

REPLY TO
ATTENTION OF

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

August 14, 2017

Regulatory Division
South Permits Branch
Antilles Permits Section
SAJ-2015-02260 (NW-DCM)
SAJ-2015-02265 (NW-DCM)

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

Dear Dr. Otero:

Reference is made to your letter dated July 31, 2017, requesting re-verification of a project that we previously verified on August 27, 2015 (please refer to the attached letter), under the 2012 Nationwide Permit Number 3 (NWP-3). The project would result in the replacement of the wooden decking of two existing docks identified as MBP-1 and MBP-2. No modifications to the dimensions of the existing structures or installation of new pilings would be conducted. The project sites are located in navigable waters of the United States at the western margin of Magueyes Island, Parguera Ward, Municipality of Lajas, Puerto Rico. The U.S. Army Corps of Engineers (Corps) file numbers for this project are SAJ-2015-02260 (NW-DCM) and SAJ-2015-02265 (NW-DCM), corresponding to the docks identified as MBP-1 and MBP-2, respectively. You stated in your request that there are no proposed changes to the scope of the project.

We hereby verify that your project is authorized by the 2017 NWP-3, for Maintenance. This verification is valid until **March 18, 2022**. Some of the terms, conditions and regional conditions may have changed because our previous verification was based on the 2012 Federal Register and Regional Conditions. This letter is based on the project being performed in accordance with: the drawings attached to our previous letter; the terms and conditions found on pages 1983 to 2008, inclusive, of the Federal Register Vol. 82, dated January 6, 2017; the Regional Conditions dated March 14, 2017; and, the entirety of our previous letter, including the special conditions and attachments (except for the expiration date and the references to the 2012 Federal Register and Regional Conditions).

If you are unable to access the internet or require a hardcopy of any of the above-referenced documents, please contact Mrs. Deborah J. Cedeño-Maldonado, project Manager, at the letterhead address, by email at Deborah.J.Cedeno-Maldonado@usace.army.mil, or by telephone at 787-289-7036.

Sincerely,

CASTILLO.SINDU
LFO.1182884851

Digitally signed by
CASTILLO.SINDULFO.1182884851
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=CASTILLO.SINDULFO.1182884851
Date: 2017.08.14 11:29:19 -0400

Sindulfo Castillo
Chief, Antilles Regulatory Section

Enclosures

Copy/ies Furnished: PRPB

bcc:
CESAJ-RD-PE

GENERAL CONDITIONS
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on **March 18, 2022**.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2015-02260 (NW-DCM)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Enforcement Section, ATTN. Jonathan Pempek, 4400 PGA Blvd., Suite 500, Palm Beach Gardens, FL 33410.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2015-02265 (NW-DCM)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Enforcement Section, ATTN. Jonathan Pempek, 4400 PGA Blvd., Suite 500, Palm Beach Gardens, FL 33410.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2015-02260

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

**TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2015-02265

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
ANTILLES OFFICE
400 FERNÁNDEZ JUNCOS AVENUE
SAN JUAN, PUERTO RICO 00901-3299

August 27, 2015

Regulatory Division
South Permits Branch
Antilles Permits Section
SAJ-2015-02260 (NW-DCM)
SAJ-2015-02265 (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 of two wooden docks identified as MBP-1 and MBP-2. A review of the information and drawings provided indicates that the proposed work would result in the replacement of the wooden decking of the referenced docks. No modifications to the dimensions of the existing structures or installation of new pilings would be conducted. The project sites are located in navigable waters of the United States at the western coast of Magueyes Island, Parguera Ward, Municipality of Lajas, Puerto Rico. Please refer to case numbers SAJ-2015-02260 (NW-DCM) and SAJ-2015-02265 (NW-DCM), corresponding to the docks identified as MBP-1 and MBP-2, respectively, in future correspondence regarding this project.

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. This verification does not authorize dredging activities or the discharge of dredged or fill material into waters of the United States, including wetlands.

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 787-729-6905, extension 3061.

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. 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,

A handwritten signature in black ink, appearing to read "S. Castillo", written over a diagonal line that extends from the bottom left towards the center.

