



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

REPLY TO
ATTENTION
Antilles Regulatory Section

DEC 05 2005

PUBLIC NOTICE

Permit Application No. SAJ-1998-815(LP-ML)
Joint Permit Application 658

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act as described below:

APPLICANT: Gabriel Espasas
42 Harborview Drive
Palmas del Mar, Humacao, Puerto Rico 00791

WATERWAY & LOCATION: The proposed project is located at Ensenada Honda, off-road PR-250, on the west side of parcels 9 and 10 at Punta Carenero, Frailes Ward, Culebra, Puerto Rico.

LATITUDE AND LONGITUDE: Lat. 18°17'15"N, Lon. 67°16'37"W.

PROJECT PURPOSE:

Basic: Commercial marina with a seaplane/marine transportation terminal

Overall: To construct a 60 slips marina to moor recreational craft, water taxi and seaplane / flight ship activities.

EXISTING CONDITIONS: The Puerto Rico Environmental Sensitivity Index (ESI) shows the presence of a mangrove fringe along the waterfront portion of the site. Also, coarse-grained sand beaches are located to the south. The ESI shows benthic marine habitats, specifically seagrasses and coral reefs in the area. The ESI also shows sensitive biological resources for the green sea turtle, *Chelonia mydas*, to the south of the project site at Bahía Mosquito.

PROPOSED WORK: The applicant proposes to construct a "U" shape marina consisting of two 332 x 8 feet piers, with a 145 x 10 feet "T" end at each pier, and a 236 x 10 feet dock connecting the two piers. Access to the marina would be through a 141 x 6 feet walkway and stairs coming from uplands at parcel 9. The walkway would be constructed on piles, including the portion that is over navigable waters and the existing mangrove fringe. The marina would include 26 catwalks of 30 x 5 feet, for 60 slips. Also, 152 mooring piles will be installed. The "T" ends would be used to accommodate two 145 foot length boats. The applicant proposed to operate a boat rental business ("Bareboat"), and a high speed "Ferry Taxi", including a seaplane, from the facility. Also, a dry dock would be placed in uplands.

ENDANGERED SPECIES: The ESI shows sensitive biological resources for the green sea turtle, *Chelonia mydas*, to the south of the project site at Bahía Mosquito. Based on the available information the Corps determines that the project may affect, but is not likely to adversely affect the species. By means of this public notice the Corps initiates informal consultation, pursuant to Section 7 of the Endangered Species Act.

HISTORIC and CULTURAL RESOURCES: The ESI does not show the presence of historic or cultural resources at the project surroundings. Based on this information the Corps does not anticipate impacts to cultural resources. Pursuant to Appendix C, 3.b(1), to 33CFR 325, and in accordance with 36CFR 800.4(d)(1) the Corps determines that the undertaking will have no effect on cultural resources.

ESSENTIAL FISH HABITAT: This notice initiates Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. According to the ESI there are seagrasses and coral reefs in the project area, habitats of various life stages of some of the 17 selected managed species. The applicant informed that the sea bottom at the site does not contain seagrasses. He also stated that the proposed piers would be built following the WRP Technical Note VN-RS-3.1 "Design and Construction of Docks to Minimize Seagrass Impacts", including the use of translucent grating. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or Federally managed fisheries in the Caribbean Sea. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

AUTHORIZATION FROM OTHER AGENCIES: A Certification of Consistency with the P.R. Coastal Zone Management Program will be required. A Water Quality Certificate from the P.R. Environmental Quality Board may not be required.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified. Comments regarding the application should be submitted in writing within 30 days from the date of this notice to:

Chief Antilles Regulatory Section
U.S. Army Corps of Engineers
400 Fernández Juncos Avenue
San Juan, Puerto Rico 00901-3299

or by electronic mail to Myrna.I.Lopez@saj02.usace.army.mil. Please reference application number in your correspondence. If you have any questions concerning this application, you may contact Ms. Myrna López of this office, by telephone at 787-729-6905/6944, extension 3059.



