



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
ANTILLES OFFICE  
FUND. ANGEL RAMOS ANNEX BLDG., SUITE 202  
383 F. D. ROOSEVELT AVE.  
SAN JUAN, PUERTO RICO 00918

August 6, 2019

Regulatory Division  
South Branch  
Antilles Permits Section

## ***PUBLIC NOTICE***

Permit Application No. SAJ-1993-50134(SP-CGR)

TO WHOM IT MAY CONCERN: The Jacksonville 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:

APPLICANT: Mr. Miguel Vega  
Luquillo Hospitality Trust, LLC  
PO Box 3807  
Airport Station, San Juan, P.R. 00937

WATERWAY AND LOCATION: The project would affect waters of the United States associated with palustrine temporarily flooded forested wetlands. The project site is located at the South side of the state road PR-3, Km. 36.0, Mata de Plátano Ward, Municipality of Luquillo, Puerto Rico.

Directions to the site are as follows: State Road no. 3 from San Juan to Luquillo, exit at frontage road toward Fernández Street and turn right at the vacant land parcel south of the frontage road.

APPROXIMATE CENTRAL COORDINATES: Latitude 18.381137°  
Longitude - 65.729541°

### **PROJECT PURPOSE:**

Basic: Hotel

Overall: To provide lodging facilities and associate amenities to supply the demand and need of this type of tourist development in the Municipality of Luquillo.

EXISTING CONDITIONS: The wetland system consists of palustrine temporarily flooded forested wetlands. The existing wetlands are mostly dominated by *Cocos nucifera*, *Terminalia catappa*, *Calophyllum antillanum*, *Andira inermis*, and *Annona glabra*. Also, herbaceous species such as *Acrostichum aureum*, *Alocasia macrorrhizos*, *Typha domingensis*, *Cyperus iria*, *Cyperus ligularis* and *Bacopa monnieri*. Approximately, a total of 1.91 acres of wetlands are present at the property limits. The

proposed site is located south of the Luquillo public beach. Based on available information the topography of the parcel of land is mostly plain with various depressions and mounds, with elevations fluctuating from 0 to 2 meters average mean sea level, being the westernmost portion of land at the higher elevation.

**PROPOSED WORK:** The applicant seeks authorization to discharge approximately 500 cubic yards of fill material on approximately 0.47 acres of wetlands for the construction of a new hotel (Luquillo Hotel) with 103 rooms in a building of approximately 57,000 square feet, and associated amenities such as: a 18,000 square foot casino, a restaurant of approximately 5,500 square feet, a swimming pool, outdoor terrace and parking lots.

**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:

Based on information submitted by the applicant, approximately 1.44 acres of wetlands will remain undisturbed from a total amount of approximately 1.91 acres of wetlands existing at the property limits. The applicant considered as preferred alternative: the availability of infrastructure, access to main state highway and environmental components of the parcel such as the areas of uplands and wetlands present at the property. The proposed development was limited to the western part of the parcel. The applicant stated that the wetlands to be impacted are patches of low-quality wetlands, leaving the remaining wetlands at the east side of the property undisturbed as these remaining wetlands have better quality.

**COMPENSATORY MITIGATION –** The applicant has provided the following explanation why compensatory mitigation should not be required:

The applicant believes that the composition, size and conditions of the wetlands at the western part of the parcel (the area to be impacted) may not require a mitigation. The applicant would enhance the buffer areas of the wetland area to remain undisturbed if a compensatory mitigation is required.

#### **CULTURAL RESOURCES:**

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer.

#### **ENDANGERED SPECIES:**

The Corps has determined the proposal would have no effect on any listed threatened or endangered species or designated critical habitat.

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.

AUTHORIZATION FROM OTHER AGENCIES: A Water Quality Certification is required from the Department of Natural and Environmental Resources – Water Quality Office.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Antilles Permits Section, Fund. Angel Ramos, Annex Bldg., Suite 202, 383 F.D. Roosevelt Ave., San Juan, Puerto Rico 00918, within 30 days from the date of this notice.

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, Ms. Carmen G. Román, in writing at the Antilles Permits Section, Fund. Angel Ramos, Annex Bldg., Suite 202, 383 F.D. Roosevelt Ave., San Juan, Puerto Rico 00918; by electronic mail at [carmen.g.roman@usace.army.mil](mailto:carmen.g.roman@usace.army.mil); or, by telephone at (787) 729-6637.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the 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. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (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.

