



**US Army Corps of Engineers
JACKSONVILLE DISTRICT**

FINDING OF NO SIGNIFICANT IMPACT

DRAFT INTEGRATED FEASIBILITY REPORT AND ENVIRONMENTAL ASSESSMENT SAN JUAN METRO AREA COASTAL STORM RISK MANAGEMENT STUDY SAN JUAN, PUERTO RICO

1. The U.S. Army Corps of Engineers, Jacksonville District (Corps) has prepared an integrated feasibility report (IFR) and environmental assessment (EA) in accordance with the National Environmental policy Act of 1969 (as amended) for the San Juan Metro Area – Back Bay Coastal Storm Risk Management (CSRМ) Study. The purpose of the study is to determine if there is Federal interest in a Federal plan to reduce damages to infrastructure as a result of coastal flooding from storm surge, tide and waves (rather than inland rainfall and stormwater runoff) during coastal storms and hurricanes along the back bay areas in the municipality of San Juan and adjacent municipality communities. The Tentatively Selected Plan (TSP) includes the following:
 - a. Tiered levees (2 miles)
 - b. A series of breakwaters over 0.7 miles along the Cataño nearshore
 - c. Seawall/floodwalls (6.7 miles)
 - d. Elevated living shoreline (2.3 miles)
 - e. A storm surge gate/sluice gate on the Malaria Canal
 - f. Habitat creation and recreational features
 - g. Compensatory mitigation as needed (no net loss of habitat function and value)

2. I have reviewed the IFR/EA for the proposed action. This Finding incorporates by reference all discussions and conclusions contained in the IFR/EA enclosed hereto. Based on information analyzed in the enclosed IFR/EA, reflecting pertinent information obtained from agencies having jurisdiction by law and/or special expertise, I conclude that the proposed action will not significantly affect the quality of the human environment, does not require an Environmental Impact Statement, and is not contrary to the public interest. Reasons for these conclusions are in summary:

- a. All practicable means to avoid and minimize adverse environmental effects have been incorporated into the TSP. Environmental commitments as detailed in the IFR/EA will be implemented to minimize impacts.
- b. Pursuant to the Clean Water Act of 1972, as amended, any discharge of dredged or fill material associated with the preferred alternative have been found to be compliant with section 404(b)(1) Guidelines (40 CFR Part 230). The Clean Water Act Section 404(b)(1) Guidelines evaluation is found in Appendix B Attachment 1 of the IFR/EA.
- c. This project is being coordinated with the Commonwealth of Puerto Rico, and all applicable water quality standards will be met. Water Quality Certification will be obtained from the Puerto Rico Department of Natural and Environmental Resources (DNER) prior to construction. In addition, a determination of consistency with the Puerto Rico Coastal Management Program pursuant to the Coastal Zone Management Act of 1972 has been prepared and will be submitted to the Puerto Rico Planning Board. The Corps has determined construction of the TSP would be consistent to the maximum extent practicable with the enforceable policies of the Puerto Rico Coastal Management Program. The consistency determination is found in Appendix B Attachment 1 of the IFR/EA.
- d. Pursuant to Section 7 of the Endangered Species Act of 1973, as amended (ESA) the Corps has determined that construction of the TSP would have “no effect” (NE) on scalloped hammerhead shark, Nassau grouper, and giant manta ray, elkhorn, staghorn, pillar, rough cactus, lobed star, mountainous star and boulder star corals; “may affect, but is not likely to adversely affect” (MANLAA), loggerhead, hawksbill, leatherback and green sea turtles, Antillean manatee, and Puerto Rican boa; and will not adversely modify Designated Critical Habitat for Acroporid corals. The Corps will consult with National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS). The USFWS 2011 Standard Manatee Conditions for In-Water Work and Puerto Rican Boa Construction Conditions would be included in the project plans and specifications and would be implemented by the contractor during in-water work. Applicable terms and conditions from the ESA consultations will be implemented.
- e. The Corps has initiated consultation, consulted on a tentative APE prior to determination of a TSP, and received concurrence on the development of a programmatic agreement. Pursuant to 54 U.S.C. 306108, 36 CFR 800.4(b)(2), and 36 CFR 800.14(b)(1)(ii), the Corps will defer final identification and evaluation of historic properties until after project approval, additional funding becomes available, and prior to construction by executing the programmatic agreement. A draft programmatic agreement has been provided to SHPO and ICP, and is included as an appendix to the draft IFR/EA.

In view of the above, and consideration of public and agency comments received in response to the above referenced documents, I conclude that the Action would not result in a significant effect on the quality of the human environment. This Finding of No Significant Impact incorporates by reference all discussions and conclusions contained in the referenced documents enclosed herewith. A copy of these documents will be made available to the public on the Corps' Environmental planning website, under Puerto Rico:

<http://www.saj.usace.army.mil/About/DivisionsOffices/Planning/EnvironmentalBranch/EnvironmentalDocuments.aspx>

(On that page, scroll down to "SAN JUAN METRO AREA." The documents available for download include the FONSI and IFR/EA).

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COL, EN
Commanding