

**GOBIERNO DE PUERTO RICO  
JUNTA DE PLANIFICACION**

**AVISO PUBLICO**

**Solicitud de Certificación de Compatibilidad Federal con el  
Programa de Manejo de la Zona Costanera de Puerto Rico  
CZ-2022-1109-029**

**A quien pueda interesar:** En conformidad con las Secciones 306 (d) 14 y 307 (3) (A) de la Ley Federal de Manejo de la Zona Costanera del 27 de octubre de 1972 según enmendada, queremos informarle que la Junta de Planificación tiene ante su consideración la siguiente solicitud de Certificación de Consistencia Federal con el Programa de Manejo de la Zona Costanera de Puerto Rico (PMZCPR):

**Solicitante:** Cuerpo de Ingenieros del Ejército de Estados Unidos (USACE, por sus siglas en inglés)

**Introducción y Trasfondo:** El proyecto de ensanchamiento del Canal de Puerto Nuevo asociado con la expansión del canal de navegación de la Bahía de San Juan 2001 tuvo un impacto directo sobre la vegetación acuática sumergida. Para compensar por este impacto, se requiere que el USACE lleve a cabo una mitigación compensatoria para la restauración del hábitat de 1.2 acres de hierbas marinas (*Halophila decipiens*). En el año 2015 el USACE completó una Evaluación Ambiental para un proyecto de mitigación que consistía en aprovechar el material de dragado que sería extraído como parte de un dragado de mantenimiento en el área de la Península Esperanza y/o el Canal San Antonio, para rellenar las depresiones artificiales existentes en la Laguna del Condado llevándolas a una profundidad de entre -12 a -15 pies y de esta manera promover el crecimiento y proliferación de las hierbas marinas en esa área. Aunque la construcción de esta mitigación se ha incluido en los eventos de dragado para la operación y mantenimiento del Canal de navegación de la Bahía de San Juan, las licitaciones del contrato han superado constantemente los umbrales de adjudicación y la mitigación actualmente permanece sin construir. Actualmente, el USACE está planificando llevar a cabo un proyecto para dar mantenimiento y ensanchar el canal de navegación de la Bahía de San Juan y aprovechar el material de dragado para llevar a cabo la mitigación mediante el depósito del material extraído en las depresiones de la Laguna del Condado. De acuerdo con el documento ambiental preparado para este proyecto en el año 2018, el dragado del canal de navegación conlleva la extracción de 2.2 millones de yardas cúbicas de material. Según los estudios realizados la mayoría de este material es sedimento fino (mayormente arcilla) y no cualifica para ser utilizado como relleno en la laguna del Condado. No obstante, se encontró que el material de dragado de la sección número 6 (Corte 6) del canal de navegación (Canal Anegado) tiene la composición adecuada para ser depositado en las depresiones de la laguna, pero no será suficiente para completar la cantidad requerida para la mitigación. En vista de esa situación, el USACE ha estado considerando alternativas para conseguir la cantidad de material adicional requerido. Como parte de las alternativas evaluadas, se consideró utilizar el material de dragado del “Army Terminal” y material de dragado de la Península La Esperanza. Ambas alternativas fueron descartadas dado a que, por la distancia y las condiciones en dichas áreas, no resultaría costo efectivo utilizar ese material. Luego de la evaluación correspondiente, el USACE seleccionó la alternativa uno (1) como preferida, la cual consiste en extraer el material adicional de un área de 15 acres de terreno que se ubica aledaña al corte 6, en el lado oeste del canal Anegado.