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DRAWING 2 of 5

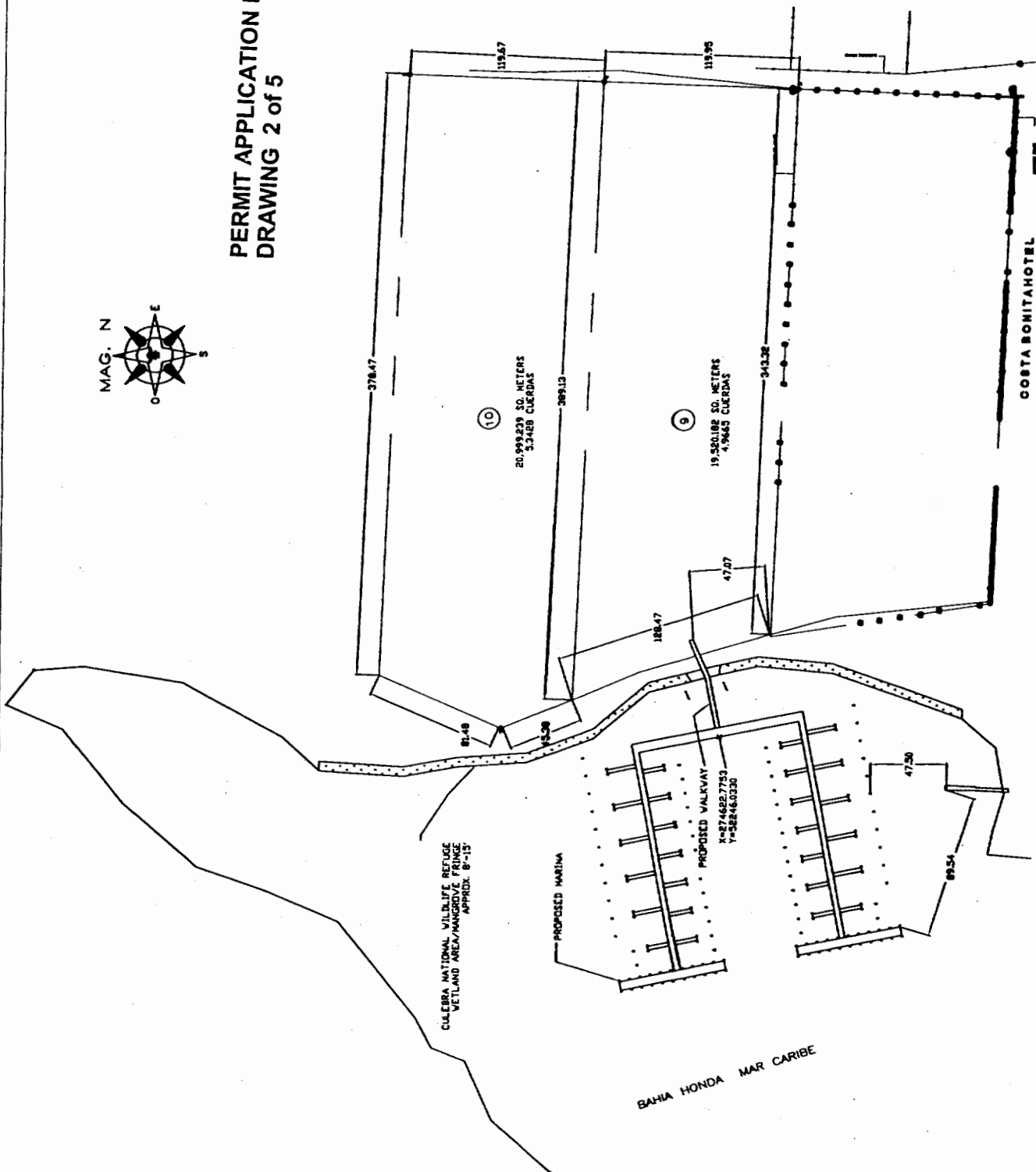
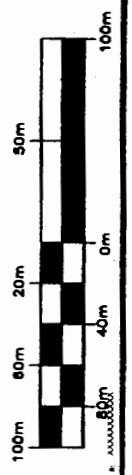


