



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

Regulatory Division
South Branch
Antilles Permits Section

September 4, 2019

PUBLIC NOTICE

Permit Application No. SAJ-2006-04296(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 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) and Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended [33 USC 1413] of the Marine as described below:

APPLICANT: Mr. José González Freyre
Pan American Grain Mfg. Co.
Amelia Industrial Park
Claudia Street # 9
Guaynabo, Puerto Rico 00968

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the San Juan Bay and the Atlantic Ocean. The project site is located at the southwest side of the San Juan Bay, specifically at the berthing area of the existing Pan American Grain pier at Amelia Industrial Park, Municipality of Guaynabo, Puerto Rico.

COORDINATES: Latitude 18.435286° Longitude -66.110124°

The dredged material would be discharged at the Environmental Protection Agency (EPA) designated San Juan Harbor Ocean Dredged Materials Disposal Site (ODMDS), which is located approximately 1.75 nautical miles north-northwest of the entrance of the San Juan Harbor, positioned at a rectangle bounded by the following coordinates:

COORDINATES of San Juan Harbor ODMDS:

Latitude	Longitude
18.50277778°	-66.15861111°
18.50277778°	-66.14138889°
18.51944444°	-66.14138889°
18.51944444°	-66.15861111°

Directions to the site are as follows: Take the expressway PR-22 West from San Juan toward Guaynabo/Bayamón/Arecibo, exit toward PR-165/PR-24, merge onto PR-

165/PR-24, turn right on next exit after stop light, turn left at the Juan Ponce de León Avenue and turn right toward Rodrigo de Triana Street and turn left at the end of the road and merge with Desembarcadero Street and continue straight to the end of this street. The Pan American Grain facility is located at the end of Desembarcadero Street to the right side.

PROJECT PURPOSE:

Basic: Maintenance dredging.

Overall: To provide appropriate depth for operation of vessels in the berthing zone of the existing Pan American Grain dock.

EXISTING CONDITIONS: The San Juan Bay is an estuarine system and a very active port area at the metropolitan area of San Juan, Puerto Rico. The San Juan Bay serves as the principal and major commercial, industrial and cruise-ship port of the Island of Puerto Rico. The existing dock adjacent to the proposed site is being used for many years to import grains. The shoreline near the project site consists of solid man-made structures such as docks parallel to the shoreline and bulkheads. The maritime bottom adjacent to the Pan American Grain dock has been dredged several times in the past. The last permit issued in 2008 to perform maintenance dredging at the project site, authorized a dredge to a depth of -32 feet plus two feet over dredged depth. No beaches are present at the project site nor in adjacent areas that would serve for sea turtle nesting. The proposed site is located at approximately 173 feet from the Army Terminal Channel.

PROPOSED WORK: The applicant seeks authorization to perform maintenance dredging within an area of approximately 800 feet long and 200 feet wide of navigable waters of the United States at the berthing zone of the existing Pan American Grain dock. Also, the dredged material would be transported to the Environmental Protection Agency (EPA) designated San Juan Harbor Ocean Dredged Material Disposal Site ODMDS. Approximately 26,000 cubic yards of sediments are proposed to be dredged from the maritime bottom. The proposed dredge depth is - 34 feet plus 2 feet over depth. The applicant proposes to use a crane barge, equipped with a clam shell to perform maintenance dredging, and load dredged material into hopper barges that will transport the dredged material to designated San Juan Harbor ODMDS.

BIOLOGICAL AND CHEMICAL TESTING: The proposed dredged material has been sampled and evaluated. Samples of the dredged material were collected in November and December 2018, and bioassay testing was conducted by Anamar Consulting, Inc. Based on results of the Toxicity Testing Results Report revised on April 25, 2019, no significant toxicity was observed in the bioaccumulation tests performed on the project sediments. The composition of the sediments at the project site are mostly 4.4% sand, 38.6% silt and 57% clay in accordance to the results of the physical analysis for sediment subsamples conducted for this project. The Environmental Protection Agency will determine whether the proposed dredged material is suitable for disposal at the San

Juan Harbor ODMDs. A copy of the assessments documenting the results is available upon request.

CULTURAL RESOURCES:

The Corps has determined the permit area has been extensively modified by previous work and there is little likelihood a historic property may be affected. In 2007, the State Historic Preservation Office determined for a similar maintenance dredging at the same site that it would have no effect on any sites listed, or eligible for listing, in the National Register of Historic Places, or otherwise of national, state, or local significance.

ENDANGERED SPECIES:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the Antillean Manatee (*Trichechus manatus manatus*); Hawksbill sea turtles (*Eretmochelys imbricata*), the Green sea turtles (*Chelonia mydas*) and the Nassau grouper (*Epinephelus striatus*). Also, the Corps has determined the proposed project would have no effect on listed corals and on designated critical habitat for listed corals and for other listed species mentioned above. The Corps will request U.S. Fish and Wildlife/National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Caribbean. 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.

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.