Sindulfo Castillo
Chief, Antilles Regulatory Section

Enclosures

Copy/ies Furnished: PRPB

bcc:
CESAJ-RD-PE

GENERAL CONDITIONS
33 CFR PART 320-330

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3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2015-02260 (NW-DCM)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

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(SUBDIVISION)

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(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2015-02265 (NW-DCM)

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(SUBDIVISION)

(DATE)

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(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2015-02260

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

**TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2015-02265

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

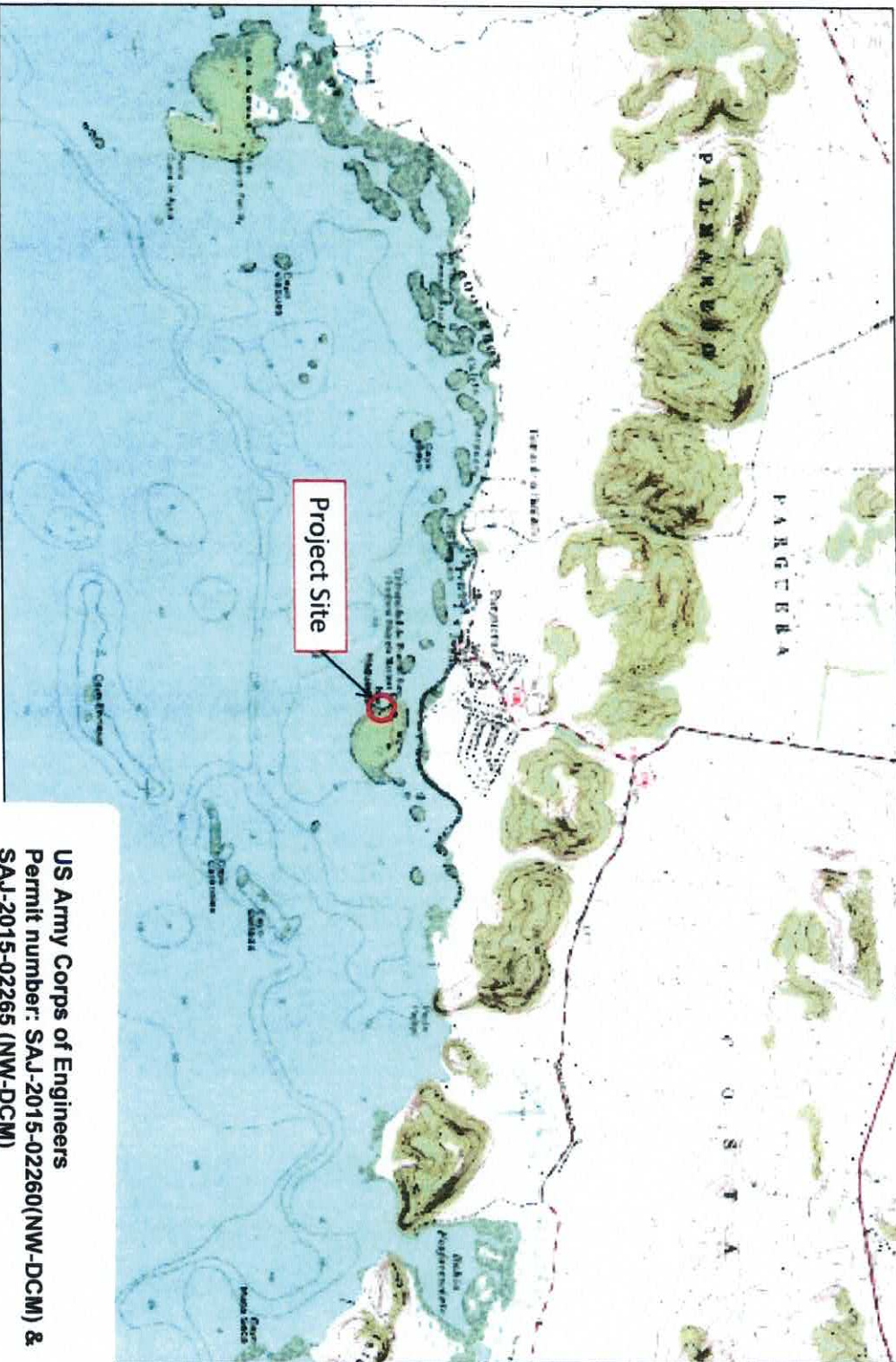
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Signature of Permittee