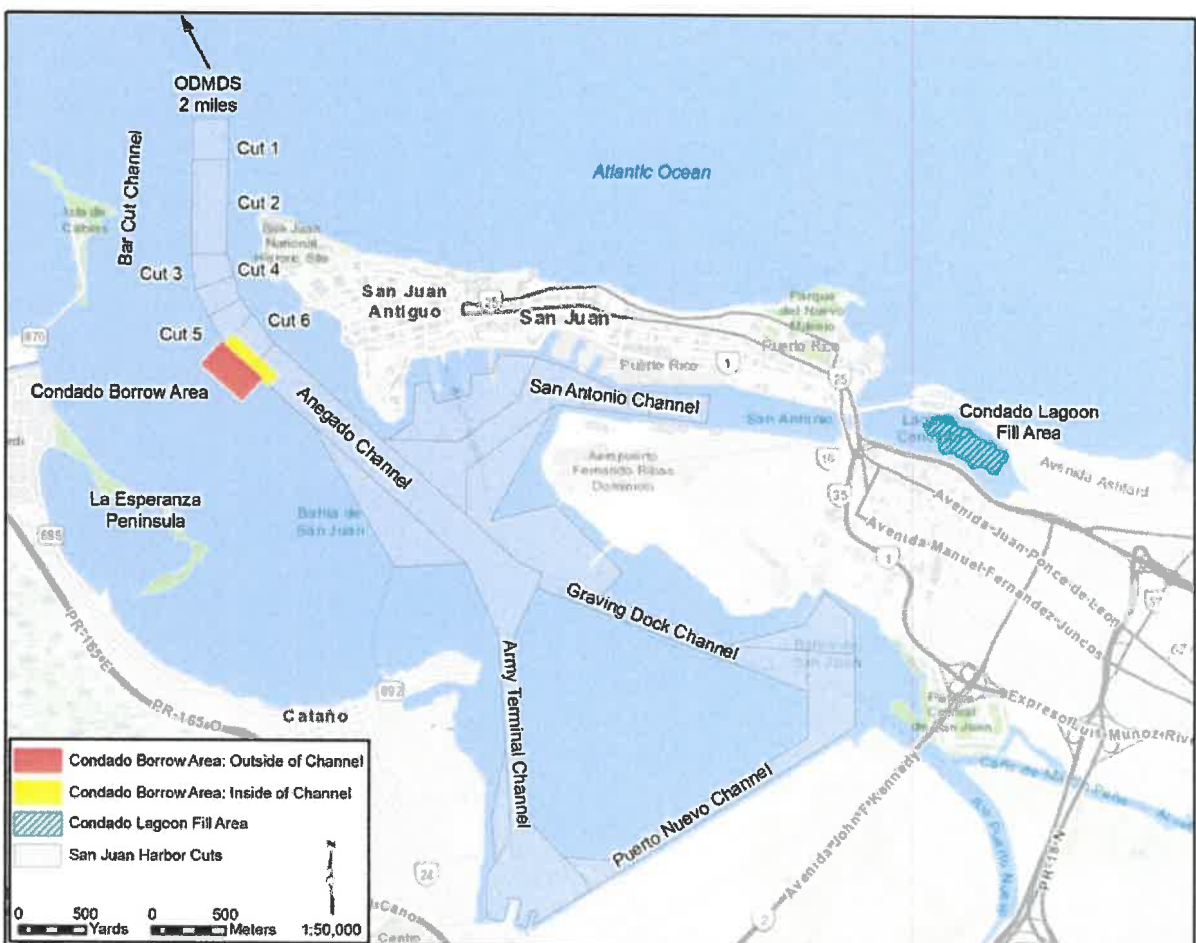
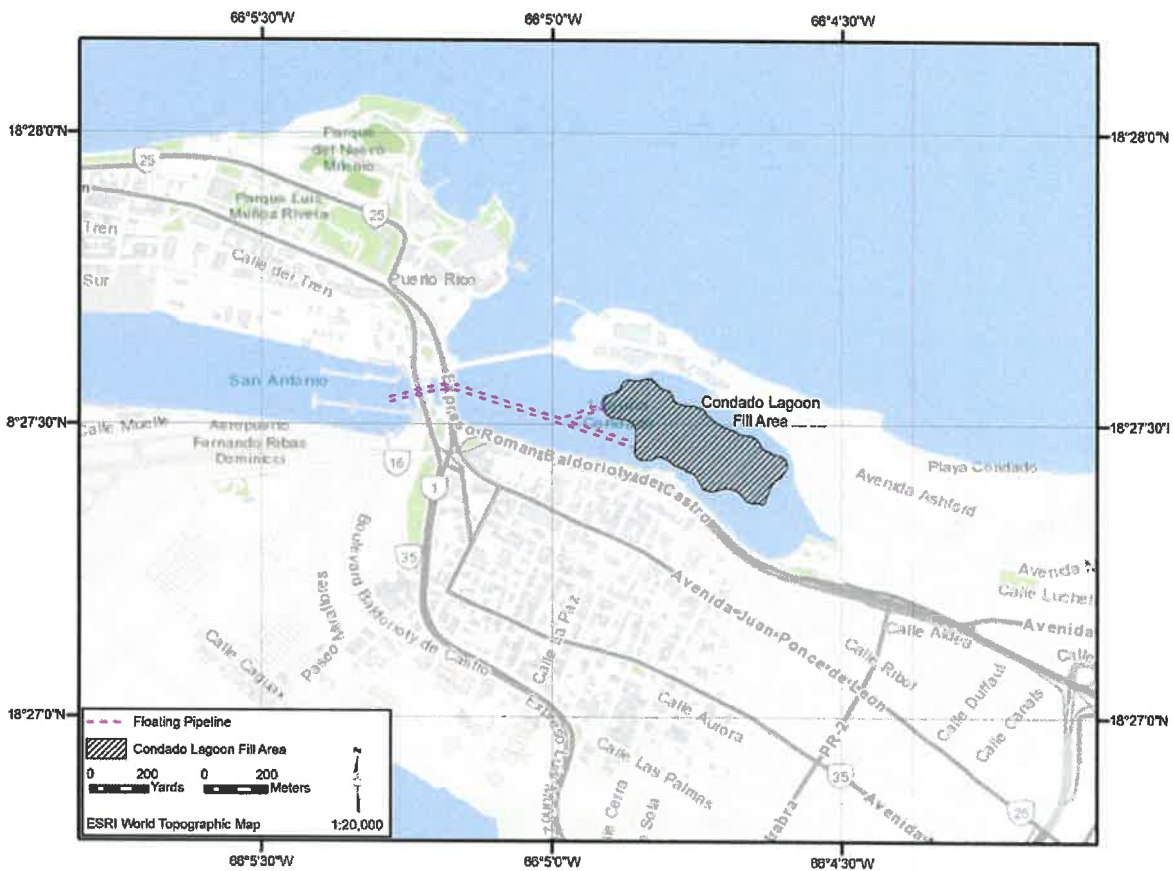
**Descripción del Proyecto:** El USACE propone llevar a cabo un proyecto de mitigación que consistirá en la restauración de un hábitat de 1.2 acres de hierbas marinas (*Halophila Descipiens*) en la Laguna del Condado. La restauración del hábitat se llevará a cabo mediante el depósito de 260,000 yardas cúbicas de material de dragado en las depresiones artificiales de la laguna. La Laguna del Condado fue utilizada en el pasado para extraer material de construcción y esto creó unas depresiones artificiales que alteraron significativamente el hábitat de hierbas marinas y la calidad del agua. Las depresiones artificiales crean condiciones de baja concentración de oxígeno y no permiten la penetración de luz adecuada para sostener la vida marina. El restaurar el fondo de la laguna a su profundidad original de entre -12 a -15 pies permitirá el crecimiento de las hierbas marinas y mejorará la calidad del agua. El material para rellenar las depresiones se obtendrá del dragado a realizarse en el corte 6 del Canal Anegado en la Bahía de San Juan y un área adicional aledaña al corte 6 en el lado oeste del canal. El material de dragado será transportado desde el área del dragado, a través del canal San Antonio hasta un punto más cercano a la Laguna del Condado, y desde allí se bombeará en forma

