



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
ANTILLES OFFICE  
FUND. ÁNGEL RAMOS ANNEX BUILDING, SUITE 202  
SAN JUAN, PUERTO RICO 00918

October 13, 2015

REPLY TO  
ATTENTION OF

Regulatory Division  
South Permits Branch  
Antilles Permits Section  
SAJ-1996-02987 (NW-DCM)

Dr. Ernesto Otero-Morales  
Interim Director  
Department of Marine Sciences  
University of Puerto Rico – Mayagüez Campus  
P.O. Box 9000  
Mayagüez, Puerto Rico 00681

Dear Dr. Otero:

Reference is made to your Department of the Army (DA) permit application submitted through Joint Permit Application (JPA) number 1431, for the proposed restoration and improvement of the existing wooden dock and associated concrete causeway (identified in the project drawings as Dock MT), which serve to provide access to the Magueyes Island Field Station. The project site is located in navigable waters of the Caribbean Sea, near the end of State Road PR-304, La Parguera Ward, Municipality of Lajas, Puerto Rico. Please refer to case number SAJ-1996-02987 (NW-DCM) in future correspondence regarding this project.

A review of the information and drawings provided indicates that the proposed work would result in the replacement of the existing concrete causeway that connects to the above-referenced dock (and which is in very poor condition), by extending the wooden dock towards the shoreline. The proposed replacement activities would be conducted as follows: the top surface and fill material of the concrete causeway would be removed, while leaving the outer (east side) retaining wall in place, as to ensure that the construction activities take place in uplands. A digger would be used for such purposes, which would be working from uplands (that is, from the Magueyes Island heavy equipment loading area to the west of the causeway). Six inches in diameter PVC pilings would be installed by hand towards the east margin of the causeway, and then filled with concrete. Also, a concrete retaining wall would be constructed towards the west margin of the causeway. Once the new retaining wall is in place, rubble would be placed within the footprint of the original causeway (for stabilization and protection from propeller wash) and the outer retaining wall would be removed using a digger. A solid concrete block would be built at the landward end of the dock extension to stabilize the coastline, since boat trailer traffic has caused severe coastal erosion at the site, which has affected the causeway. Then, the wooden frame and decking would be constructed along the extent of the new dock extension (60 ft long x 6 ft wide). The new dock extension would be constructed within the same footprint of the original concrete causeway. The proposed activities would require the excavation of, and discharge of fill material into, approximately 0.0004 acres and 0.0013 acres of waters of the U.S.,

respectively. The proposed project would also include the replacement of the wooden decking of the existing dock.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 3, for Maintenance. In addition, project specific conditions have been enclosed. This verification is valid until **March 18, 2017**. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP. Please access the U.S. Army Corps of Engineers' (Corps) Jacksonville District's Regulatory Internet page to access Internet links to view the Final Nationwide Permits, Federal Register Vol. 77, dated February 21, 2012, specifically pages 10270 – 10290, the Corrections to the Final Nationwide Permits, Federal Register 77, March 19, 2012, and the List of Regional Conditions. The Internet page address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive and should be entered as it appears above. Once there you will need to click on "Source Book"; and, then click on "Nationwide Permits." These files contain the description of the NWP authorization, the NWP general conditions, and the regional conditions, which apply specifically to this verification for NWP 3. Enclosed is a list of the six General Conditions, which apply to all DA authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Within 60 days of completion of the work authorized, the attached Self-Certification Statement of Compliance must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Special Projects and Enforcement Branch, ATTN. José J. Rivera, 4400 PGA Blvd., Suite 500 Palm Beach Gardens, FL 33410.
2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. Cultural Resources/Historic Properties:

a. No structure or work shall adversely affect, impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition; and if deemed necessary by the SHPO or the Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

4. The authorized work shall be completed in accordance with the information and drawings submitted as part of the above-referenced permit application.

5. Prior to the initiation of any of the work authorized by this permit the Permittee shall install floating turbidity barriers with weighted skirts that extend to within one foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.

6. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

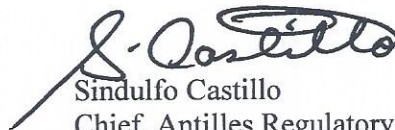
7. You must file a "Notice of Intent to be covered by the General Water Quality Certificate" (EQB Form GWQC-1), copy enclosed, with the Puerto Rico Environmental Quality Board. A copy of the stamped form GWQC-1 must be provided to this office.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. In addition, this letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact Mrs. Deborah J. Cedeño-Maldonado, Project Manager, by telephone at 787-289-7036.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,



Sindulfo Castillo  
Chief, Antilles Regulatory Section

Enclosures

Copy/ies Furnished: PRPB

bcc:  
CESAJ-RD-PE