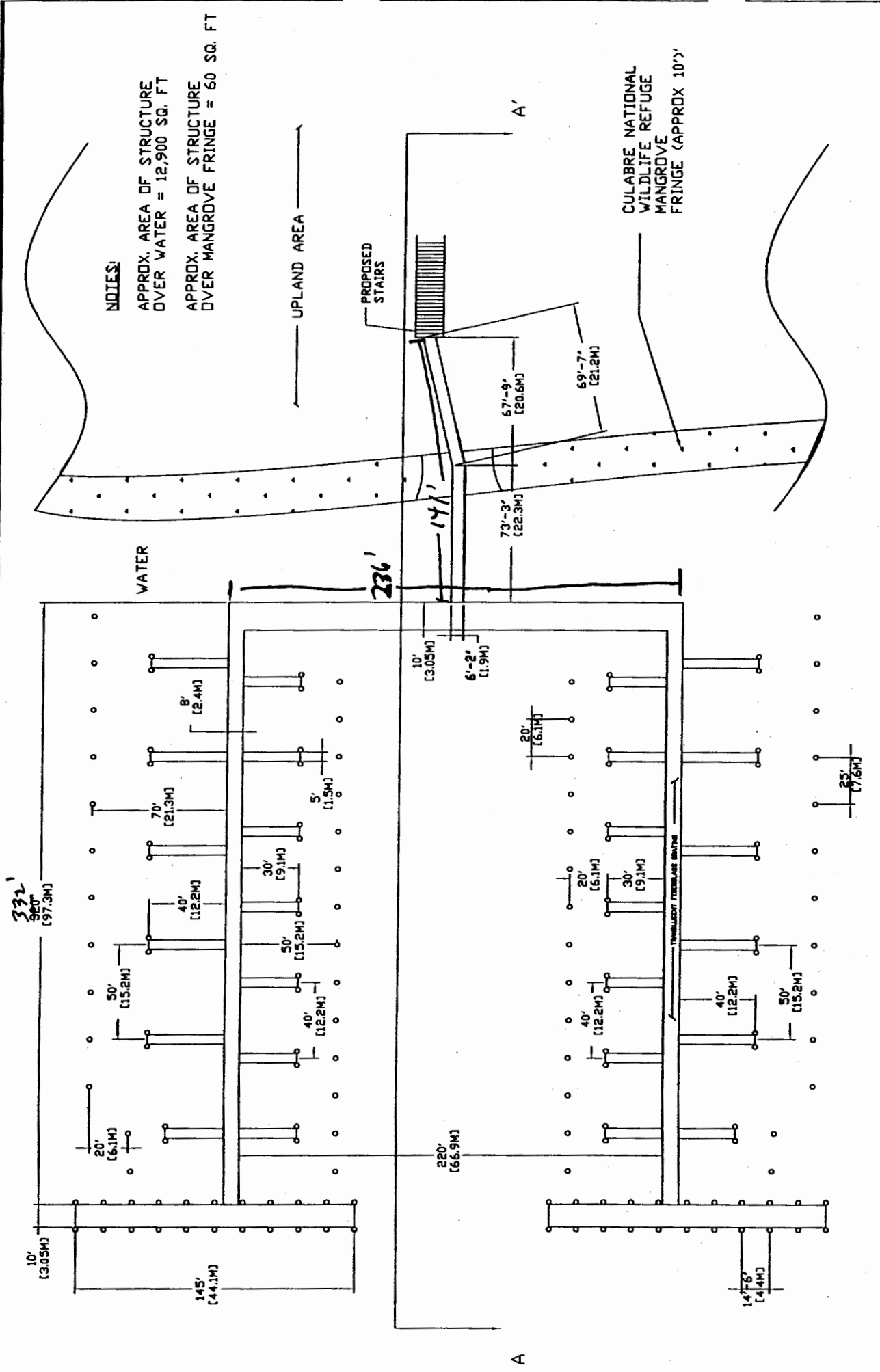
FIGURE 1
LOCATION OF PROPOSED
PIERS, MOORING PILES & BOAT SLIPS
DRAWN BY: J.E.J. DATE: 6/17/05
CHECKED BY: D.P. SCALE: GRAPHIC

