

Garcia, Edgar W SAJ

From: Garcia, Edgar W SAJ
Sent: Wednesday, October 20, 2010 10:29 PM
To: iyutka53@aol.com
Cc: Castillo, Sindulfo SAJ; Collazo, Osvaldo SAJ; Garcia, Edgar W SAJ
Subject: SAJ-2010-02881 Via Verde NGPL

Importance: High

Mr. Larry Evans
BC Peabody Consulting, P.A.

Good evening Larry:

As discussed yesterday in our telephone conversation, there is missing information that the Corps needs to properly publish the Public Notice for your project. In an effort to expedite the flow of information, the Corps is providing within this email clarification on what information is required.

Among missing jurisdictional crossings as specified below, the information provided as part of PREPA's permit application, provides the impacts in terms of the ROW width and area, but does not specify the length, description of type, composition, and quantity of materials to be discharged (fill volume) that the project would have. For example on the permit application tables ID C-40, the length information directs us to "See W-25", but ID W-25 does not have any length information.

Since your project states that out of the 150 feet ROW your impacts would be 50 feet wide, please provide a table specifying the location ID, water body, type, location (latitude and longitude in WGS84 coordinate reference systems), length (linear feet), Volume of Fill (specifying type, composition, etc.), and Impacts (area in acres, or square feet) to properly document and quantify impact caused by your project. Also, please remember that some areas of your project are tidally-influenced and need to be properly accounted for in the project impacts description.

We can see that great effort was put into creating your maps, but the maps show only a drawing of the crossing or wetland. Please provide maps referenced to a location and illustrate the impacts (with dimensions) of your project.

The following wetlands areas are missing from the maps provided in your permit application. The areas are identified by project ID. Please provide maps that include these locations:

1. W-2
2. W-5
3. W-9
4. W-51
5. W-77
6. W-81
7. W-122
8. W-123
9. W-124
10. W-125
11. W-126
12. W-127
13. W-128
14. W-129

15. W-130
16. W-131
17. W-133
18. W-134

Although only a statement concerning avoidance, minimization, and compensatory mitigation is necessary for the issuance of the public notice. The project is considered to be a non-water dependent proposal. Therefore, there are presumptions that alternative upland sites exist which are available to the applicant. The applicant must rebut these presumptions, and it often expedites the permitting process if this information is submitted at this time. The permit application states that "every attempt was made to avoid and/or minimize impacts to human environment", since the permit application proposes the discharge of dredged or fill material into waters of the United States, it would expedite the process if a statement describing how impacts to waters of the United States are to be avoided and minimized.

The Corps would like to initiate all consultations with the required resource agencies (if need be) at the same time that the Public Notice is published. On our various meeting we have talked about some ESA issues, and you have expressed that your team has been proactively meeting with FWS and or NOAA to deal with them. The Corps would like a status on your team's progress with ESA issues. Likewise, we would like information and status if any, of archeological sites identified in the project ROW and interactions with the SHPO that your team may have had. Should your project have an endorsement or agreement with any of the above mentioned agencies, please provide them as part of your response.

I will be requesting labels for adjacent property owners. Question: is the list on the documents the most updated information on adjacent property owners?

I will not be in the office tomorrow, but I will call you as soon as I get back, in order to clarify any questions that you may have. A formal letter is forthcoming.

Respectfully,

Edgar W. García
Project Manager
US Army Corps of Engineers
Jacksonville District
Antilles Office