



REPLY TO
ATTENTION OF

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

SEP 23 2002

Antilles Regulatory Section

PUBLIC NOTICE

Notice of Availability
of the
Draft Environmental Impact Statement (DEIS)
for the
Port of the Americas

TO WHOM IT MAY CONCERN: In accordance with the requirements of the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (Corps) Jacksonville District, announces the availability of a Regulatory Program Draft Environmental Impact Statement (DEIS) for the proposed Port of the Americas (PTA).

LOCATION: Puerto Rico

BACKGROUND:

The Puerto Rico Infrastructure Financing Authority (AFI, acronym in Spanish) is seeking Corps regulatory authorizations for the development of transshipment ports in Guayanilla-Peñuelas and Ponce, Puerto Rico, pursuant Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act. Pursuant to Section 10 of the Rivers and Harbors Act, the Corps has regulatory authority over structures and/or work in, or affecting navigable waters of the United States. Under Section 404 of the Clean Water Act, the Corps has regulatory authority to permit the discharge of dredged or fill material in waters of the United States, including wetlands. Also, under Section 103 of the Marine Protection, Research and Sanctuaries Act, the Corps has regulatory authority over the transportation of dredged material for the purpose of dumping it in ocean waters at dumping sites designated under 40 CFR Part 228.

In August 28, 2001, the Corps announced its intention to prepare a DEIS for the Port of the Americas (formerly known as Las Americas Transshipment Port Complex) to comply with NEPA requirements. The applicant has prepared a DEIS utilizing a third-party contractor. The preparation of the DEIS has been performed under guidance and participation of the Corps.

SUMMARY:

As required by NEPA, the DEIS describes the applicant's preferred alternative and other alternatives evaluated for the development of transshipment port facilities in Puerto Rico.

The applicant's preferred alternative proposes the development of terminals at the Guayanilla and Ponce harbors to accommodate Post-Panamax vessels. In the Guayanilla-Peñuelas area, this alternative would include the following:

- Construction of a new pier with a maximum length of 6,000 feet, with support facilities capable of handling as many as four Post-Panamax vessels;
- Discharge of fill material in approximately 110 acres of shallow navigable waters, including approximately 12 acres of mangrove coastal wetlands in the Punta Gotay area, for the development of loading-unloading storage areas and other support facilities;
- Development for value-added activities of as much as 300 acres of a parcel owned by Union Carbide in Peñuelas adjoining Punta Guayanilla;
- Development and/or improvements to other infrastructure within the Guayanilla-Peñuelas area to operate the terminal efficiently, including water, sewers, power, highways and communication services.

In Ponce, the Applicant's Preferred Alternative would include:

- Expansion of the existing transshipment pier to a maximum length of about 3,610 feet to allow simultaneous handling of as many as two Post-Panamax vessels;
- Immediate dredging of the navigation channel and berthing areas to a minimum depth of 45 feet and a maximum of 53 feet to allow the navigation of Post-Panamax vessels;
- Disposal of part of the dredged material at the EPA designated offshore disposal site south of Ponce, while reclaiming for beneficial use for either the fill at the Guayanilla Harbor or fill at uplands in the vicinity;
- Development of approximately 132 acres of upland adjacent to the port for value-added activities.

During the scoping process, several issues of relevance associated with the development of the PTA were identified. These issues are evaluated in detail in the DEIS for each of the alternatives considered, including the no-action alternative. Each issue was evaluated in terms of a list of measurement indicators to complete a thorough evaluation of the environmental impacts associated with each issue. The following issues were evaluated in detail as part of this DEIS: Fish and Wildlife Resources; Marine Resources/ Special Aquatic Sites; Essential Fish Habitat; Threatened or Endangered Species; Ecologically Sensitive Areas; Wetlands, Coastal Zone; Flooding, Water and Sediment Quality; Air Quality; Cultural Resources; Socio-Economic Impacts; Hazardous, Toxic, and Radioactive Wastes; Dredging and Disposal of Dredged Material; Navigation; Infrastructure; Marine Currents; and Noise. The DEIS evaluates the potential direct, indirect, and cumulative environmental consequences.

COMMENTS:

The Corps hereby solicits comments from the public, Federal agencies, State and local agencies and officials, and any other interested parties on the DEIS. Comments on the DEIS shall be as specific as possible, and may address either the adequacy of the statement or the merits of the alternatives discussed or both. The Corps will assess and consider the comments received in the preparation of the final Environmental Impact Statement.

SUBMISSION OF COMMENTS: Comments must be submitted in writing to the following address:

Mr. Edwin E. Muñiz
Chief, Antilles Regulatory Section
Attention: PTA DEIS
U.S. Army Corps of Engineers
400 Fernández Juncos Avenue
San Juan, Puerto Rico 00901

Comments must be received by **November 19, 2002**.

AVAILABILITY OF THE DEIS:

Copies of the DEIS will be available for inspection at the locations identified below:

1. U.S. Army Corps of Engineers
Antilles Regulatory Section
Stop 7 ½, 400 Fernández Juncos Avenue
San Juan, Puerto Rico 00901
Point of Contact: Ms. Angela Muñoz or Mr. José Rosario
Telephone 787-729-6905/6944

2. Autoridad para el Financiamiento de la Infraestructura
235 Arterial Hostos Avenue, Suite 1601
San Juan, Puerto Rico 00918-1454
Point of Contact: Mrs. Ada Rivera
Telephone 787-763-4170

Copies of the DEIS document may be obtained by contacting the third party contractor:

Mrs. Miriam Piazza
CSA Group
Mezzanine Suite, Mercantile Plaza
San Juan, Puerto Rico 00918
Telephone 787-641-6801, extension 752

The third party contractor has provided copies of the DEIS to the following institutions:

1. Library, Interamerican University, Metropolitan Campus,
Mrs. Rosa Pimentel, Librarian
2. University of Puerto Rico, Río Piedras Campus
Mr. Ramón A. Budet, Librarian
3. Metropolitan University
Mrs. María de los Angeles Lugo, Librarian
3. Polytechnic University
Mrs. Maritza Grajales, Librarian
4. Interamerican University, San Germán Campus
Mrs. Doris Asencio, Librarian
5. Interamerican University, Industrial Park Turpó
Mrs. Brunilda Figueroa, Librarian
6. Catholic University
Mrs. Esther Irizarry, Librarian

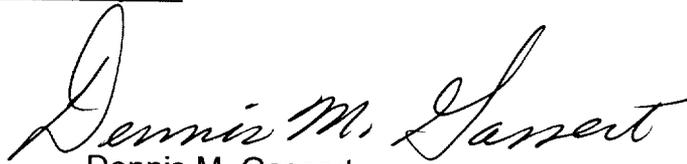
For additional information, you may also access the Corps' website by accessing the following address at:

http://www.saj.usace.army.mil/permit/hot_topics/POAEIS/content.htm

SUPPLEMENTARY INFORMATION REGARDING ADDITIONAL PUBLIC INVOLVEMENT OPPORTUNITY:

As part of the public involvement process, at least one Public Meeting will be held in the future to allow participants the opportunity to comment on the DEIS. In the future, further notice will be provided regarding the public meeting(s) to be held.

FOR FURTHER INFORMATION CONTACT: Mr. José E. Rosario, (787) 729-6905/6944, extension 306, facsimile (787) 729-6906, or email at jose.e.rosario-fabregas@saj02.usace.army.mil



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