PREPARED BY:
JAVIER E. JIMENEZ, P.E.
LICENSE NUMBER 18647
PAUL MASCARANO A-8
PARK GARDENS, SAN JUAN, PR

PROPOSED MARINA
BAHIA HONDA
PARCELS 9 & 10 FRAILES WARD
CULEBRA, PR
PREPARED FOR: GABRIEL ESPASAS

NOTE:
TOPOGRAPHIC AND SURVEY DATA WAS
OBTAINED FROM SURVEY DRAWING
TITLED "PLANO DE DELINEADO Y MEDICION"
PREPARED BY CARMELO FUENTES DATED
JUN 1, 2004.





NOTES:

APPROX. AREA OF STRUCTURE OVER WATER = 12,900 SQ. FT

APPROX. AREA OF STRUCTURE OVER MANGROVE FRINGE = 60 SQ. FT

UPLAND AREA

CULABRE NATIONAL WILDLIFE REFUGE MANGROVE FRINGE (APPROX 10')

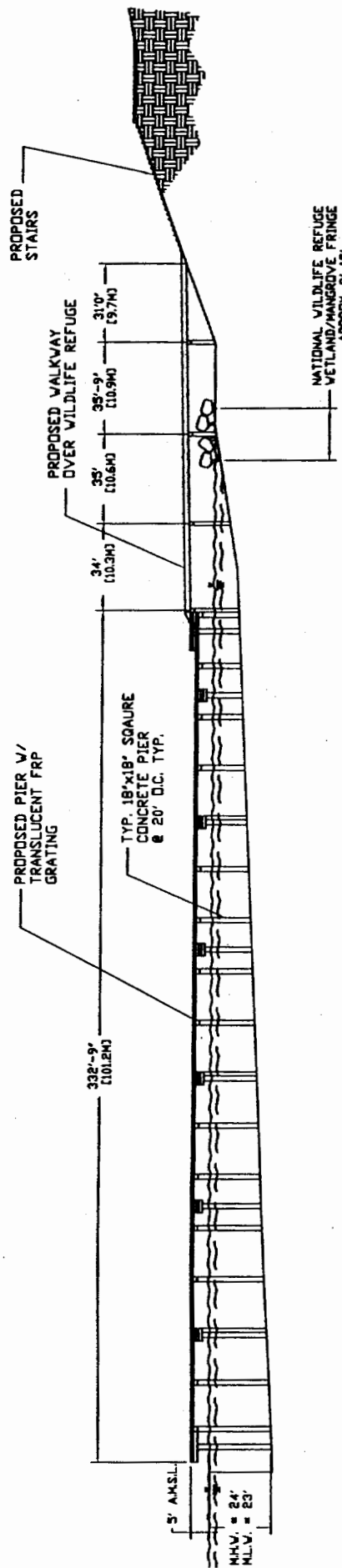
PROPOSED MARINA & WALKWAY PLAN



PROPOSED MARINA
 BAHIA HONDA
 PARCELS 9 & 10 FRAILES WARD
 CULEBRA, PR

PERMIT APPLICATION No. SAJ-1998-815(LP-ML)
DRAWING 3 of 5

PREPARED FOR: GABRIEL ESPASAS



PROPOSED MARINA & WALKWAY
ELEVATION (SECTION A-A')