AUTHORIZATION FROM OTHER AGENCIES: A Coastal Zone Management Consistency Certificate from the Puerto Rico Planning Board and a concurrence letter from the Environmental Protection Agency of the suitability of the dredged material for disposal on San Juan Harbor, Ocean Dredged Materials Disposal Site are required for this project.

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; 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.

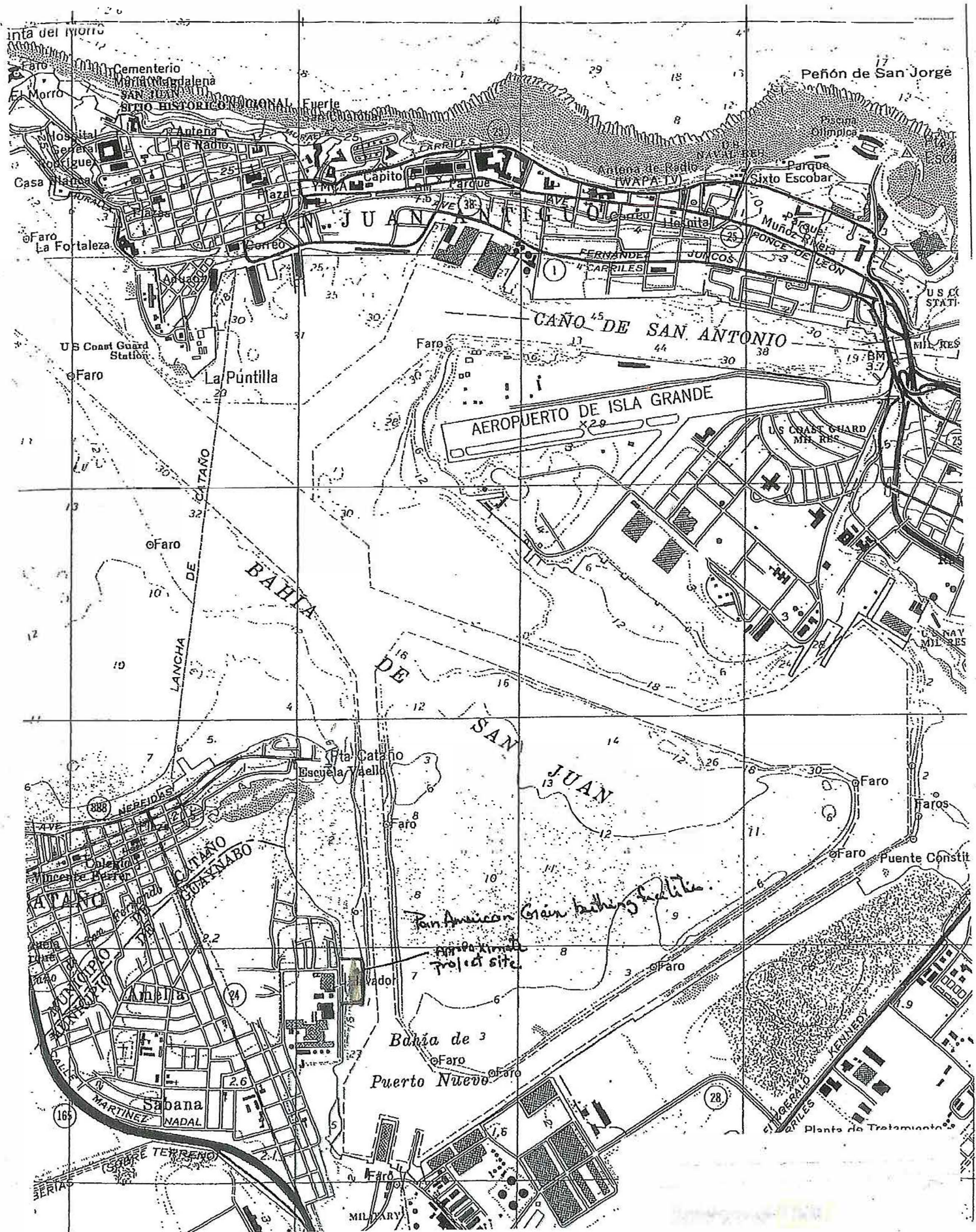
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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.



Panamerican Grain Mfg. Corp.

Demarcation line of navigation canal, to proposed dredging area.

Legend

- Canal
- Line
- Line Measure from dredging area to demarcation line of c

Distance from demarcation to east edge of proposed dredging area 173

Proposed dredging area 800'x200'

