



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews.

Inspector Name(s) Seika Robinson	Time In	1:50 PM	Start Date	January 26, 2023
	Time Out	2:40 PM	End Date	January 26, 2023

Inspector's Organization: US EPA Region 2, Water Division, Water Management Branch, Wetlands Protection Section

Organization Requesting Inspection (if different): N/A

Inspection Type: Case Development Inspection Status: Original

Site Name: Cooperativa de Vivienda Villa Kennedy, Inc (hereinafter as "Villa Kennedy")

Site Address*: Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico

City*: San Juan County*: San Juan State*: PR Zip Code*: 00915

Mailing Address*: [REDACTED]

City*: San Juan County*: San Juan State*: PR Zip Code*: 00915

Latitude*: 18.437990 Longitude*: -66.041015

Estimated Size of Site (acres): 45.6 Is there a home on the site? Yes No

Inspector Signature: **SEIKA ROBINSON** Digitally signed by SEIKA ROBINSON Date: 2023.02.15 15:00:07 -05'00' Date: 2/15/23

Supervisor Signature: **MARCO FINOCCHIARO** Digitally signed by MARCO FINOCCHIARO Date: 2023.02.16 09:46:31 -05'00' Date: 2/16/23



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Coperativa de Vivienda Villa Kennedy, Inc (hereinafter as "Villa Kennedy)	Start Date	January 26, 2023
		End Date	January 26, 2023
Inspection Purpose	Initial site visit		
Opening Conference			
<input checked="" type="checkbox"/> Presentation of Inspector Credentials			
Name and Title (Use N/A if owner/operator not available to join the inspection)			
Inspector, Seika Robinson presented credentials to Ms. Ruth M. Court, Administrator of Villa Kennedy.			
<input checked="" type="checkbox"/> Opening Conference			
Name of person authorizing access if applicable			
On behalf of Villa Kennedy, Ms. Court authorized access of property via phone on January 10, 2023 and again at the time of the visit.			
Notes from Opening Conference			
EPA explained the purpose of the inspection, what areas would be inspected, and steps forward to resolving any CWA violation we may find on the property.			
<input checked="" type="checkbox"/> Access Issues if Any			
Describe			
It is not fully understood if the parcel is entirely owned and operated by Villa Kennedy. According to Ms. Court, most of the tax parcel is not a part of the Villa Kennedy community. EPA was not able to visit the entirety of the parcel the day of the inspection due to learning this information from Ms. Court.			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information)			
Site Operator: Ms. Ruth M. Court, Administrator of Villa Kennedy			
According to online resources for Puerto Rico property information, there are over 150 entities listed as owners of the property. Specifics on lease boundaries and site operators are unclear at this time.			
Additional Persons Present at Inspection			
EPA: Sofia Olivero Lora, PhD			
Ruth M. Court, Administrator of Villa Kennedy; [REDACTED]			
General Site Characteristics (layout of property, etc.)			
The property is comprised of approximately 45.6- acre parcel comprised of predominately residential activities. The property is directly adjacent to and shares approximately 1 mile of shoreline with the Los Corozos Lagoon. The lagoon, a tributary of the Atlantic Ocean, is considered a navigable water under the CWA.			
The debris pile "A" was reported by the public and was observed in aerial imagery along the shoreline of what was identified as the Villa Kennedy community. The debris pile can be accessed on Calle Villa Kennedy 2, San Juan, 00915, Puerto Rico. See Attachment A for a map containing details of the inspection findings.			



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Coperativa de Vivienda Villa Kennedy, Inc (hereinafter as "Villa Kennedy	Start Date	January 26, 2023
		End Date	January 26, 2023
Purpose and Need for Discharge of Dredged and/or Fill Material			
The purpose for the debris piles found on the property are for public disposal of trash material.			
Site Overview (Past inspections, site description, permits, etc.)			
There are no known Corps wetland permits for any activities on site or Jurisdictional Determinations for the Site. The area is predominately comprised of residential communities. The community of Villa Kennedy and the surrounding area within the municipality of San Juan is identified as an area with environmental justice concerns.			
Scope of Inspection (Areas inspected or not inspected)			
Access throughout the site was limited by lack of proper site access permissions and community safety issues. EPA conducted inspection around and between the debris piles "A" and "B" located at (18.440339, -66.043036) and (18.437990, -66.041015) respectively.			