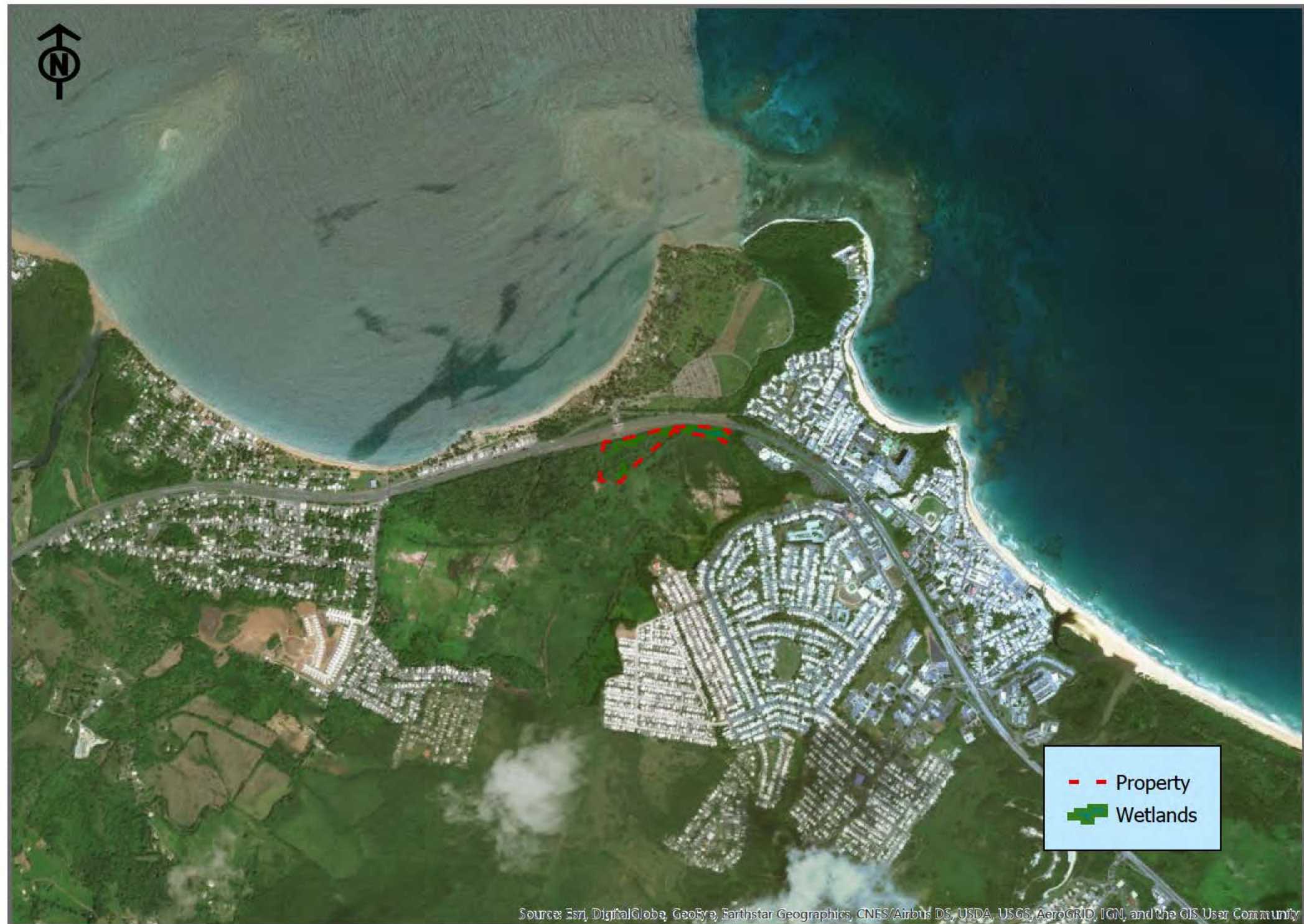
**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

