



United States Department of the Interior



FISH & WILDLIFE SERVICE

Boqueron Field Office

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NOV 10 2010

Mr. Francisco E. López Garcia
Head, Environmental Protection and
Quality Assurance Division
Puerto Rico Electric Energy Authority
Box 364267
San Juan, Puerto Rico 00936-4267

Re: Via Verde Project LP-012

Dear Mr. López:

We acknowledge receipt of your letter dated November 5, 2010, providing information regarding PREPA's interest to contract additional experts to conduct supplemental field surveys to identify presence of federally-listed species along the proposed route of the Via Verde project. We applaud PREPA for this initiative and would like to provide the following comments:

Habitat characterization for the Puerto Rican sharp-shinned hawk and Puerto Rican broad-winged hawk.

We agree with the approach of characterizing the suitable breeding habitat for the endangered raptors utilizing expert's opinion, maps of previously known breeding areas or home ranges, data from previous studies and published references. This characterization should be conducted as a GIS layer. We would like to meet with the species expert and discuss during a working meeting the areas to be included in the analysis to ensure that all available information is considered for the determination. We also would like to have the opportunity to visit the areas with contracted personnel. If surveys to determine breeding territories are not conducted, suitable breeding habitat for the species should be avoided. The alternative of avoiding impacts to potential nesting trees and tree species is not protective to the species if the breeding territory is not identified. We do not concur with your expert that it would be possible to avoid impacts to breeding habitat and breeding behavior without first establishing the breeding territory. Under the assumption that suitable habitat is occupied for breeding, possible take as defined by the Endangered Species Act should be anticipated. It is important to determine the number of breeding territories that would be affected by the project construction and operation in order to evaluate in a Biological Opinion if the project jeopardizes the continued existence of the species or not.

Potential presence of endangered plants

We acknowledge the expertise of Dr. Axelrod and applaud PREPA's commitment to appropriately survey the forested habitat for listed plants. However, we do not agree that surveying at intervals of 100 m within suitable habitat would result in the detection of all listed plants along the proposed route. Interval sampling and transects is more appropriate for diversity inventories. However, as previously mentioned the patchy distribution of endangered plants and its resemblance with other common species would lead to the failure of detecting an individual or a population. Therefore, based on our experience we recommend that the areas that harbor suitable habitat are entirely and systematically screened and that the personnel participating in the surveys is trained to recognize sterile specimens of listed plants. We propose a working meeting between our staff and Dr. Axelrod to share information and delineate together the survey areas. Once the areas are designated, we propose combined site visits to determine the suitability of the sampling approach for each area. The Service requests that if listed species are identified or found, duplicates of herbarium specimens are provided to our office for reference purposes.

Potential presence of coqui llanero in Toa Baja

We agree with PREPA's approach to search for this species. We would like to have the opportunity to visit the ROW of the proposed project within other wetland areas in the northern Puerto Rico to identify if possible suitable habitat for the coqui llanero is present in other areas of the route.

Potential presence of the Puerto Rican crested toad

We agree with PREPA's approach to search for the Puerto Rican crested toad in both the southern and northern limestone forest areas. We recommend that before surveys are initiated, survey areas are discussed and delineated between our staff and contracted species experts. We would like to also have the opportunity to visit the areas with contracted personnel. As we mentioned in our letter dated October 18, 2010, haystack hills between Manatí and Bayamón harbor suitable habitat for the Puerto Rican crested toad. These areas should be included in the survey plans.

Thank you for the opportunity to provide comments on the above-mentioned surveys. We continue recommending intensive surveys during breeding season for the endangered Puerto Rican nightjar to determine amount of suitable habitat to be affected by the proposed project and number of singing males or territories to be affected by the project. This information is vital to better determine direct and indirect effects to the species. We also recommend that measures to minimize harassment of the species after construction related to possible transit throughout the Via Verde project be evaluated. Regarding the Puerto Rican boa, we recommend that amount of

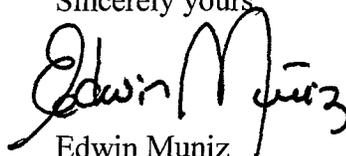
Mr. López

3

suitable boa habitat to be affected by the project be appropriately delineated and quantified. Once the area is delineated, alternatives should be explored to avoid these areas and conservation measures be implemented to minimize possible adverse effects to the species. Once possible effects are appropriately minimized, appropriate search and rescue protocols would be needed to minimize the possibility of taking individuals during construction. Since the implementation of this protocol has effects on the species and its behavior, this alternative should be implemented as the last resource and once impacts to the species have been minimized by relocating the route outside of suitable boa habitat.

If you have any questions, please contact Marelisa Rivera, Assistant Field Supervisor for the Caribbean Ecological Services Field Office at 787-851-8297 extension 206.

Sincerely yours

A handwritten signature in black ink that reads "Edwin Muniz". The signature is written in a cursive style with a large initial "E" and a stylized "M".

Edwin Muniz
Field Supervisor

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