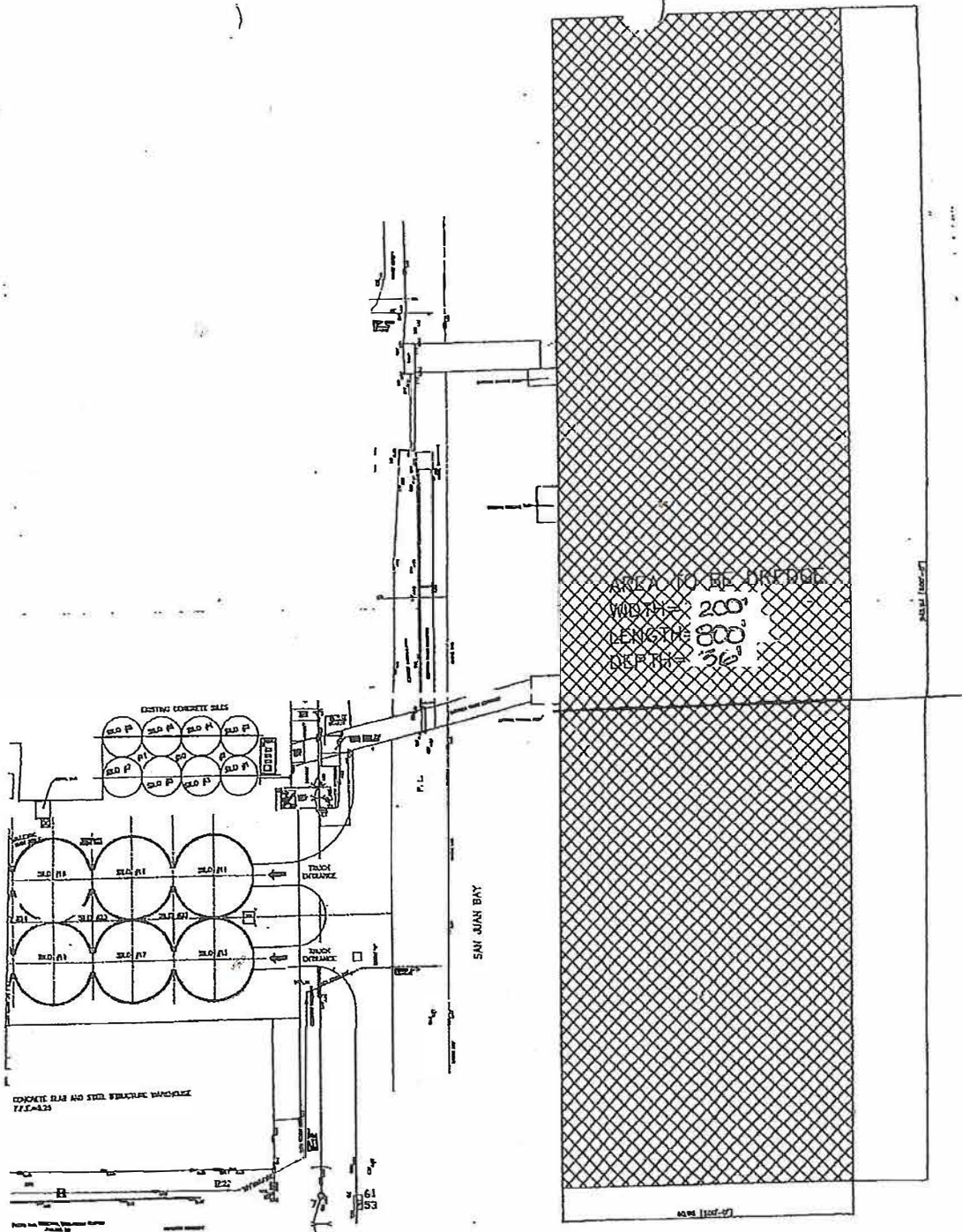
Marker buoy


Canal Red Buoy Demarcation

Google Earth

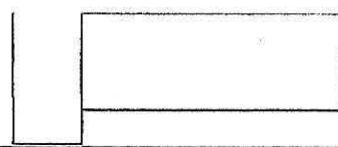
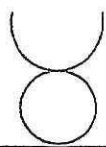
2000 ft