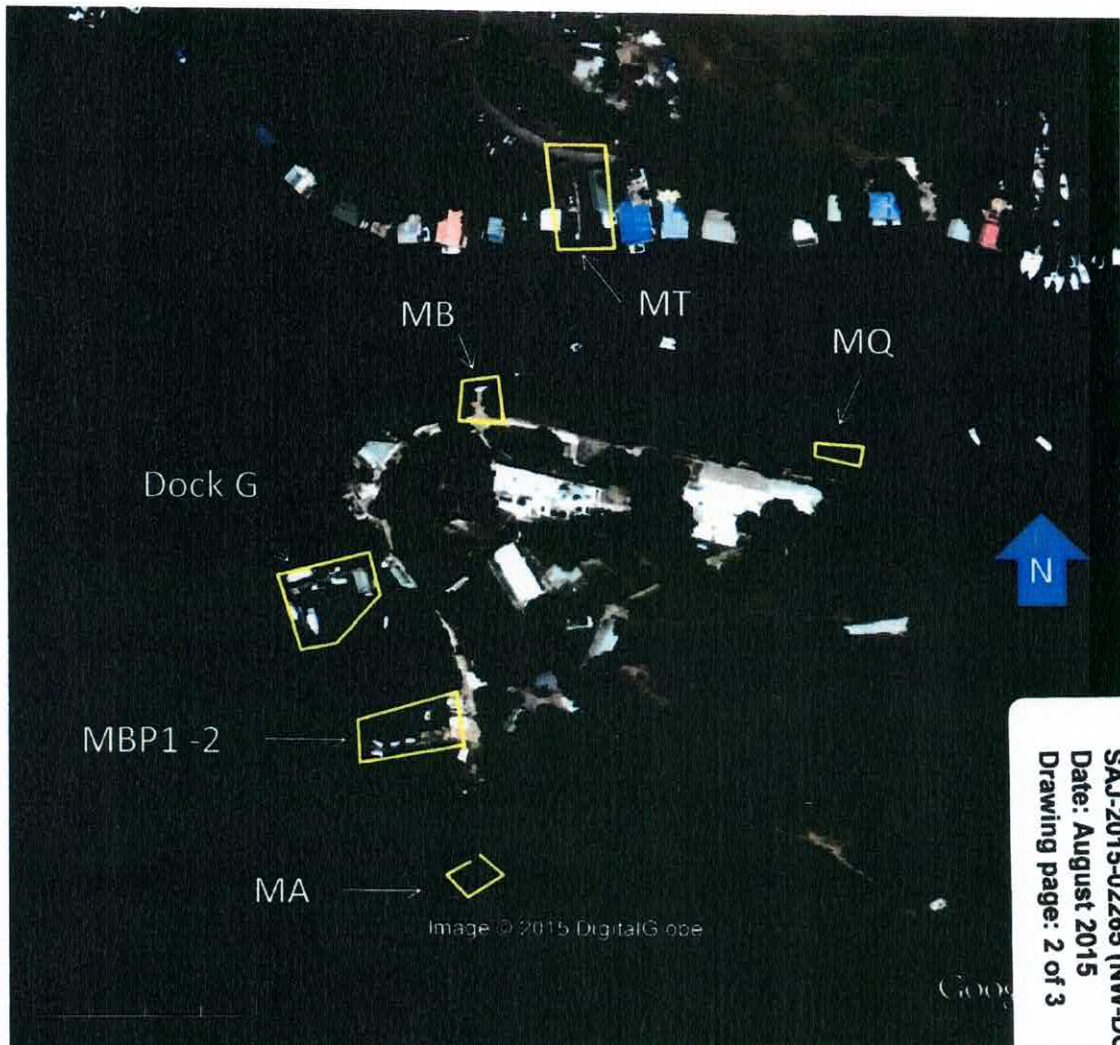
Date

Project Name: Restoration of docks (identified as MBP-1 & MBP-2) at Magueyes Island, Lajas, P.R.
Case Number: SAJ-2015-02260 (NW-DCM) & SAJ-2015-02265 (NW-DCM)
Location Map