**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.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

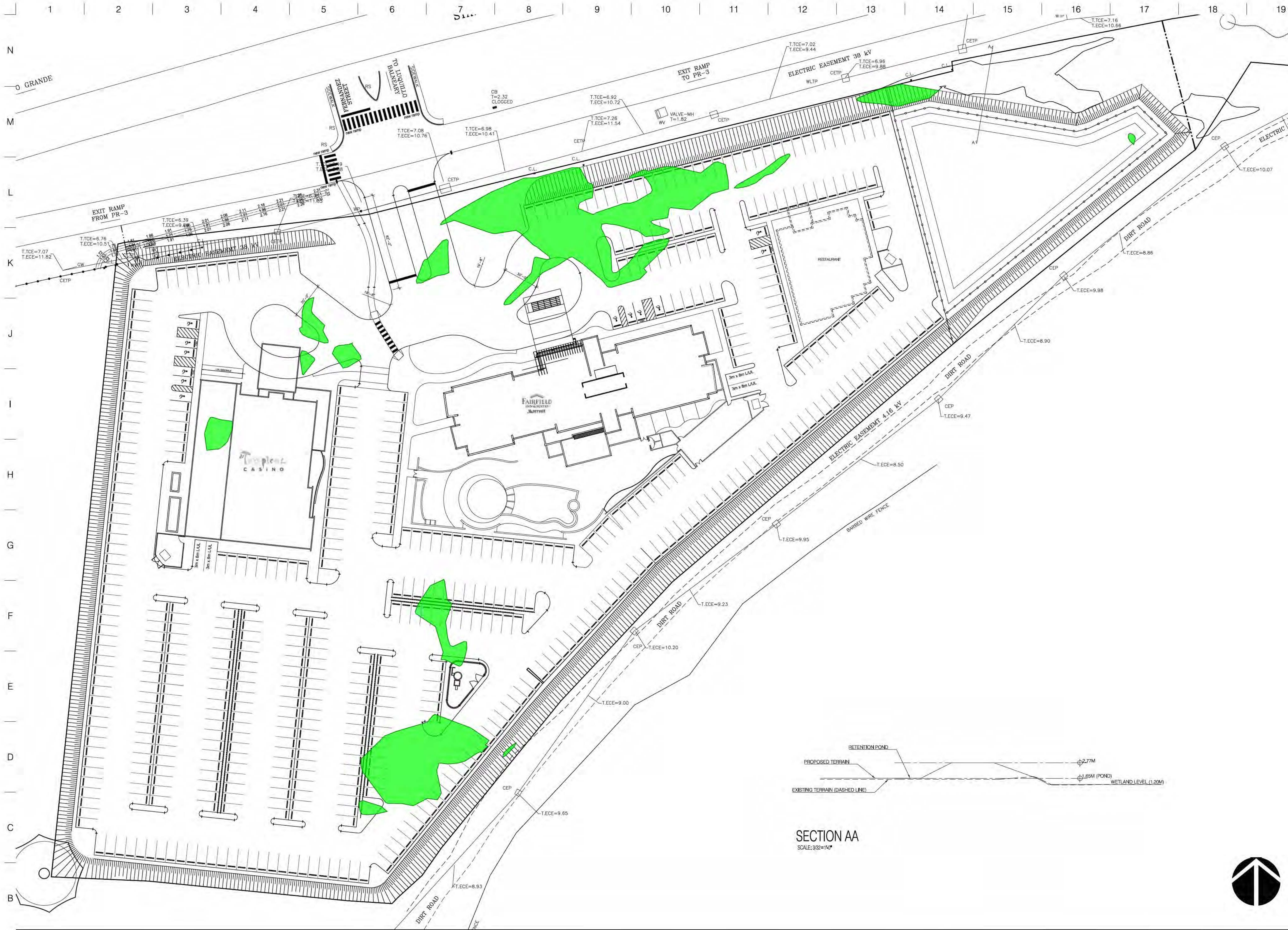




- - Property  
Wetlands

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





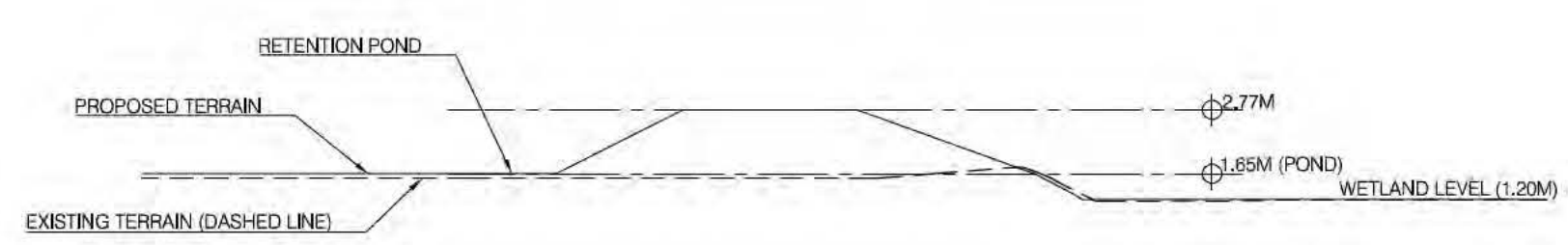
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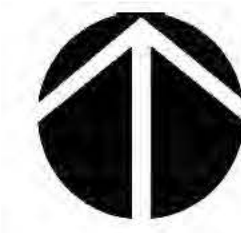
PRISAGROUP  
CONSULTANT