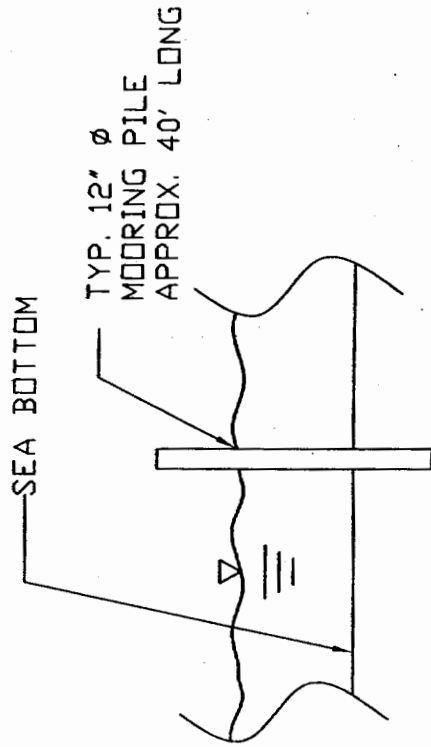
PERMIT APPLICATION No. SAJ-1998-815(LP-ML)
DRAWING 4 of 5



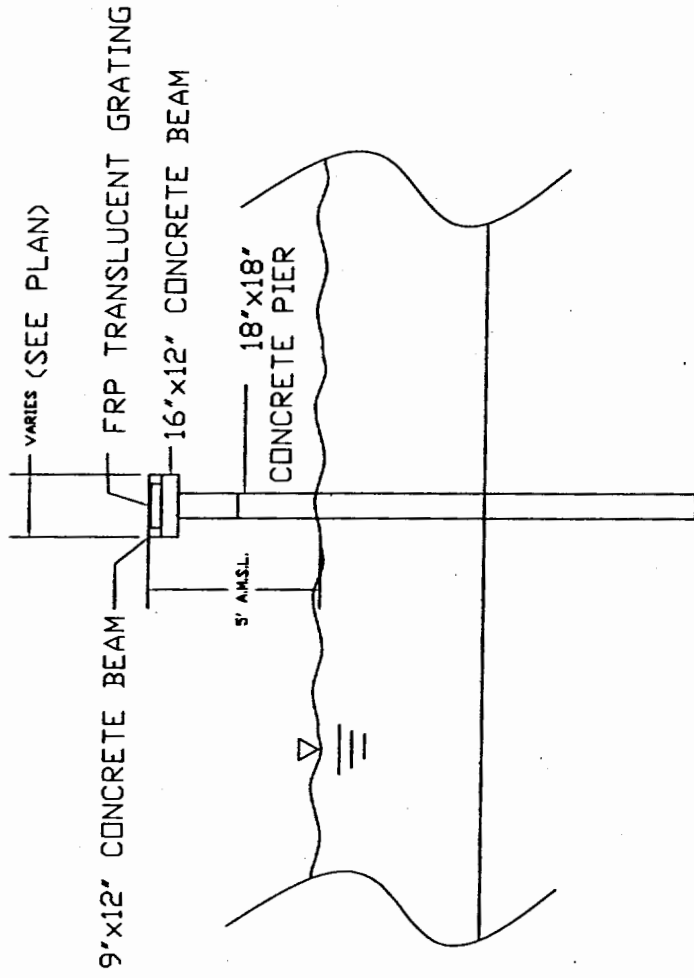
PROPOSED MARINA
BAHIA HONDA
PARCELS 9 & 10 FRAILES WARD
CULEBRA, PR
PREPARED FOR: GABRIEL ESPASAS

PREPARED BY:
JAVIER E. JIMENEZ, P.E.
LICENSE NUMBER 18647
CALLE MARICURBO 503
PARK GARDENS, SAN JUAN, PR

FIGURE 3
ELEVATION OF PROPOSED MARINA,
MOORING PILES & BOAT SLIPS
DRAWN BY: J.E.J. DATE: 6/17/05
CHECKED BY: D.P. SCALE: GRAPHIC



TYP. WOOD
MOORING PILE



TYP. CONCRETE PILE
AND PIER DECK

PERMIT APPLICATION No. SAJ-1998-815(LP-ML)
DRAWING 5 of 5

PROPOSED MARINA
BAHIA HONDA
PARCELS 9 & 10 FRAILES WARD
CULEBRA, PR

PREPARED FOR: GABRIEL ESPASAS

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US 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. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

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 of 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 of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. 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 approved 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.



Lawrence C. Evans
Chief, Regulatory Division