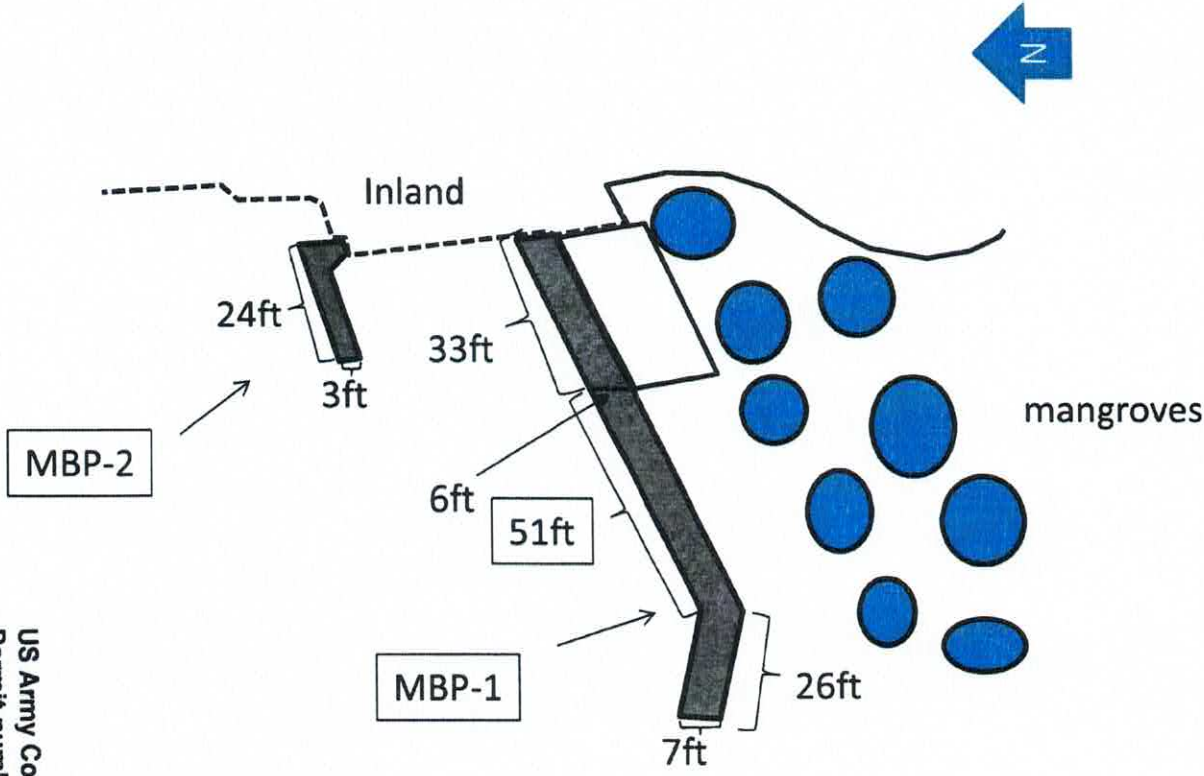
US Army Corps of Engineers
Permit number: SAJ-2015-02260(NW-DCM) & SAJ-2015-02265 (NW-DCM)
Date: August 2015
Drawing page: 1 of 3

Aerial View and Location of Different Docks



US Army Corps of Engineers
Permit number: SAJ-2015-02260 (NW-DCM) &
SAJ-2015-02265 (NW-DCM)
Date: August 2015
Drawing page: 2 of 3

Muelles Botes Pequeños (MBP)



US Army Corps of Engineers
Permit number: SAJ-2015-02260 (NW-DCM) &
SAJ-2015-02265 (NW-DCM)
Date: August 2015
Drawing page: 3 of 3