OWNER  
Fairfield INN & SUITES  
Marriott  
Tropical CASINO

NO.	REVISIONS/SUBMISSION	DATE
1	SCHEMATIC DESIGN	2.26.19
2	REVISED SITE PLAN - WETLAND DELINEATION	06.11.19



SECTION AA  
SCALE: 3/32"=1'-0"



PROPOSED  
SITE PLAN

A1 PROPOSED SITE PLAN

1A-1.101



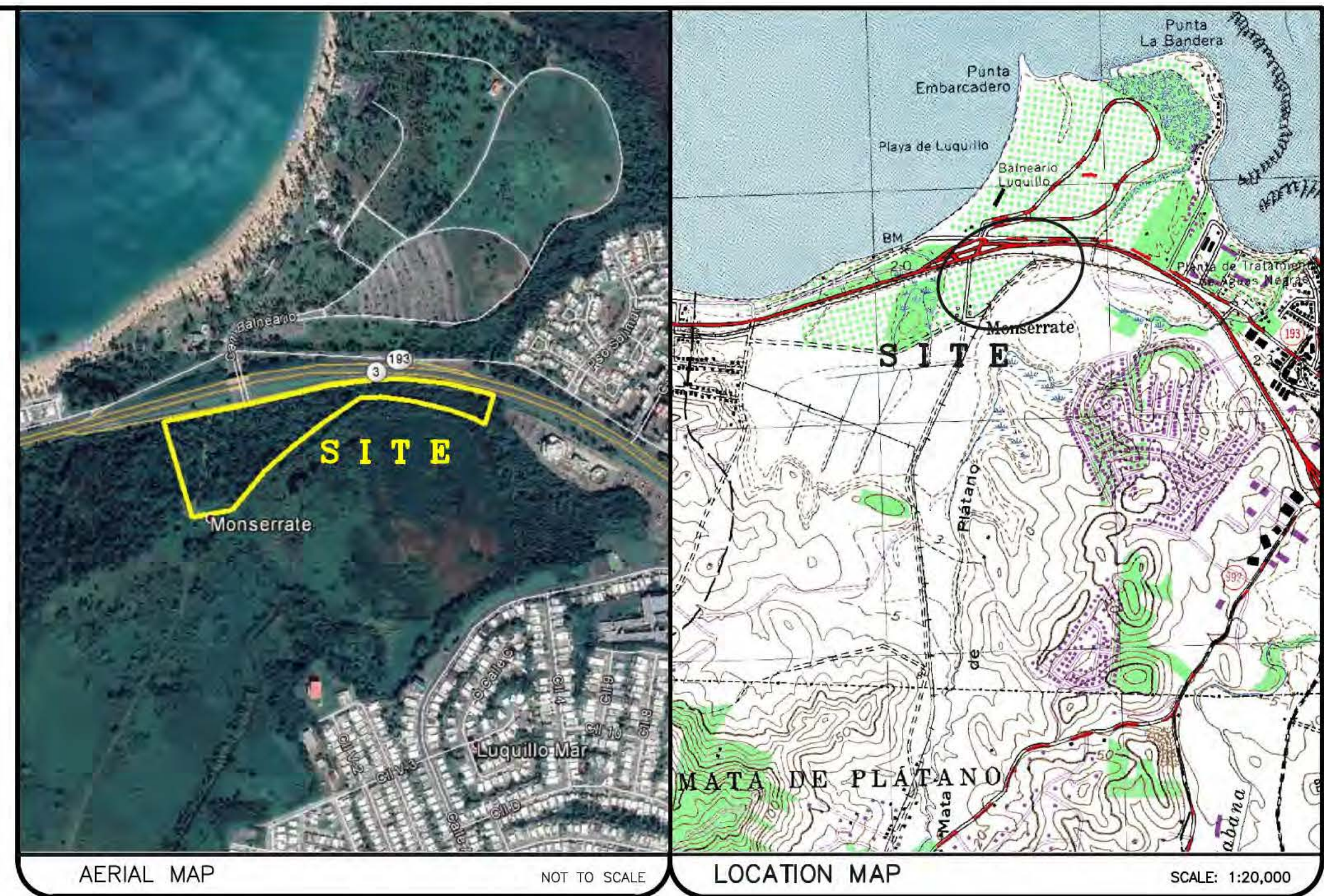


LEGEND

- PROPERTY LIMITS
- CONTOUR INTERVAL 1.20m
- DISTURBED WETLANDS AREA
- UNDISTURBED WETLANDS AREA
- KILOMETER
- CONCRETE SLAB

SUMMARY AREA: WETLANDS (CONTOUR ELEV. 1.2m)

