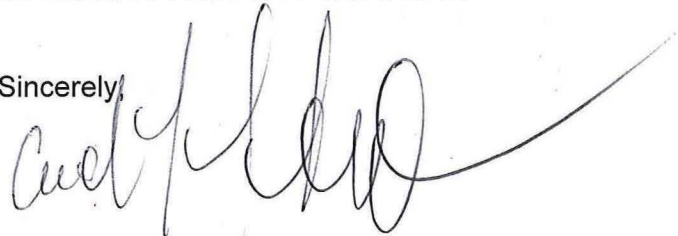


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Pursuant to the Section 106 of the National Historic Preservation Act (54 U.S.C. 300101) and respective implementing regulations (36 CFR 800), the Corps requests your office to be a signatory of a Programmatic Agreement for the Rio Culebrinas Project. A draft Programmatic Agreement for the Project is enclosed. Please provide any comments within 30 days from receipt of this letter. If there are any questions, please contact Ms. Meredith Moreno at 904-232-1577 or e-mail at Meredith.A.Moreno@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew LoSchiavo', with a long, sweeping horizontal line extending to the right.

Andrew LoSchiavo  
Acting Chief, Environmental Branch

Enclosure

cc:

John M. Fowler, Executive Director, Advisory Council on Historic Preservation 401 F Street NW Suite 308, Washington, DC 20001-2637