



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

May 27, 2015

F/SER47:JAR/pw

(Sent via Electronic Mail)

Colonel Allan M. Dodd, Commander
Jacksonville District Corps of Engineers
Antilles Office
400 Fernandez Juncos Avenue
San Juan, Puerto Rico 00901-3299

Attention: Carmen G. Roman

Dear Colonel Dodd:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAJ-2015-00784 (SP-CGR) dated April 28, 2015. The Puerto Rico Aqueduct and Sewer Authority requests authorization from the Department of the Army to relocate an existing potable water pipeline by installing one 42-inch diameter pipeline protected with a reinforced concrete beam approximately six feet below the bottom of the future Martin Peña Channel (MPC). The dimensions of the proposed pipeline are approximately 66.93 meters long and 2.48 meters wide, including the concrete beam. In addition, the applicant proposes to install two sheet pile walls 18.28 meters long at both sides of the MPC as a safety measure to protect the pipeline. The notice states the existing pipeline located approximately nine meters eastward from the proposed pipeline would be abandoned in place. Permanent impacts from discharging fill and dredged material are expected to be 0.041 acres, and temporary impacts from construction equipment and staging are expected to be 0.73 acres. These estimates include 0.20 acres of mangrove wetlands. To offset these impacts, the applicant would restore 0.22 acres of white and red mangroves along the MPC. The Jacksonville District's initial determination is the proposed action would not have a substantial adverse impact on essential fish habitat (EFH) or federally managed fisheries in the Caribbean. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The Caribbean Fishery Management Council (CFMC) identifies mangroves and sandy bottom as EFH under the fishery management plans for spiny lobster and reef fish. These habitats serve as nursery areas for fishery species. Mangroves are part of a habitat complex that includes seagrass, hardbottom, and coral, and this complex supports a diverse community of fish and invertebrates. Mangroves also provide important water quality maintenance functions (such as pollution uptake), stabilize sediments, attenuate wave action, and produce and export detritus (decaying organic material), which is an important component of marine and estuarine food chains. Additional information about these EFH designations and how these habitats support



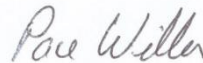
fishery species is found in *Essential Fish Habitat (EFH) Generic Amendment to the Fishery Management Plans (FMPs) of the U.S. Caribbean*¹.

Construction beneath the MPC would be done in two phases. The first phase would include constructing a temporary berm on the southern side of the MPC to divert channel flow northwards followed by excavating a trench to the middle of the channel, installing the new pipeline in the trench, backfilling the trench, and removing the berm. The second phase would be the same as the first except the work would be from the northern side of the MPC. The notice also states alternatives to trenching, including placing the new pipeline on a bridge or horizontal directional drilling beneath the MPC, are not practicable due to cost or adjacent land use.

The NMFS recommends the permit for the project require best management practices to control turbidity. It is not clear from the public notice if compensatory mitigation is proposed. The proposed mangrove restoration is to the mangrove areas impacted by construction equipment and staging. It is not clear if the permanent impacts to mangroves from the pipeline and sheet pile would be mitigated. While these impacts appear small, the NMFS recommends they also be mitigated. Lastly, it is not clear why the existing pipeline would be abandoned in place. It seems the pipeline would need to be removed to accommodate the expected future dredging of MPC.

NMFS appreciates the opportunity to provide these comments. Please direct related questions or comments to the attention of Mr. José A. Rivera at NOAA HCD, c/o US Army Corps of Engineers, 400 Fernandez Juncos Avenue, San Juan, Puerto Rico, 00901-3299. He may be reached by telephone at 787-405-3605 or by e-mail at Jose.A.Rivera@noaa.gov.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

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¹ Available at caribbeanfmc.com/fmp_efh.html.