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October 10, 2014

Colonel Alan M. Dodd
Jacksonville District Commander
U.S. Army Corps of Engineers
701 San Marco Blvd.
Jacksonville, FL 32207

Dear Colonel Dodd:

I write to bring to the attention of the Jacksonville District a particular flooding situation that is reoccurring with increasing severity in the Condado section of the Municipality of San Juan, Puerto Rico. This flooding is adversely affecting numerous residences and businesses located along Joffre Street, which abuts the Condado Lagoon, a natural body of water connected with the ocean. Residents and business owners, employees and customers—including guests and employees of a hotel—are regularly losing access to affected properties when flooding in the area occurs. Additionally, public infrastructure—such as the street itself, sidewalks, and stormwater drainage systems—have been damaged as a result of flooding.

In light of these circumstances, I respectfully request immediate assistance from the District: (1) to assess this flooding situation, (2) to identify from an engineering perspective the causes of this flooding, (3) to recommend any infrastructure improvements that could be made to prevent flooding from reoccurring in the future, and (4) to examine any potential authorities, including authorities provided under Section 14 of the *Flood Control Act of 1946*, as amended (33 U.S.C. § 701r), that could be exercised by the U.S. Army Corps of Engineers to help remedy this problem.

This issue requires urgent attention in light of the fact that my constituents report that Joffre Street has been flooded for the past several days, a situation that coincides with high tide conditions in the Lagoon. However, flooding does not appear to be limited to periods of high tide. Other potentially contributing factors include sea level rise exacerbated by climate change, as well as improperly designed or improperly functioning stormwater drainage infrastructure or other infrastructure to protect the street from flooding. Therefore, the professional assessment of the U.S. Army Corps of Engineers is warranted. I have assured affected residents that I would inform the District of this pressing matter and seek appropriate action.

Based on my preliminary review, I believe this reoccurring flooding may make Joffre Street a candidate for a Section 14 Continuing Authorities Program (CAP) project. As you know, this is the program that Congress has authorized and funded for the Corps to undertake specific flood

control work, including the construction, repair, restoration and modification of emergency streambank and shoreline protection works in order to prevent damage to roads, bridge approaches, and public works.

As you are aware, Congress appropriated \$4 million for Section 14 CAP projects in Fiscal Year 2014, an amount that remains applicable for Fiscal Year 2015 under the Continuing Resolution enacted on September 19, 2014. I would note that Congress recently increased the project cap amount for this program to \$5 million under the *Water Resources Reform and Development Act of 2014*, which became Public Law 113-121 on June 10, 2014. Apart from possible assistance under Section 14 CAP authorities, I also urge the Corps to examine whether assistance could be provided under Section 103 of the *River and Harbor Act of 1962*, as amended, which authorizes the Corps to study, design, and construct small coastal storm damage reduction projects.

In light of the foregoing, I welcome review of this particular situation for potential assistance under the Section 14 CAP, Section 103, or any other mechanism the Corps determines would be appropriate. I stand ready to work with the Corps, the Municipality of San Juan, the government of Puerto Rico, and any other federal agency that may have the authority, expertise and resources to provide assistance.

Finally, I urge the District to send an appropriate representative, or representatives, to participate in a community meeting that I would like to host with affected residents.

Thank you for your attention to this matter.

Sincerely,



Pedro R. Pierluisi
Member of Congress