

(Translation)

Commonwealth of Puerto Rico  
Environmental Quality Board

AG-AFR-idn  
JUN 11 1993

Mr. Pedro L. Ruberté  
Acting Assistant Secretary  
Flood Control Area  
Department of Natural Resources  
Box 5887  
Puerta de Tierra, PR 00906

Re: Water Quality Certificate  
Flood Control  
Río Puerto Nuevo  
San Juan, PR

Dear Mr. Ruberté:

We have received and evaluated the above referenced application for a Water Quality Certificate for a Corps of Engineers Permit for the channelization of the Puerto Nuevo River and its five tributary streams: Quebrada Margarita, Josefina, Doña Ana, Buena Vista and Guaracanal. The proposed works include channelization and improvement to existing channels along some 17.9 kilometers of the Puerto Nuevo River and tributaries. The project includes the following:

a. Puerto Nuevo River (main channel). Channelization of 10.4 kilometers, from its mouth at San Juan Bay up to Avenida Winston Churchill in El Señorial. Works include 2.7 km of bulkhead construction on a trapezoidal channel and 7.7 kilometers of concrete channel. Along this channel there will be two energy-dissipating structures, two high-velocity channel junctions, and in the upper watershed, two sediment basins with lateral spillways.

b. Quebrada Margarita. Improvements to this stream will include widening of the existing stream along 2.8 kilometers, of which 1.1 km will consist of a rectangular concrete channel and 1.6 km will consist of trapezoidal earthen channel.

c. Quebrada Josefina. Improvements consist of an earthen channel 2.3 km long from its mouth at the Puerto Nuevo river, upstream to the vicinity of Veterans Hospital.

d. Quebrada Doña Ana. This stream will also be channeled in concrete for 1.0 kilometer.

e. Quebrada Buena Vista. In the case of this stream, it will be re-routed through a concrete channel 1.2 km long, which

will cross undeveloped lands near the Experiment Station and proposed Botanical Garden. Improvements include a high velocity junction with the main channel.

f. Quebrada Guaracanal. In this section a rectangular concrete channel is proposed, 819 feet long. There will be a sediment basin of 6.5 acres, with a 150-foot long lateral spillway.

The proposed improvements will require the excavation of approximately 6.5 million cubic yards of material. It is expected that 2.8 million cubic yards of material from the main channel and 0.7 million cubic yards from the Quebrada Margarita channel will be deposited offshore in the sea. The remaining 3 million cubic yards of excavated material will be deposited in designated land areas. Two such areas have been indicated, one along the Puerto Nuevo River and one along Quebrada Margarita

The proposed channel improvement works require replacement of 17 bridges, modifications to 8 and construction of 5 new bridges (including two new pedestrian bridges).

The bridges to be replaced are: Roosevelt Avenue, Notre Dame Avenue bridge, PR 176 bridge, Avenida Piñeiro bridge, Andalucía Avenue bridge, Josefina pedestrian bridge, Ave. Americo Miranda bridge (over Quebrada Josefina), and bridges on the following streets: 31 SE, 21 SE, 9th SE and 54 SE, second Ave. Américo Miranda bridge (over Quebrada Doña Ana), bridges on streets 29 SE and 21 SE, bridge on street 4 and bridge on PR 21

The mitigation plan for the environmental impact of the proposed works includes planting mangroves along the lower Río Puerto Nuevo, designation of the Constitution Bridge mangroves as a natural reserve and other activities such as wetland restoration in other areas.

The part of the project that will occur in San Juan Bay is in waters classified SC and the rest of the project is in waters classified SD by the Water Quality Standards Regulation.

In conformity with Section 401 (a) (1) of the Federal Clean Water Act (the Law), after due consideration of effluent limitation or standards established under Sections 301, 302, 303, 306, and 307 of the Law, if any, and after taking into consideration the applicable classification and standards that regulate water quality in Puerto Rico, it is certified that there is a reasonable certainty, as determined by the Environmental Quality Board, that the permitted project will not violate applicable water quality standards if the limits cited in Table A-1 are complied with. The conditions specified in the abovementioned table must be incorporated in the federal permit to satisfy the provisions of Section 401 (d) of the Law.

This Certificate applies only to the effects that this activity might have on the quality of waters as defined by regulations, and not to ecological, biological or environmental effects incurred as a result of the project. This Board reserves the right to comment at any future date on any other environmental aspect of the project.

(signed)

Francisco Martín-Caso  
Associate Member

Fernanda Roman  
Vice President

Hector Russe Martínez  
President

cc: Mr. Carmelo Caez

(This is a standard table included with all EQB WQC's. It is basically a re-statement of Puerto Rico's Water Quality Standards Regulation.)

TABLE A-1

PARAMETER	LIMITATION
Suspended, colloidal or settleable solids	Solids produced by works or their discharges shall not cause sedimentation or be detrimental to specified uses of receiving waters.
Oil and grease	Waters of Puerto Rico shall be substantially free of floating oils and greases, whether non-petroleum derived or petroleum-derived.
Dissolved Oxygen	Shall be no less than 5 mg/l except when lower values are due to natural causes.
pH	Shall fluctuate only between 6.0 and 9.0 except when higher or lower values are due to natural causes.
Color	Shall not be greater than 15 units according to colorimetric standards of the Platinum-cobalt scale, except when due to natural causes. Provided that, in cases where the water body normally exceeds this value, the mechanism provided in Section 6.10 of this Regulation may be used to develop site-specific criteria.
Turbidity	Shall not exceed 10 nephelometric turbidity units (NTU).

## Special Conditions

1. The Environmental Quality Board (EQB), on issuance of this Water Quality Certificate (WQC), does not relieve the applicant, the Department of Natural Resources, of its responsibility for obtaining additional permits and/or authorizations from EQB, as may be required by law. The issuance of the WQC may not be considered as an authorization to carry out any activity that is not specifically covered in the WQC.
2. The Department of Natural Resources must implement the proposed Mitigation Plan.
3. The Department of Natural Resources must comply with the above Special Condition. If it does not, the WQC issued by EQB shall be immediately nullified.