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de lechada (slurry) a través de una tubería flotante y/o sumergida hasta el área de la mitigación propuesta. El material se ira depositando en las depresiones artificiales hasta llegar al nivel de profundidad deseado. Como parte del proyecto se implementarán controles de turbidez y las Mejores Prácticas para el Manejo de la Sedimentación (BMP's, por sus siglas en inglés) durante el proceso de depósito.

**Ubicación Geográfica del Área de Mitigación y Área de Dragado:** Las depresiones artificiales a ser intervenidas se ubican el hacia el lado norte - noroeste de la Laguna del Condado y al oeste del Puente Dos Hermanos.





**PUERTO RICO GOVERNMENT  
PUERTO RICO PLANNING BOARD**

**PUBLIC NOTICE**

**Application for Federal Consistency Certification with the  
Puerto Rico Coastal Zone Management Program  
CZ-2022-1109-029**

According to sections 306(d) 14 and 307(3)(A) of the Coastal Zone Management Act of 1972, as amended, and applicable Federal Consistency Regulations at 15 CFR Part 930, the Puerto Rico Planning Board informs that the following project is under Federal Consistency review with the P.R. Coastal Zone Management Program:

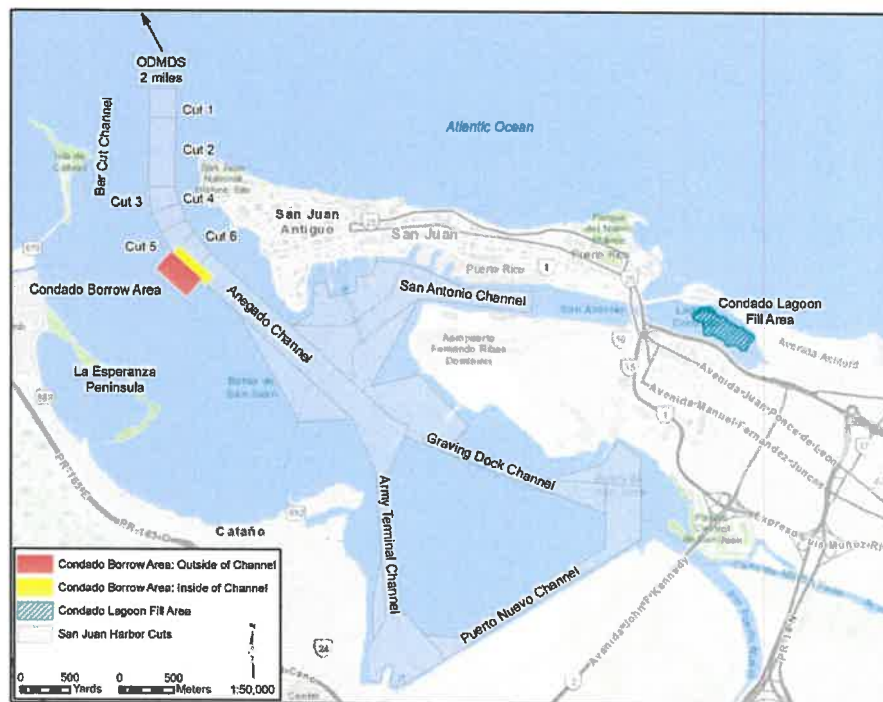
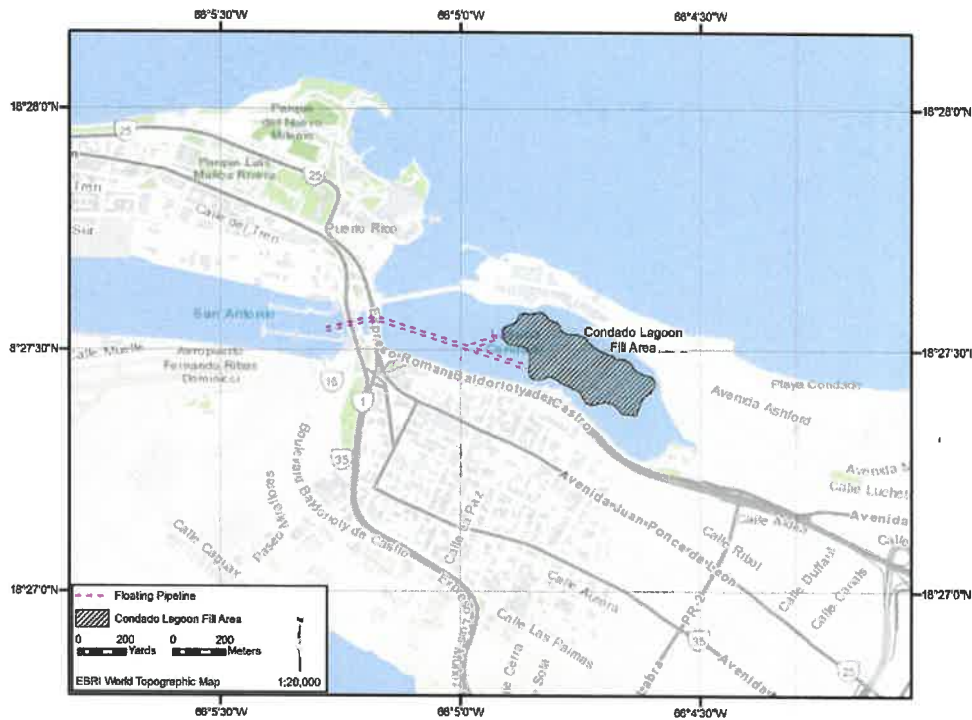
**Applicant:** US Army Corps of Engineers (USACE)