WETLANDS TOTAL AREA	7728.2411 SQ. METERS = 1.9663 CUERDAS = 1.9097 ACRES
UNDISTURBED WETLANDS AREA	5840.5671 SQ. METERS = 1.4861 CUERDAS = 1.4432 ACRES
DISTURBED WETLANDS AREA	1887.6740 SQ. METERS = 0.4802 CUERDAS = 0.4665 ACRES



DRAWING TITLE: **WETLANDS DELIMITATION**

PROJECT NAME: **LUQUILLO HOSPITALITY TRUST, LLC**

PROJECT LOCATION: **STATE ROAD PR-3  
MONSERRATE SECTOR  
LUQUILLO, PUERTO RICO**

NUM.	DATE	REVISIONS	REMARKS
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THIS SURVEY PLAN IS PROPERTY OF PEDRO J. DAVILA COLON, PROFESSIONAL LAND SURVEYORS, CSP. ALL THE MATHEMATICAL AND GEOMETRICAL DATA ARE NOT TO BE REPRODUCED OR COPIED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN CONSENT OF PEDRO J. DAVILA COLON, PROFESSIONAL LAND SURVEYORS, CSP. THIS STATEMENT IS PURSUANT TO THE RULES OF ETHICS FOR ENGINEERS AND LAND SURVEYORS (ART. 4 REG. AND ART. 5 REG.) APPROVED BY THE C.I.A.P.R. ON AUGUST 1994.

I HEREBY CERTIFY THAT A PRECISE SURVEY OF THE PREMISES SHOWN IN THIS PLAN WAS MADE UNDER MY BEST KNOWLEDGE AND SUPERVISION, AND MEETS THE MINIMUM STANDARD REQUIREMENTS FOR THE PRACTICE OF LAND SURVEY IN P.R. ESTABLISHED BY THE COLLEGE OF ENGINEERS AND LAND SURVEYORS OF PUERTO RICO.

CERTIFY CORRECT

PEDRO J. DAVILA COLON  
SURVEYOR, LIC. NO. 9323

**PEDRO J. DAVILA COLON, PLS PSC**

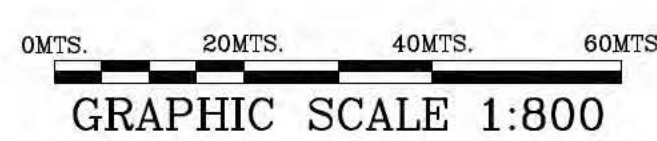
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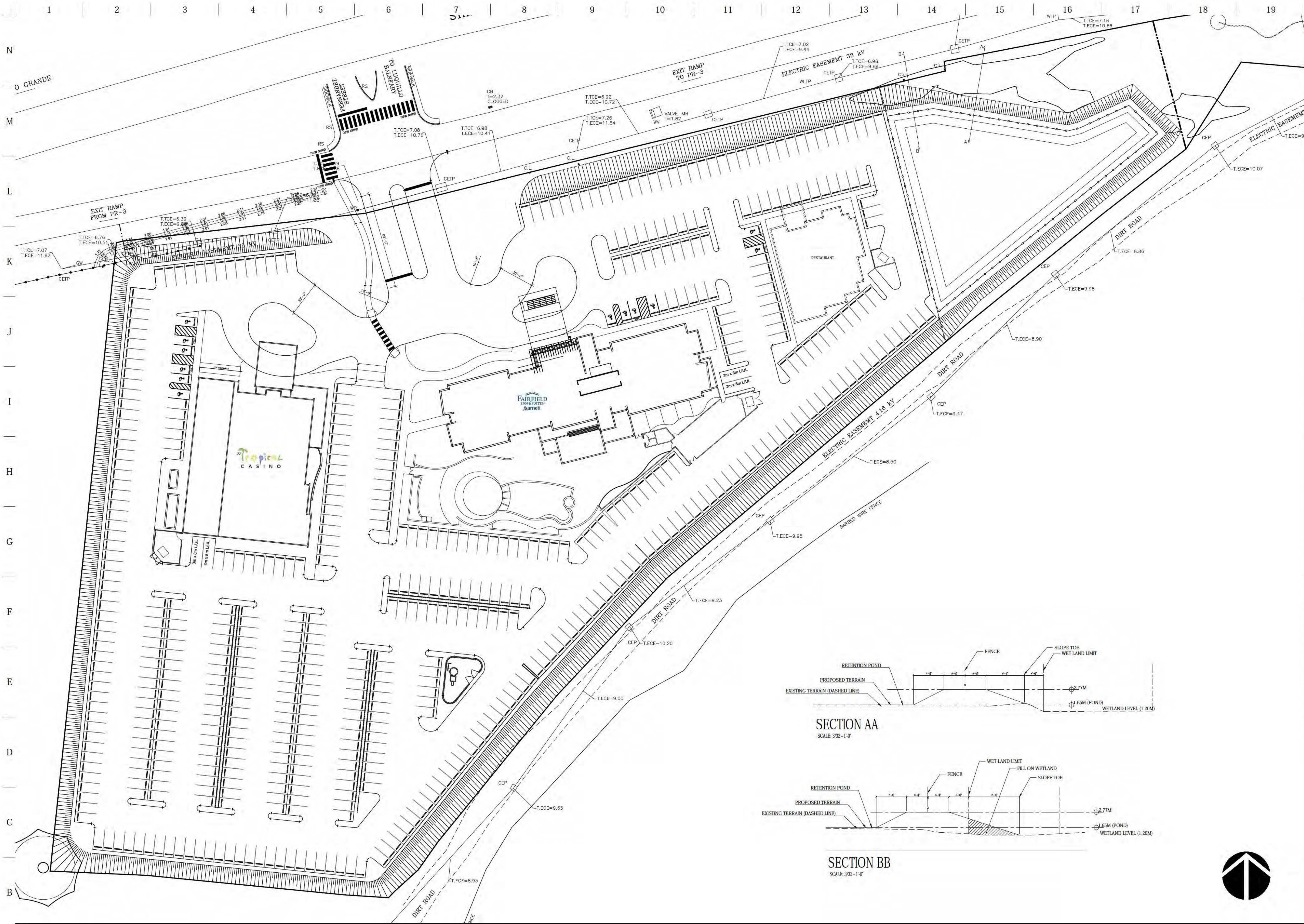
NOTES