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Coperativa de Vivienda Villa Kennedy, Inc (hereinafter as "Villa Kennedy)	Start Date	January 26, 2023
		End Date	January 26, 2023
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
Temperatures were in the 80s (degrees in F); sunny; dry season but rained the day prior			
Field Work Conducted			
<p>During the inspection, EPA collected GPS data (see Attachment A), photographs (see Attachment B), and handwritten notes. Observations were recorded with the understanding that the inspection occurred during the dry season. No soil pits were dug during this inspection.</p> <p>EPA began the inspection within the Villa Kennedy community parking lot. Ms. Court stated that the Villa Kennedy community is only a portion of tax parcel number 041-094-410-02-566 and that there are other leaseholders for the entirety of the property boundary. Ms. Court pointed out the boundary of the Villa Kennedy community to EPA and informed EPA that the second, smaller debris pile visited (hereinafter as, debris pile "B") is not located within the Villa Kennedy community. The larger debris pile that is the focus of the original complaint (hereinafter as, debris pile "A"), is located within the Villa Kennedy community.</p> <p>There was a tributary of Los Corozos Lagoon under Calle Villa Kennedy 2 road. There was also a concrete boat ramp and pier structure located at the shore. From the pier structure, two dump sites in the water could be seen: debris pile "A" to the north and a smaller debris pile to the south (hereinafter as debris pile "C").</p> <p>Ms. Court described the history of debris pile "A" as previously operated an individual who was allowing dumping in the area. The debris materials started close to Calle Villa Kennedy 2 and expanded into the shoreline of Los Corozos Lagoon. Debris pile "B" was significantly smaller in size and appeared to be actively utilized by individual(s) for recreation due to the presence of a shipping container fitted with chairs and a window cutout with a view of the lagoon.</p> <p>The disposal sites are continually utilized by the members of the public, not specific to the community of Villa Kennedy. While on-site EPA witnessed a public individual coming in and dumping by the path entrance for debris pile "C".</p> <p>The debris materials at these sites were identified as municipal solid waste (e.g. computer electronics, furniture, automobile parts, plastics, wood pallets, etc.), construction and demolition debris (e.g. tile, concrete, etc.), and possible hazardous waste (container labels were not inspected).</p>			
Closing Conference			
Documents Received and/or Requested During the Inspection			
Prior to the site visit, EPA issued a Section 308 Request for Information (RFI) letter to Villa Kennedy on December 19, 2022. EPA requested that Villa Kennedy respond to the RFI letter once the requested Spanish translation of the document has been finalized.			
Compliance Assistance Provided (If any)			
N/A			
Observations Relayed to Site Owner/Operator			
N/A - Any observations that were to be relayed to the owners would requires future discussions and meetings on case development.			
Actions Taken by Owner/Operator During the Inspection (If any)			
None			



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Coperativa de Vivienda Villa Kennedy, Inc (hereinafter as "Villa Kennedy	Start Date	January 26, 2023
		End Date	January 26, 2023
Potential Issues of Concern Including Regulatory Citations			
Solid waste material and trash are not considered fill material under CWA Section 404.			
Attachments*			
<input checked="" type="checkbox"/> Maps and Sketches			
<input checked="" type="checkbox"/> Photographs (including location) and Photo Log			
<input type="checkbox"/> Other (SSIP, Wetlands Delineation Forms, etc.)			
Map with GPS Points; Photolog			
Additional Notes			
None			

Attachment A - Map with GPS Points



Attachment B

Photolog

CWA 404 Inspection

Cooperativa de Vivienda Villa Kennedy, Inc

**Tax parcel number 041-094-410-02-566 in the
Municipality of San Juan, Puerto Rico**

January 26, 2023

Date: January 26, 2023

Time: 1:54 PM

Photographer: Seika Robinson

Photo ID: P1260567

Description: Stream located within the Villa Kennedy Community that has been culverted under the road



Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 2:20 PM

Photographer: Seika Robinson

Photo ID: P1260591

Description: Landward extent of the stream
culverted under the road

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 1:57 PM

Photographer: Seika Robinson

Photo ID: P1260569

Description: Concrete boat ramp located within the Villa Kennedy community.

No permit for the ramp was found in the DARTER system.

