



Proposed Report¹

DEPARTMENT OF THE ARMY
CHIEF OF ENGINEERS
2600 ARMY PENTAGON
WASHINGTON, D.C. 20310-2600

DAEN

SUBJECT: Rio Guayanilla Flood Risk Management Study, Guayanilla, Commonwealth of Puerto Rico

THE SECRETARY OF THE ARMY

1. I submit, for transmission to Congress, my report on the study of flood risk management along the Rio Guayanilla at Guayanilla, Puerto Rico. It is accompanied by the report of the Chicago District Commander. The study is being conducted as an interim response to the authority provided by Section 722 of the Water Resources Development Act of 1986 (Public Law (P.L.) 99-662) which directed the Secretary to conduct a feasibility study on providing flood protection in the Guayanilla River Basin, Puerto Rico. The study was funded through the Bipartisan Budget Act of 2018 (P.L. 115-123) which provided that “all, repair, rehabilitation, study, design, and construction of U.S. Army Corps of Engineers (Corps) projects in Puerto Rico and the United States Virgin Islands, using funds provided under this heading, shall be conducted at full federal expense.”

2. The reporting officers recommend authorizing the National Economic Development Plan to reduce flood risks to the community in and near Guayanilla, Puerto Rico. The principal features of the plan include:

a. Construction of an engineered diversion channel, 9,000 feet long with a bottom width of 100 feet and 2:1 side slopes. The engineered channel will extend from a new diversion structure, constructed across the existing river approximately 2,000 feet downstream of PR-127. The diversion structure will direct the majority of flood waters to the trapezoidal diversion channel while maintaining a bank-full flow to the Rio Guayanilla. The diversion structure will maintain riverine connectivity for sediment transport and fish passage. A levee will be built on the eastern side of the diversion channel. The riverside slope of the levee will be lined with riprap to prevent erosion. The diversion channel and existing channel will be reconnected with an additional diversion structure upstream of an existing non-federal project.

b. A combination of levees and floodwalls will be installed upstream of the diversion channel on the east side of the river channel at designated locations. The levees will be constructed from local limestone that will be excavated from an abandoned quarry in the project area. A 2,750 foot long earthen levee will also be constructed to reduce flood risk for El Faro community from overbank riverine flooding.

¹ This report contains the proposed recommendation of the Chief of Engineers. The recommendation is subject to change to reflect Washington-level review and comments from federal and state agencies.

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c. Improvement of conveyance under PR-2 and PR-127 and removal of flow impediments. Compensatory wetland mitigation of six acres of forested wetland and salt flat to address impacts associated with the El Faro Levee, is also included in the recommended plan. Conservation measures for two special status species will be implemented during quarrying of levee materials to minimize potential impacts to less than significant.

d. Relocation of three local roads that will be impacted by project features. A road at the northern part of the project will be moved north of PR-2 and two roads that intersect the diversion channel will be replaced with a bridge over the channel and connecting roadway that follows the southern edge of the diversion channel as it curves to the east.

e. A flood warning system/response plan.

3. The Department of Natural & Environmental Resources of Puerto Rico (DNER) is the non-federal cost-sharing sponsor for all features. Based on October 2019 price levels, the estimated total first cost of the recommended plan is \$154,341,000. The federal share of the project first cost is estimated at \$100,322,000 and the non-federal share is estimated at \$54,019,000, which equates to 65 percent federal and 35 percent non-federal. The non-federal costs include the value of lands, easements, rights-of-way, relocations and dredged or excavated material disposal areas estimated at \$25,815,000. The DNER would be responsible for operation, maintenance, repair, replacement and rehabilitation (OMRR&R) of the project after construction at approximately \$39,000 per year.

4. Based on a 2.75 percent discount rate and a 50-year period of analysis, the total equivalent average annual costs of the project are estimated at \$12,807,000, including OMRR&R. All project costs are allocated to the authorized purpose of flood risk management. The recommended plan is estimated to be about 98 percent reliable in reducing flood risk to the most densely developed portions of the city of Guayanilla, Puerto Rico from a flood which has a one percent chance of occurrence in any year. The recommended plan would reduce average annual flood damages by approximately \$19,265,000, or 97 percent, and would leave average annual residual damages estimated at \$579,000. Net average annual benefits are estimated at \$13,951,000, with a benefit to cost ratio of approximately 3.3 to 1.

5. The municipality of Guayanilla, Puerto Rico is located in the active floodplain of the Rio Guayanilla with the natural river channel bisecting the community. Heavy rainfall combined with very steep slopes in the upper catchment can produce high peak discharges in a relatively short period of time. This discharge can be in the magnitude of 30,000-40,000 cubic-feet-per-second. The 0.01 Annual Exceedance Probability (100-year) flood event can inundate over 8 square kilometers of land within the study area. The study report fully describes these flood risks associated with the Rio

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Guayanilla and describes the residual risk. The residual risks have been communicated to the non-federal sponsor and they understand and agree with the analyses. Residual flood risk would be addressed through wise floodplain management measures including the flood warning system that is part of the recommended plan. Additional analyses related to system reliability and tolerable risk will be conducted during the Pre-Construction, Engineering and Design Phase. The recommended plan has been designed to avoid or minimize environmental impacts while maximizing future safety and economic benefits to the community. The study team organized and participated in stakeholder meetings and public workshops throughout the process and worked with local groups to achieve a balance of project goals and public concerns.