- ALL DISTANCES AND ELEVATIONS ARE EXPRESSED IN METERS.
- HORIZONTAL CONTROL IS REFERRED TO LAMBERT COORDINATE SYSTEM NAD 83, NORTH AMERICAN ADJUSTMENT (NA) 2011, EPOCH 2010, GEOID 2012.
- VERTICAL CONTROL IS REFERRED TO ORTHOMETRIC HIGH, GEOID 2012.
- THE FOLLOWING REFERENCE DRAWING WERE USED TO PERFORMED THIS PLAN:  
A. "PLANO DE INSCRIPCION PARA LA SEGRE-GACION DE 5 SOLARES EN FINCA" MADE BY LAND SURVEYOR FRANK LOZADA DIAZ, LIC. No.5787, DATED FEBRUARY 21, 2001, CASE No.01LS9-00000-01256-DTS.  
B. DEED DESCRIPTION OF LOT 2-D.  
C. EXISTING BOUNDARIES AND FENCES FOUND.

LOT-A					
COURSE	BEARING	DISTANCE	PT#	NORTHING	EASTING
100-101	N 06°00'35"	E 165.1112	100	260620.3453	274222.2899
101-102	N 77°06'11"	E 1.9346	101	260784.5491	274239.5762
102-103	N 83°26'53"	E 63.5019	102	260784.9809	274241.4620
103-104	N 76°00'22"	E 40.6573	103	260792.2267	274304.5492
104-105	N 76°17'36"	E 115.4065	104	260802.0583	274343.9999
105-106	N 06°18'53"	E 2.9219	105	260829.4037	274456.1198
106-107	N 79°02'10"	E 58.2726	106	260831.9104	274455.8424
107-108	N 81°03'27"	E 14.3089	107	260842.9932	274513.0514
108-109	N 83°08'01"	E 14.1280	108	260845.2174	274527.1864
109-110	N 85°09'33"	E 41.8626	109	260846.9064	274541.2131
110-111	N 88°16'02"	E 19.7732	110	260850.4391	274582.9263
111-112	N 89°25'01"	E 26.7828	111	260851.0370	274602.6905
112-113	N 87°47'31"	E 31.9925	112	260850.7644	274629.4719
113-114	N 84°29'13"	E 29.6330	113	260849.5319	274661.4406
114-115	N 81°23'50"	E 42.3779	114	260846.6850	274690.9365
115-116	N 78°06'34"	E 42.1268	115	260840.3459	274732.8372
116-117	N 10°42'19"	E 16.4464	116	260831.6660	274774.0600
117-118	N 15°14'09"	E 27.3076	117	260815.5058	274771.0050
118-119	N 47°35'50"	E 7.9693	118	260789.1580	274763.8288
119-120	N 62°04'02"	E 7.9468	119	260793.7840	274757.9441
120-121	N 05°03'35"	E 11.6920	120	260780.0615	274750.9231
121-122	N 76°26'38"	E 67.0885	121	260791.7079	274751.9543
122-123	N 77°53'43"	E 40.6386	122	260807.4332	274686.7349
123-124	N 80°03'17"	E 41.4771	123	260815.9362	274646.9753
124-125	N 80°22'56"	E 30.1517	124	260823.0997	274606.1215
125-126	N 85°13'50"	E 43.1242	125	260828.1372	274576.3936
126-127	N 32°23'26"	E 26.9021	126	260831.7228	274533.4187
127-128	N 52°05'38"	E 27.3114	127	260809.0062	274519.0076
128-129	N 50°59'38"	E 46.7897	128	260792.2269	274497.4584
129-130	N 49°43'06"	E 101.8313	129	260762.7675	274461.1084
130-131	N 43°07'53"	E 42.2936	130	260696.9288	274383.4238
131-132	N 39°05'01"	E 49.1095	131	260666.0635	274354.5087
132-133	N 35°01'39"	E 8.8144	132	260627.9433	274323.5475
133-134	N 47°40'50"	E 8.3748	133	260620.7255	274318.4883
134-135	N 44°10'55"	E 2.3542	134	260615.0870	274312.2960
135-136	N 86°19'21"	E 11.6132	135	260613.3988	274310.6553
136-137	N 84°21'20"	E 51.8313	136	260614.1471	274299.0663
137-100	N 87°29'58"	E 25.2204	137	260619.2449	274247.4863
Total Distance Traversed 1406.6982					
AREA 42767.1354 SQ. METERS = 10.8811 CUERDAS					