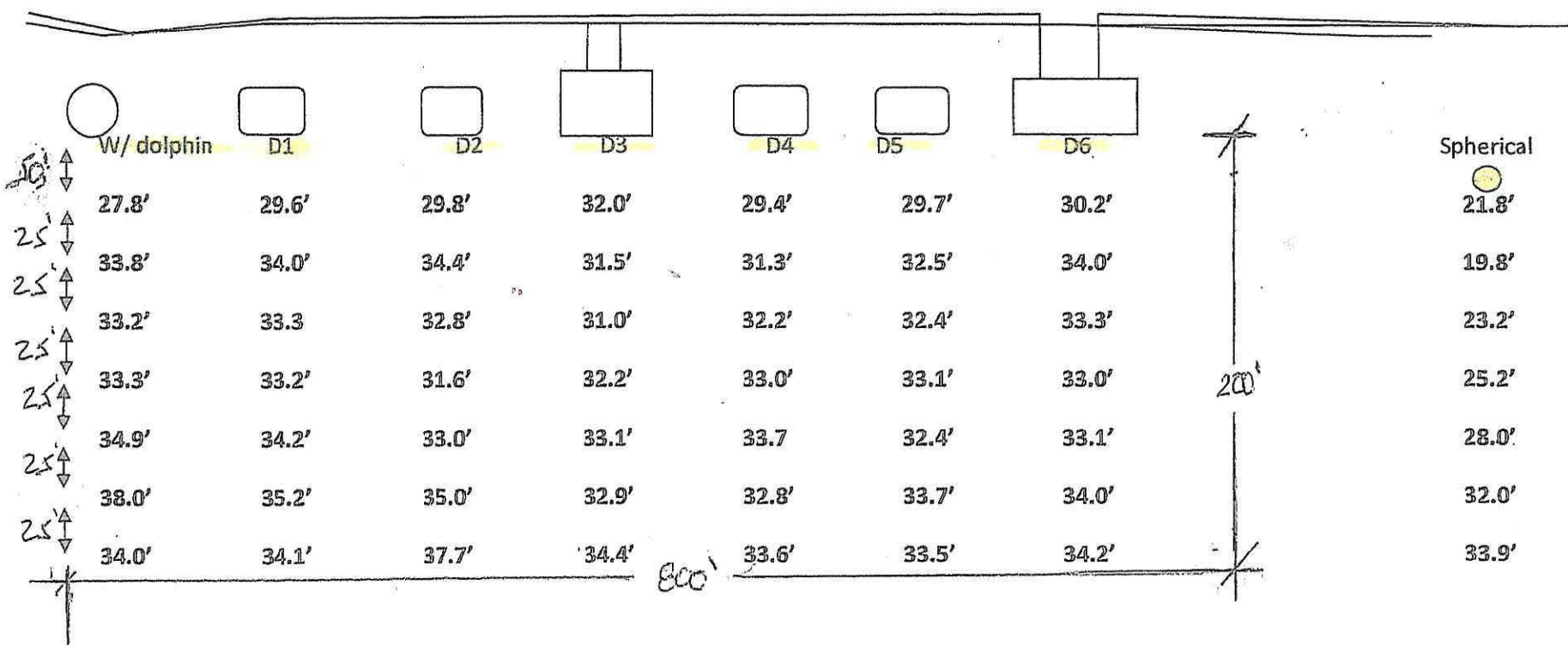


15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	DR. DATE: EX. 8/25/55 EX. 7/24/55	 Pan American Grain Mfg. Co., Inc.	DRAWN BY: J. MOLINA DATE: JUNE 24, 1955 SCALE: 1:500	PROJECT NAME: RICO SITE PLANT LOCATION: Calle Central / Esq. San Pablo / Bo. Sabana Guaynabo, P.R. 00959