**Introduction and Background:** The Puerto Nuevo Channel widening associated with the 2001 San Juan Bay navigation improvements project had direct impacts on submerged aquatic vegetation (SAV). To compensate for this impact, the USACE will undertake compensatory mitigation for the restoration of 1.2 acres of seagrass (*Halophila decipiens*) habitat. In 2015, the USACE completed an Environmental Assessment for a mitigation project that consisted in taking advantage of the dredged material that would be extracted as part of a maintenance dredging in the Esperanza Peninsula and/or the San Antonio Channel, to fill the existing artificial depressions in the Condado Lagoon bringing them to a depth of between -12 to -15 feet and thus promote the growth and proliferation of seagrass in that area. Although the construction of this mitigation has been included in the dredging events for the operation and maintenance of the San Juan Bay Navigation Channel, bids for the contract have consistently exceeded award thresholds and the mitigation remains unbuilt. Currently, the USACE is planning to carry out a project for maintenance and widening of the San Juan Harbor navigation channel taking advantage of the dredged material to carry out the required mitigation by depositing it in the depressions of Condado Lagoon. According to the environmental document prepared for this project in 2018, the dredging and widening of the navigation channels involves the extraction of 2.2 million cubic yards of material. According to performed studies, most of this material is fine sediment (mostly clay) and does not qualify to be used as fill in the Condado lagoon. However, it was found that the dredged material from Cut 6 of the navigation channel (Anegado Channel) has the right composition to be deposited in the depressions of the lagoon, but it will not be enough to complete the required amount for the mitigation. In view of this, the USACE has been considering alternatives to obtain the additionally required material for the mitigation. As part of the evaluated alternatives, it was considered to use dredged material from the “Army Terminal” and dredged material from Peninsula La Esperanza”. Both alternatives were discarded since, it would not be cost effective to use this material considering the distances and existing conditions. After the corresponding evaluation, the USACE selected alternative number one (1) as preferred, which consists of extracting the additional material from an area of 15 acres located adjacent to cut 6, on the west side of the Anegado channel.

**Project Description:** The USACE is proposing to conduct a mitigation project that will consist of the restoration of a 1.2 acres seagrass (*Halophila Descipiens*) habitat in the Condado Lagoon. Habitat restoration will be accomplished by depositing 260,000 cubic yards of dredged material into the existing artificial depressions in Condado Lagoon. This lagoon was used in the past to extract construction material creating artificial depressions that significantly affected seagrass habitat and water quality. Man-made depressions have create conditions of low oxygen concentration and do not allow adequate light penetration to support the aquatic vegetation and ecosystem of the lagoon. Restoring the lagoon bottom to its original depth of -12 to -15 feet will allow seagrass growth and improve water quality. The material to fill the depressions will be obtained from the dredging of Cut 6 of the Anegado Channel in San Juan Harbor and an additional area adjacent to Cut 6 on the west side of the channel. The dredged material will be transported from the dredging area, through the San Antonio channel to a point closer to the Condado Lagoon, and then it will be pumped in the form of slurry through a floating and/or submerged pipe to the proposed mitigation area. The material will be deposited in the artificial

depressions until reaching the desired depth level. As part of the project, turbidity controls and Best Management Practices (BMPs) will be implemented during the material deposition process.