6. In accordance with the U.S. Army Corps of Engineers guidance on the review of decision documents, all technical, engineering and scientific work underwent an open, dynamic and rigorous review process to ensure technical quality. This included District Quality Control review, two iterations of Agency Technical Review, and a headquarters policy and legal review of the draft and final reports. All comments from the above referenced reviews have been addressed and incorporated into the final documents. A safety assurance review (Type II IEPR) will be conducted during the design phase of the project.

7. Washington-level review indicates that the project recommended by the reporting officers is technically sound, environmentally and socially acceptable, and economically justified. The plan complies with all essential elements of the 1983 U.S. Water Resources Council's Economic and Environmental Principles and Guidelines for Water and Land Related Resources Implementation studies and complies with other administrative and legislative policies and guidelines. Also, the views of interested parties, including federal, state, and local agencies have been considered. Resource impacts were reduced to less than significant through the use of conservation measures and the inclusion of six acres of compensatory mitigation.

8. I concur with the findings, conclusions, and recommendations of the reporting officers. The plan is technically sound and environmentally sustainable, justified based on the monetary and non-monetary benefits it provides, and is socially acceptable as a federal project. My recommendation is subject to cost sharing, financing, and other applicable requirements of federal laws and policies. The cost of the plan recommended in this report will be shared in accordance with Section 103 of the Water Resources and Development Act of 1986, as amended (33 U.S.C. 2213), with a minimum non-federal share of 35 percent, not to exceed 50 percent, of total project first costs. Applying these requirements, the federal portion of the estimated total first cost is \$100,806,000 and the non-federal portion is \$53,535,000, or a federal share of 65 percent and a non-federal share of 35 percent. Federal implementation of the recommended plan would be subject to the non-federal sponsor agreeing to comply with applicable federal laws and policies, including but not limited to:

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a. Provide a minimum of 35 percent, but not to exceed 50 percent of total project costs, subject to a reduction of up to \$484,000 as further specified below:

(1) Provide 35 percent of design costs in accordance with the terms of a design agreement entered into prior to commencement of design work;

(2) Provide, during construction, a cash contribution of funds equal to 5 percent of total project costs;

(3) Provide all lands, easements and rights-of-way, including those required for relocations, the borrowing of material and the disposal of dredged or excavated material; perform or ensure the performance of all relocations; and construct all modifications required on lands, easements and rights-of-way to enable the disposal of dredged or excavated material all as determined by the Federal Government to be required or to be necessary for the construction and OMRR&R of the project;

(4) Provide, during construction, any additional funds necessary to make its total contribution equal to at least 35 percent of total project costs, subject to a reduction of up to \$484,000;

b. For as long as the project remains authorized, operate, maintain, repair, rehabilitate, and replace the project, or functional portions of the project at no cost to the Federal Government, in a manner compatible with the project's authorized purposes and in accordance with applicable federal and state laws and regulations and any specific directions prescribed by the Federal Government;

c. Inform affected interests, at least annually, of the extent of protection afforded by the project; participate in and comply with applicable federal floodplain management and flood insurance programs; comply with Section 402 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 701b-12); and publicize floodplain information in the area concerned and provide this information to zoning and other regulatory agencies for their use in adopting regulations, or taking other actions, to prevent unwise future development and to ensure compatibility with protection levels provided by the project;

d. Prevent obstructions or encroachments on the project (including prescribing and enforcing regulations to prevent such obstructions or encroachments) such as any new developments on project lands, easements, and rights-of-way or the addition of facilities that may reduce the level of protection the project affords, hinder operation and maintenance of the project, or interfere with the project's proper function;

e. Give the Federal Government a right to enter, at reasonable times and in a reasonable manner, upon property that the non-federal sponsor owns or controls for access to the project for the purpose of completing, inspecting, operating, maintaining, repairing, rehabilitating, or replacing the project;

f. Hold and save the United States free from all damages arising from the construction, operation, maintenance, repair, rehabilitation, and replacement of the

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project, except for damages due to the fault or negligence of the United States or its contractors;

g. Perform, or ensure performance of, any investigations for hazardous substances that are determined necessary to identify the existence and extent of any hazardous substances regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Public Law 96-510, as amended (42 U.S.C. 9601-9675), that may exist in, on, or under lands, easements, or rights-of-way that the Federal Government determines to be required for construction, operation, or maintenance of the project. However, for lands that the Federal Government determines to be subject to the navigation servitude, only the Federal Government shall perform such investigations unless the Federal Government provides the non-federal sponsor with prior specific written direction, in which case the non-federal sponsor shall perform such investigations in accordance with such written direction;

h. Assume, as between the Federal Government and the non-federal sponsor, complete financial responsibility for all necessary cleanup and response costs of any hazardous substances regulated under CERCLA that are located in, on, or under lands, easements, or rights-of-way that the Federal Government determines to be required for construction, operation, or maintenance of the project, and;

i. Agree, as between the Federal Government and the non-federal sponsor, that the non-federal sponsor shall be considered the operator of the project for the purpose of CERCLA liability, and to the maximum extent practicable, operate, maintain, repair, rehabilitate, and replace the project in a manner that will not cause liability to arise under CERCLA.

9. The recommendations contained herein reflect the information available at this time and current departmental policies governing formulation of individual projects. These recommendations do not reflect program and budgeting priorities inherent in the formulation of a national civil works construction program nor the perspective of higher review levels within the Executive Branch. Consequently, the recommendations may be modified before they are transmitted to the Congress as proposals for authorization and implementation funding. However, prior to transmittal to the Congress, the non-federal sponsor, the state, interested federal agencies, and other parties will be advised of any significant modifications and will be afforded an opportunity to comment further.

TODD T. SEMONITE
Lieutenant General, USA
Chief of Engineers