2083



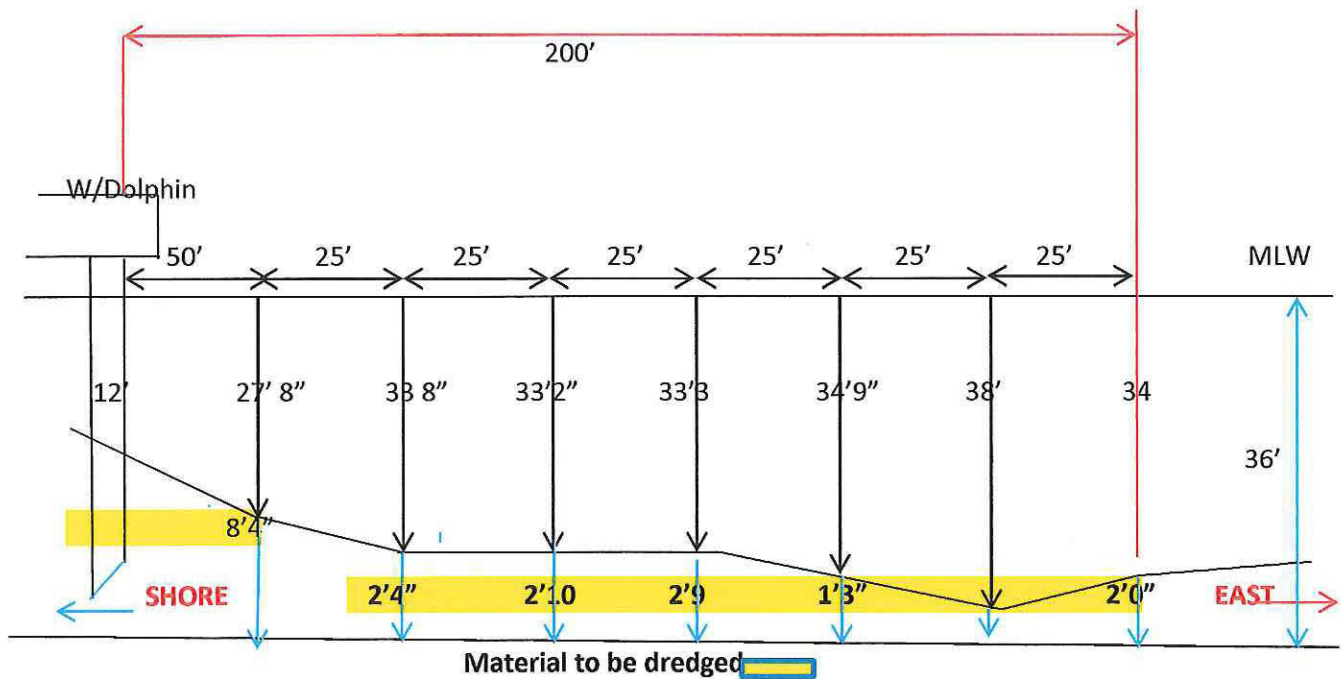
PAN AMERICAN GRAIN



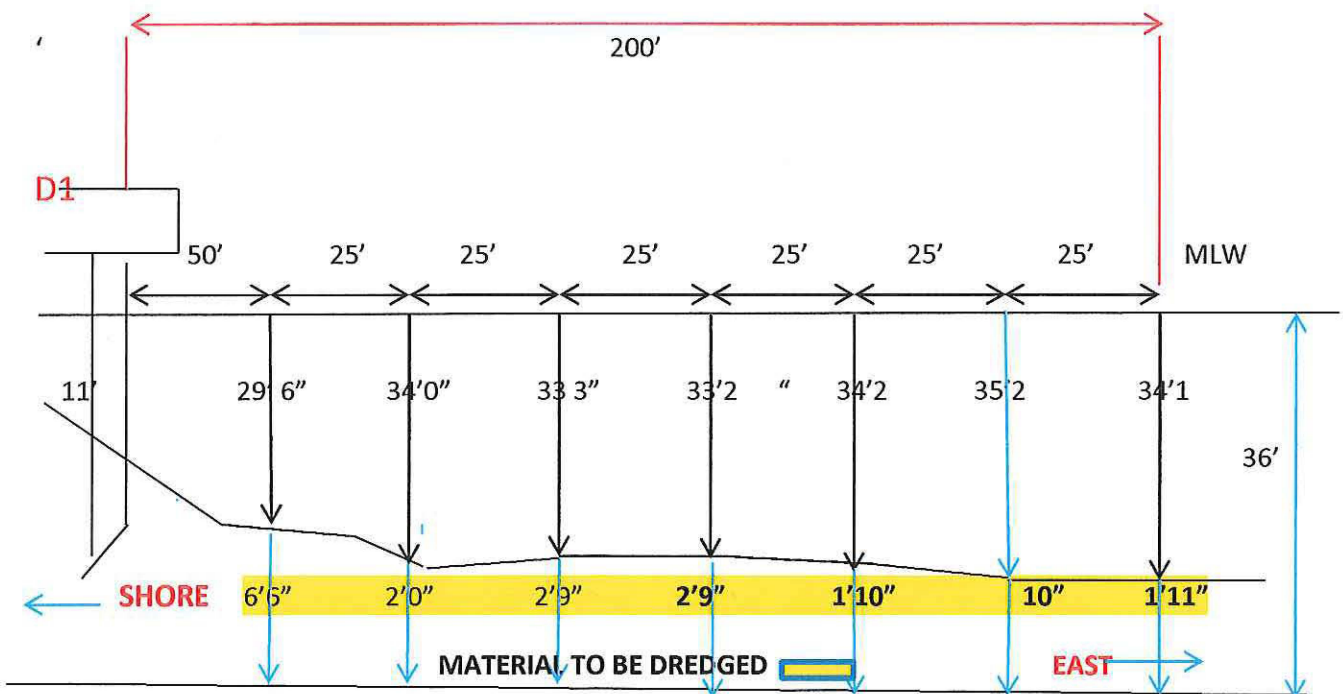
NORTH →

Fig 1	Cross Sections of eight	Arturo Vaello & Asociados Inc.
5	land references as per sketch (5 pgs)	Panamerican Grain Company

200' Width, Reference from Shore "WOODEN DOLPHIN" (w/dolphin)