**Location:** The artificial depressions to be filled are located to the north-northwest side of the Condado Lagoon and to the west of “Dos Hermanos” Bridge in San Juan, Puerto Rico.



**Environmental Impact Analysis:** No direct or indirect impacts to reefs or other systems are expected outside the project area. Minor and temporary impacts to aquatic vegetation could occur within the location of the dredger. No permanent Adverse Impacts are expected as Best Management Practices (BMPs) and methods to manage possible effects related to water quality will be implemented. Prior to any construction activity, turbidity curtains to contain fine sediments will be installed and other BMPs will be applied as needed to minimize temporary impact on water quality. Final details for BMPs and methods will be determined during the permitting and contracting process. The USACE incorporated an Assessment about Hazardous, Toxic and Radioactive Waste (HTRW) as part of the Integrated Feasibility Report and the Environmental Assessment that was completed for the San Juan Harbor Navigation Improvements Project in 2018 (Sections 2.4.18 and 5.4.18). This aspect was further evaluated in the environmental document associated with the project and no contaminants of concern were

identified within the Port or the Condado Lagoon. The Environmental Quality Board issued a Water Quality Certificate for the deposit of material in the Condado Lagoon on January 14, 2015, when it was planned to use the material extracted from the La Esperanza Peninsula. The Corps of Engineers will be completing the process to obtain a new Water Quality Certificate from the Department of Natural and Environmental Resources, taking into consideration the new material extraction area. The USACE completed the required consultation process with the Fish & Wildlife Service (FWS) and the National Marine Service in 2018. These agencies emitted their Biological Opinions concurring with the USACE determination that the proposed project “may affect but is not likely to adversely affect” listed or endangered species according to the “Endangered Species Act”. No additional consultation will be performed considering that the proposed project changes are not significant in terms of expected impacts to listed or endangered species.

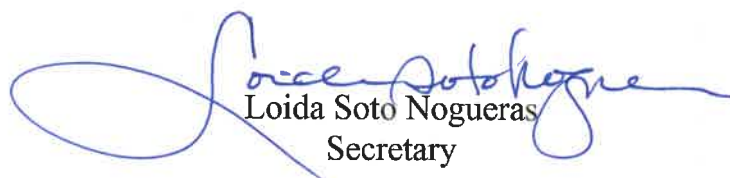
**Impacts to Cultural and Historic Resources:** The USACE contracted SEARCH Company to conduct a remote sensing survey of Cut-6 and the surrounding area. This survey was conducted in March 2021 and it documented a collection of magnetic anomalies, designated as M67, consistent with a historic shipwreck. In coordination with other disciplines, this area was omitted from the proposed dredging activity, allowing the USACE to determine that the proposed Project would pose no adverse effects to historic properties. The USACE provided a copy of the draft SEARCH report and consulted on this finding with SHPO by letter on July 22, 2021; the ICP was also provided with a copy of the report and USACE determination. On August 30, 2021, USACE received concurrence from the SHPO regarding findings and a no adverse effects to historic properties determination.

The documents related to this application will be available for public review in the Puerto Rico Planning Board web page, under “*Certificación de Compatibilidad Federal*” at <https://jp.pr.gov/index.php/compatibilidad-federal-con-pmzcp/>

Comments must be submitted within a period of **fifteen (15) labor days from this public notice notification**. Any comment or information in relation to this application must be submitted in writing by e-mail to: [comentariosjp@jp.pr.gov](mailto:comentariosjp@jp.pr.gov)

Please, refer to the application number in your comment letter. For any question or orientation in relation to the application at reference, you may contact Rose A. Ortiz Díaz at (787) 723-6200, extension 16012, or send an e-mail to: [ortiz\\_r@jp.pr.gov](mailto:ortiz_r@jp.pr.gov)

I Certify and Notify today:           FEB 04 2022          

  
Loida Soto Nogueras  
Secretary