**V ARCHITECTURE**  
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787-622-3000  
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ARCHITECTURE

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CONSULTANT

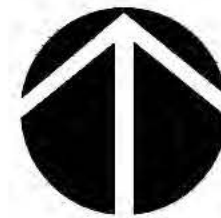
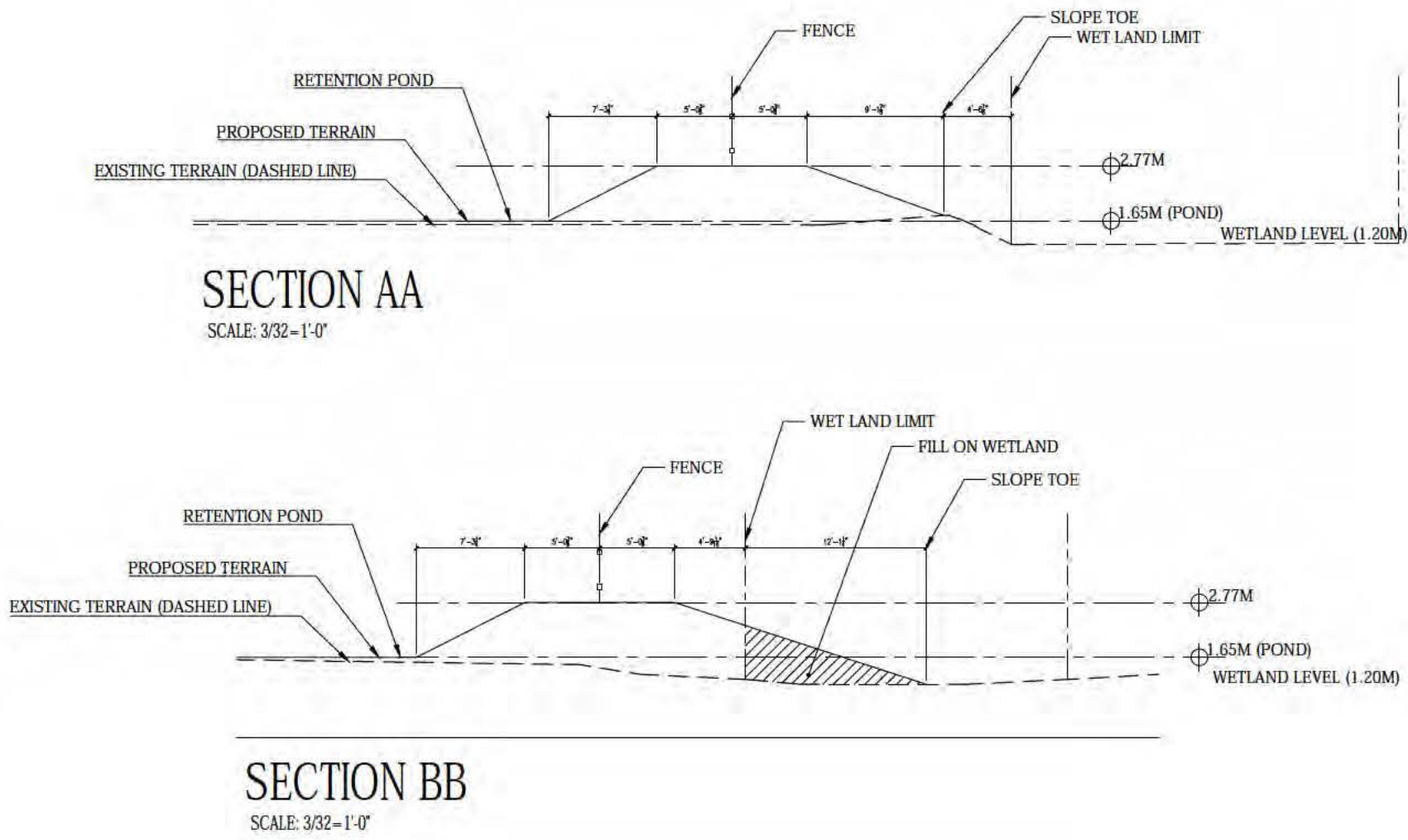
**FAIRFIELD INN & SUITES<sup>®</sup> Marriott**