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 1:57 PM

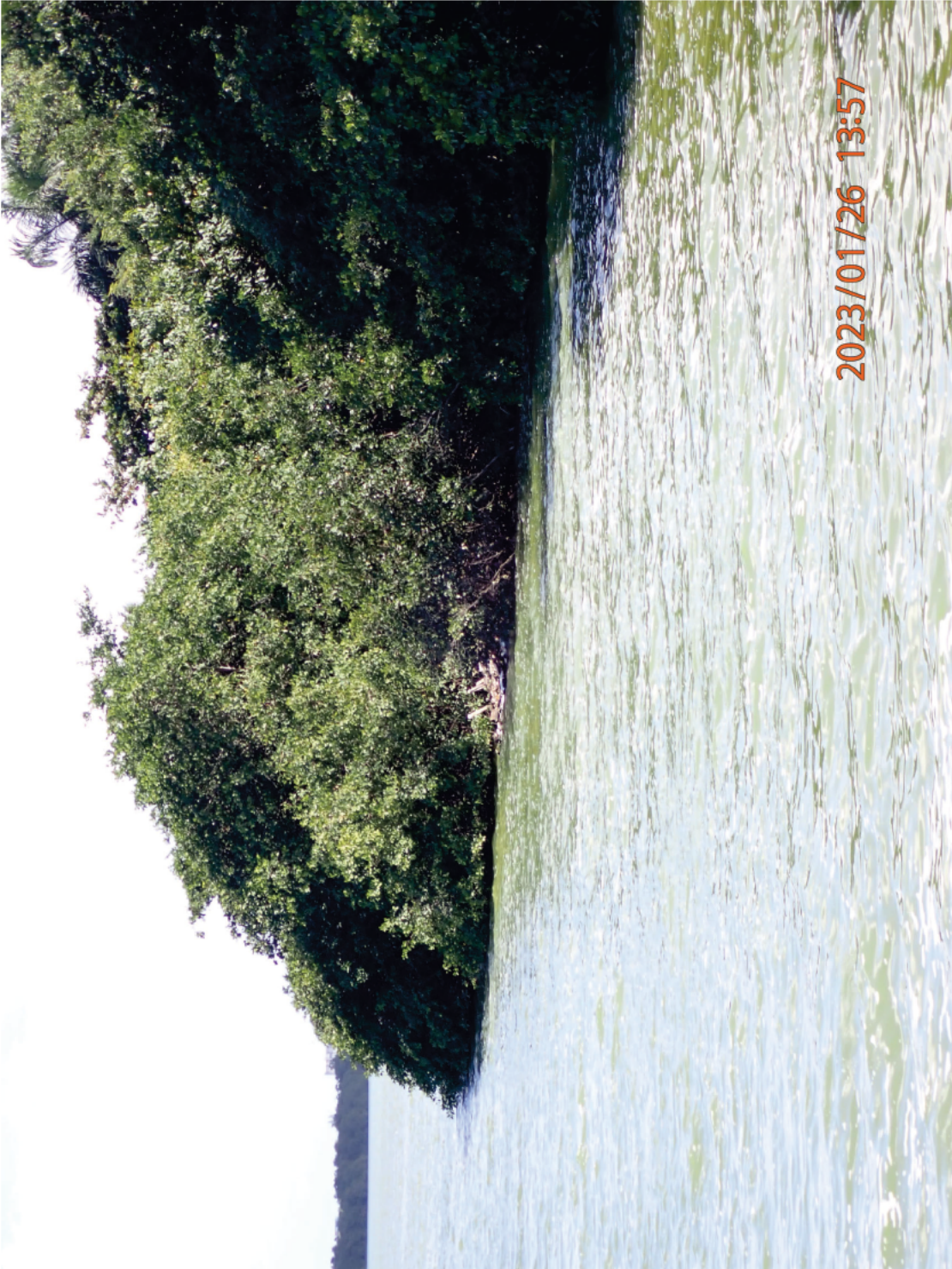
Photographer: Seika Robinson

Photo ID: P1260571

Description: Along the shoreline of Los Corozos Lagoon, from on top of the concrete boat ramp, a pier structure and debris pile "A" can be seen.

No permits for the structure and debris pile were found in the DARTER system.

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 1:57 PM

Photographer: Seika Robinson

Photo ID: P1260573

Description: Debris pile "C" seen from the pier structure. EPA was not able to find way into this site during the inspection.

Approximate location (18.439729, -66.042311)

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 2:05 PM

Photographer: Seika Robinson

Photo ID: P1260585

Description: Debris found at debris pile "A".

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 2:05 PM

Photographer: Seika Robinson

Photo ID: P1260588

Description: Debris found at debris pile "A".

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 2:28 PM

Photographer: Seika Robinson

Photo ID: P1260593

Description: Debris found at debris pile "B".

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico



Date: January 26, 2023

Time: 2:30 PM

Photographer: Seika Robinson

Photo ID: P1260594

Description: Storage container found at debris pile "B".

Tax parcel number 041-094-410-02-566 in the Municipality of San Juan, Puerto Rico