



CORALATIONS

conserve • nurture • educate
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www.coralations.org

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Isla de Culebra, PR 00775

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(o) 787-556-6234 (f) 530-618-4605

@email: info@coralations.org

May 16, 2008

Mr. Sindulfo Castillo, P.E.

Chief

Antilles Regulatory Section

US Army Corps of Engineers

Antilles Regulatory Section

400 Fernández Juncos Ave.

San Juan, Puerto Rico 00901-3299

Re: Culebra dry river and creek beds

Dear Mr. Castillo:

CORALations is a non-profit Caribbean coral reef conservation organization based on Culebra, Puerto Rico. We are writing to bring to your attention the filling and blocking of dry river and creek beds around the island, including but not limited to the following:

- the Posada del Coronel project in Bo. Flamenco has filled a dry river bed, redirected it into tubes under a road and destroyed a natural pond with wildlife present,
- an illegal segregation being moved by a property owner named Victor Morales constructed a dirt bridge across a large dry river bed that directs water off of Mt. Resaca. This dirt bridge was built near other houses sure to flood in this low lying neighborhood with the next major rain.
- an illegal segregation called Playa Clara is moving storm sewers through dry river beds.
- Villa Mi Terruño installed roads and storm sewers for a mega project that are in some cases canalizing runoff into coastal waters and mangroves.
- we were recently contacted by citizens concerned that the parcela they were given by the municipality was bisected by a dry river bed and when they questioned the municipal government they were told it would be filled for them by the local government. This is very disturbing since the US EPA enforcement officer, Jaime Lopez spoke personally with the Culebra Conservation and Development Authority in December of 2007 specifically about erosion related development issues at that specific development site.

- the Brava aquafir is now being used as a discharge point for a waste water treatment plant illegally operating as a bypass. Down land from the plant, the PRASA workers camp has filled parts of the the river bed and created an illegal land fill around the camp area. This creek area once supported langostinos.
- lots are being cleared and estates developed in and near dry creek beds that terminate in the bioluminescent bay of Puerto Manglar.
- The cumulative impact of lot developments in the SE Harbor has resulted in work which fills and redirects dry river beds. This is resulting in chronic sedimentation of offshore waters. These ponds and creeks in this area have documented wildlife.

The coastal waters of Culebra to three miles offshore are Federally listed as critical habitat. These coastal waters are populated by threatened species of corals. Threatened and endangered species of sea turtles in the coastal waters of Culebra are now impacted by fatal tumors the scientific literature associates with coastal development related runoff. Development on this isolated island continues to move in many cases without proper permitting, meaningful public participation and in egregious violation of protective zoning put into place to protect coastal resources from erosion caused by development related impacts to the unstable volcanic soils. Many dry creek and river beds also have natural or manmade ponds of importance to migratory birds and other wildlife. The Puerto Rico Ornithological Society documents migratory bird populations at many of these areas annually. CORALations has photographic evidence of other wildlife in some of these waterbodies as well. Many areas had vegetation considered critical habitat for endangered VI Tree Boa, which has since been removed with no meaningful agency oversight. Four of the projects mentioned have been cited by EPA for failing to Comply with the Clean Water Act. The case of Playa Clara, the EPA was well aware of the fill of the dry creek bed as of their site visit on December 19, 2007. The quality of Culebra's coastal waters are of commercial importance to local commercial fish and tourism related businesses around the island.

As you know, the development in and around seasonally dry channels and washes, can trigger the need to obtain a dredge and fill permit from the Army Corps of Engineers under Section 404b (1) of the federal Clean Water Act. We also understand that failure to comply can subject a developer to enforcement action to include the assessment of civil and criminal fines and sanctions.

Culebra is in serous need of your Agency's jurisdictional oversight. Your attention is greatly appreciated.