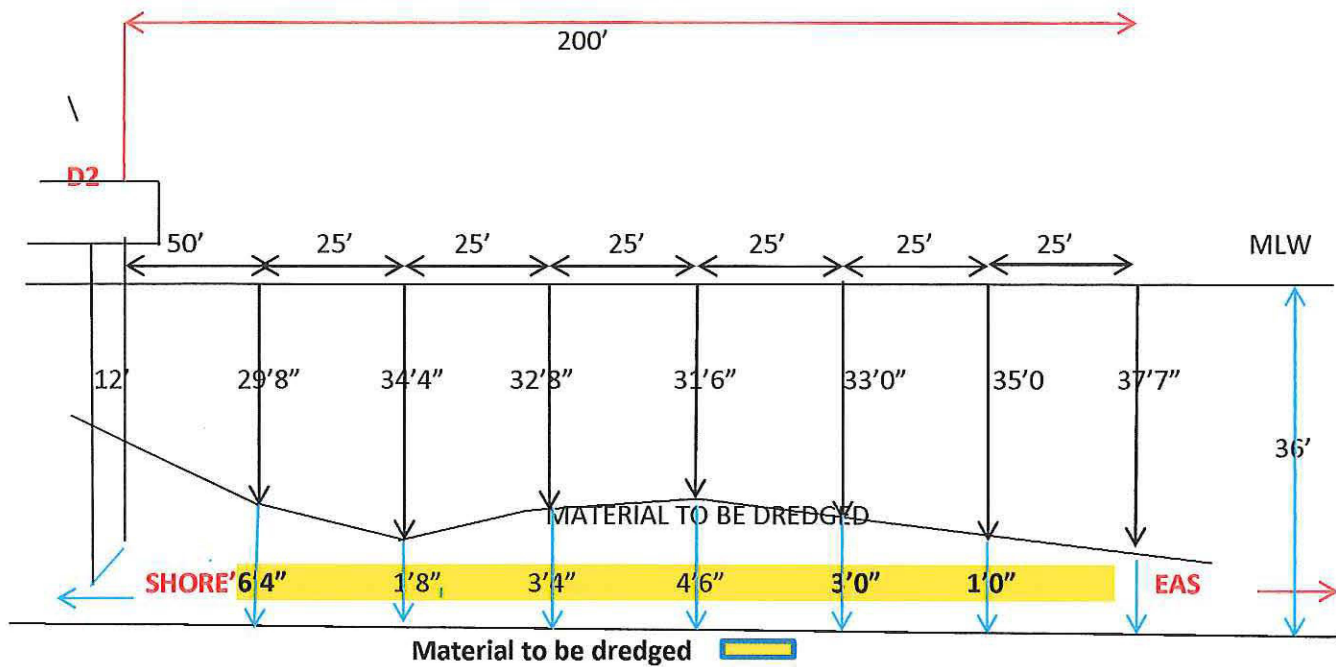


200' Width, Reference from plan view "MOORING D-1"



<p>Fig 2</p> <p>5</p>	<p>Cross Sections of eight</p> <p>land references as per sketch (5 pgs)</p>	<p>Arturo Vaello & Asociados Inc.</p> <p>Panamerican Grain Compa</p>
-----------------------	---	--

200' Width, Reference from plan view "MOORING DOLPHIN" (D2)



200' Width, Reference from plan view "MOORING DOLPHIN" D-3"