**CASINO**

OWNER

KEYPLAN

NO.	REVISIONS/SUBMISSION	DATE
1	SCHEMATIC DESIGN	2.26.19
2	PARKING GRADING COORDINATION	06.25.19

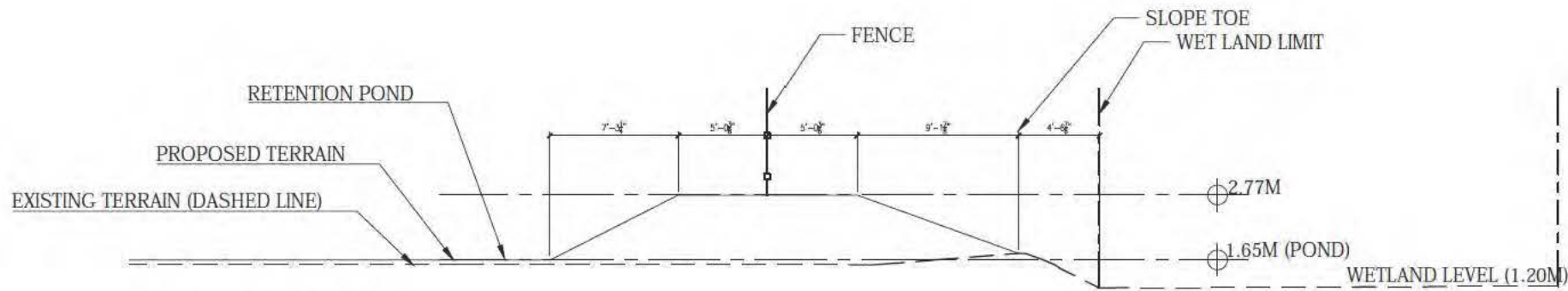


A,1 PROPOSED SITE PLAN

DRAWING TITLE  
**PROPOSED SITE PLAN**

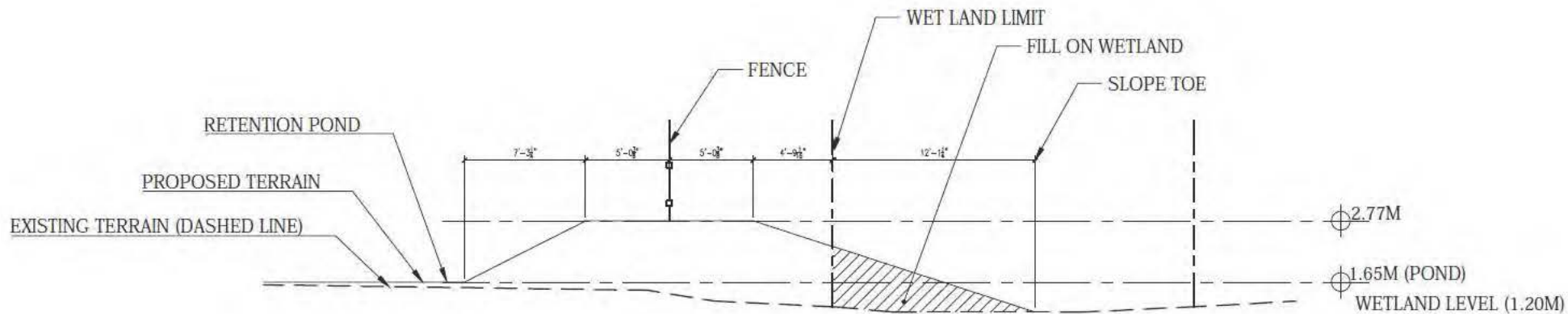
DRAWING NO.  
**1A-1.101**





## SECTION AA

SCALE: 3/32 = 1'-0"



## SECTION BB

SCALE: 3/32 = 1'-0"