Sincerely



Mary Ann Lucking
Director

- c. *Abraham Peña Nieves*
Carlos Geigel
Javier Velez Arocho
Carl Soderberg
Alan Steinbaum
Edwin Muñiz

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Date: Fri, 16 May 2008 10:17:08 -0700 (PDT)

From: "CORALations" <coralations@yahoo.com>

Subject: Culebra 404b(1) Clean Water Act Violations

To: "Sindulfo Castillo P.E." <17877296906@efaxsend.com>, "CORALations" <info@coralations.org>

CC: "Hon. Abraham Peña Nieves" <17877420111@efaxsend.com>, "Carlos Geigel" <17877420020@efaxsend.com>, "Carl Axel Soderberg" <17872897982@efaxsend.com>, "Alan J. Steinberg" <12126375024@efaxsend.com>, "Edwin Muniz" <17878517440@efaxsend.com>


RE: Fill in dry river and creek beds Culebra PR

Mary Ann Lucking
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Attachments

Files:

 **ACE_404b_1_.pdf** (202k)

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Date: Fri, 16 May 2008 10:19:56 -0700

From: send@mail.efax.com

To: coralations@yahoo.com

Subject: Successful transmission to 12126375024. Re: Culebra 404b(1) Clean Water Act Violations

Dear CORALations Lucking, Mary Ann,

Re: Culebra 404b(1) Clean Water Act Violations

The 3 page fax you sent through eFax.com to 12126375024 was successfully transmitted at 2008-05-16 17:19:55 (GMT).

The length of transmission was 125 seconds.

The receiving machine's fax ID: 1 212 637 5024.

If you need additional assistance, please visit our online help center at <http://www.efax.com/help/>. Thank you for using the eFax service.

Best Regards,
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Customer Service

Help: <http://www.efax.com/help/>

Tel: **323-817-3205** (US) or 0870 711 2211 (UK)

Email: help@mail.efax.com

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Date: Fri, 16 May 2008 10:20:11 -0700

From: send@mail.efax.com

To: coralations@yahoo.com

Subject: Successful transmission to 17877296906. Re: Culebra 404b(1) Clean Water Act Violations

Dear CORALations Lucking, Mary Ann,

Re: Culebra 404b(1) Clean Water Act Violations

The 3 page fax you sent through eFax.com to 17877296906 was successfully transmitted at 2008-05-16 17:20:11 (GMT).

The length of transmission was 131 seconds.

The receiving machine's fax ID: 7877296906.

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Tel: **323-817-3205** (US) or 0870 711 2211 (UK)

Email: help@mail.efax.com



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Date: Fri, 16 May 2008 10:20:19 -0700

From: send@mail.efax.com

To: coralations@yahoo.com

Subject: Successful transmission to 17877420020. Re: Culebra 404b(1) Clean Water Act Violations

Dear CORALations Lucking, Mary Ann,

Re: Culebra 404b(1) Clean Water Act Violations

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The receiving machine's fax ID: .

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Date: Fri, 16 May 2008 10:23:03 -0700

From: send@mail.efax.com

To: coralations@yahoo.com

Subject: Successful transmission to 17878517440. Re: Culebra 404b(1) Clean Water Act Violations

Dear CORALations Lucking, Mary Ann,

Re: Culebra 404b(1) Clean Water Act Violations

The 3 page fax you sent through eFax.com to 17878517440 was successfully transmitted at 2008-05-16 17:23:03 (GMT).

The length of transmission was 129 seconds.

The receiving machine's fax ID: 787 851 7297.

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Date: Fri, 16 May 2008 10:23:13 -0700

From: send@mail.efax.com

To: coralations@yahoo.com

Subject: Successful transmission to 17877420111. Re: Culebra 404b(1) Clean Water Act Violations

Dear CORALations Lucking, Mary Ann,

Re: Culebra 404b(1) Clean Water Act Violations

The 3 page fax you sent through eFax.com to 17877420111 was successfully transmitted at 2008-05-16 17:23:12 (GMT).

The length of transmission was 128 seconds.

The receiving machine's fax ID: .

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Date: Fri, 16 May 2008 10:23:45 -0700

From: send@mail.efax.com

To: coralations@yahoo.com

Subject: Successful transmission to 17872897982. Re: Culebra 404b(1) Clean Water Act Violations

Dear CORALations Lucking, Mary Ann,

Re: Culebra 404b(1) Clean Water Act Violations

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The receiving machine's fax ID: 7872897962.

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Customer Service

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