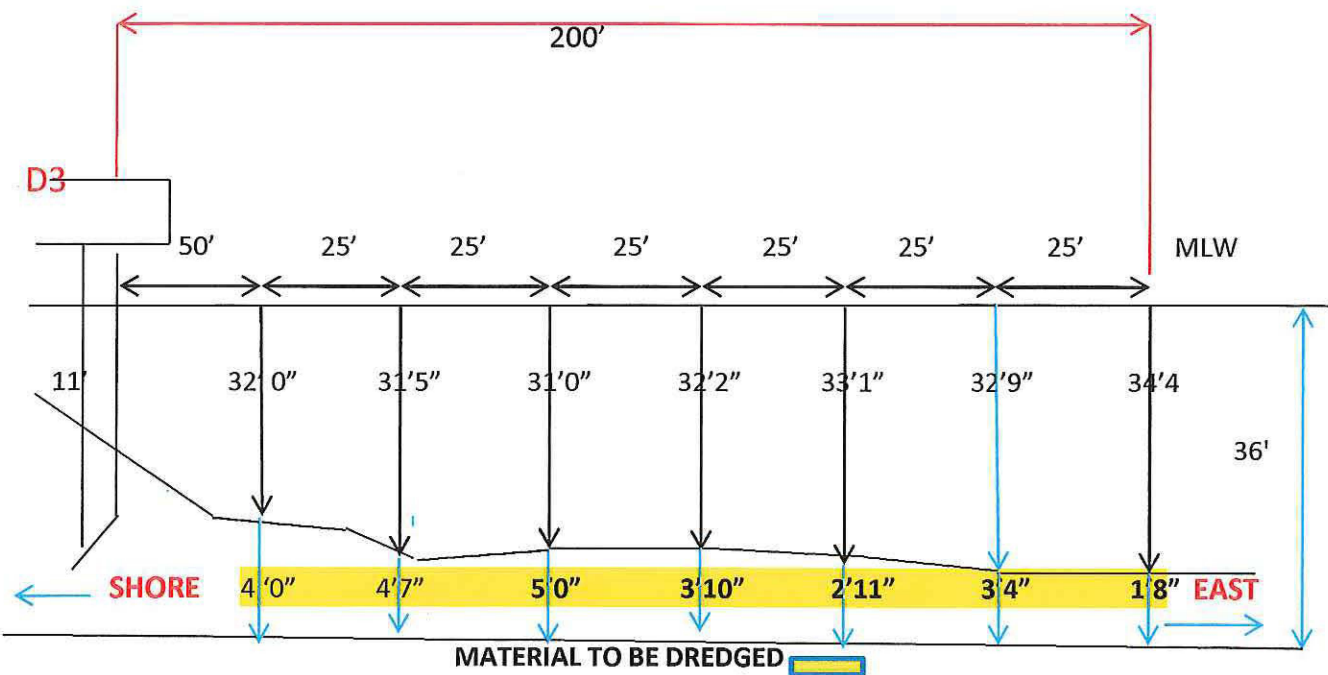
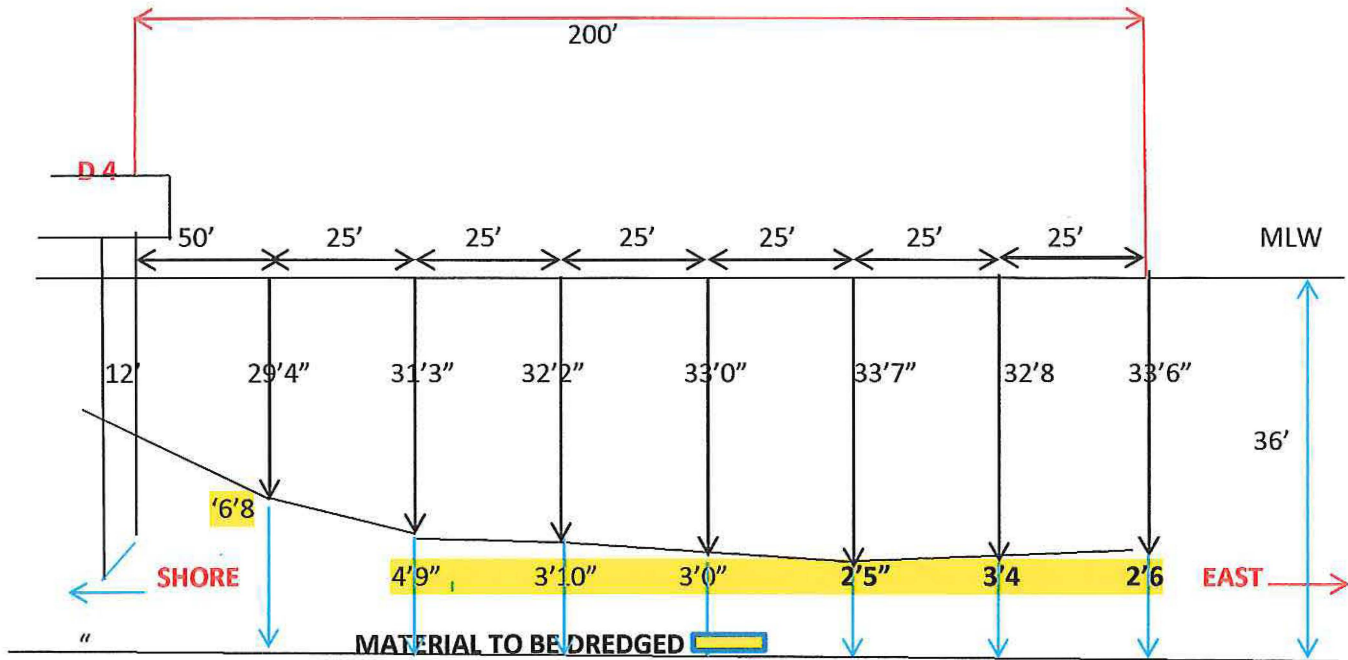


Fig 3 5	Cross Sections of eight land references as per sketch (5 pgs)	Arturo Vaello & Asociados Inc. Panamerican Grain Compa
------------	--	---

200' Width, Reference from plan view "MOORING DOLPHIN" (D4)



200' Width, Reference from plan view "MOORING DOLPHIN" D-5"

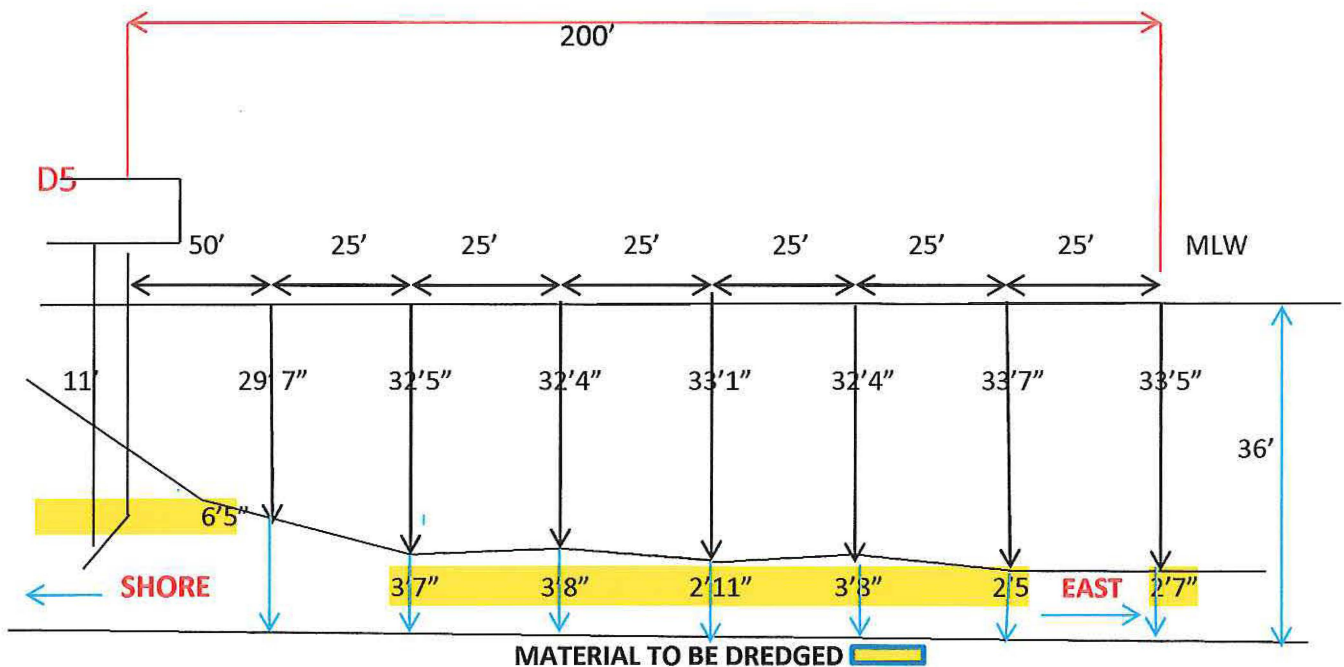
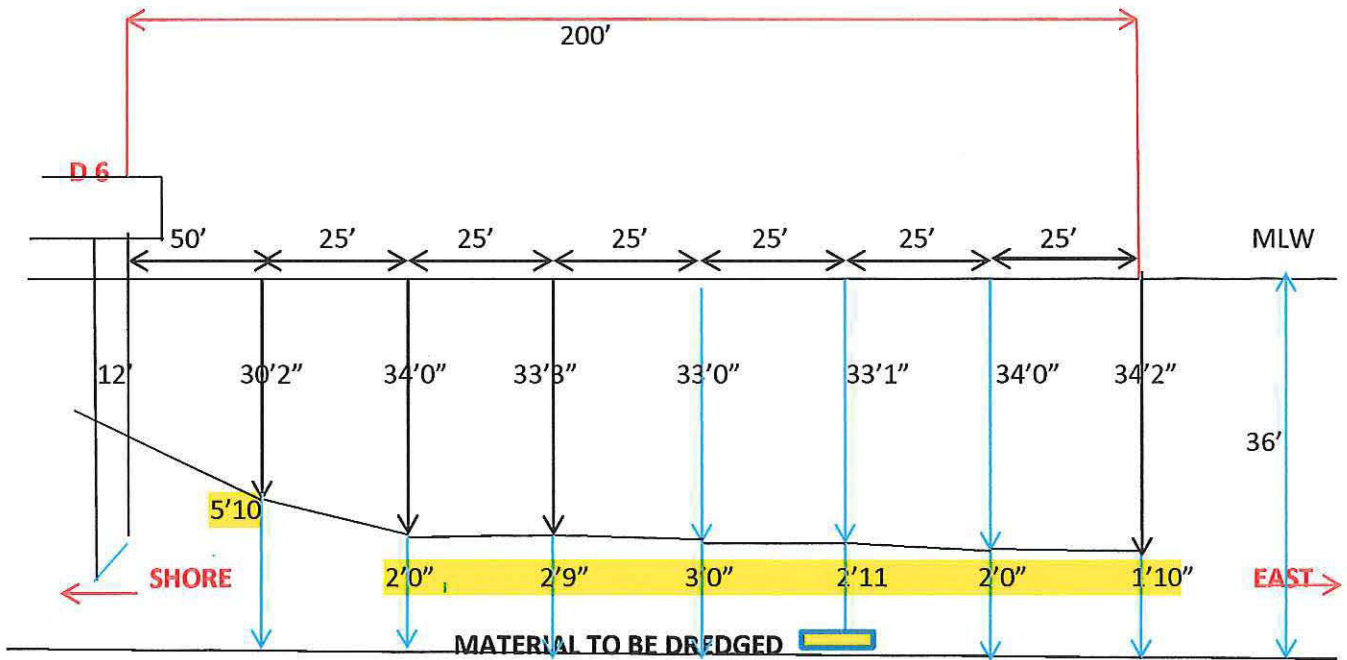


Fig 4 5	Cross Sections of eight land references as per sketch (5 pgs)	Arturo Vaello & Asociados Inc. Panamerican Grain Company
------------	--	---

200' Width, Reference from plan view "MOORING DOLPHIN" (D6)



<p>Fig 5</p> <p>5</p>	<p>Cross Sections of eight land references as per sketch (5 pgs)</p>	<p>Arturo Vaello & Asociados Inc. Panamerican Grain Company</p>
-----------------------	--	---

Boundary Coordinates

18°10'10"N, 66°09'31"W.
18°10'10"N, 66°08'29"W.
18°11'10"N, 66°08'29"W.
18°11'10"N, 66°09'31"W.
Center Coordinates
18°10'40"N, 66°09'00"W.

