

From: LarryEvans@bcpeabody.com
To: FOIA Exemption (b)(6) SAJ
CC: andrewgoetz@bcpeabody.com; daniel_paganrosa@yahoo.com; johannawillis@bcpeabody.com; FOIA Exemption (b)(6) SAJ
Subject: re: FW: Via Verde field study reports (UNCLASSIFIED)
Date: Thursday, April 14, 2011 10:09:10 AM
Importance: High

Thank you FOIA E -

We had a discussion regarding Rafael's comments yesterday afternoon. Johanna Willis completed the initial draft of the appended BA late last night and I reviewed the document and submitted my suggestions and edits early this morning. We hope to have a final draft ready to be sent to Danny P. and PREPA later this morning.

In short, for the Parrot - we are requesting additional information from DNER (who has been conducting surveys/studies of the introduced Parrot population and home range). As we understand it, the birds released in the forest to the west had radio transmitters that allowed DNER to track their movement. We are confident, with the additional DNER information and the fact that in this location the pipeline is proposed to be located within the existing right-of-way of PR10 (and not virgin forest) 2.5 kilometers to the east, that there is minimal (if any) risk of adverse impact to the Parrot or habitat it may be using.

We received the information/report we were waiting for on the plants and we have incorporated that information into the draft BA.

For the toad, only one small pond/depression will be directly impacted and subsequently restored after placement of the pipe (should a permit be issued). The other small ponds that were identified to be possible habitat along the proposed corridor were avoided by route changes. The BA will provide information on findings from the field efforts and will present proposed conditions that would require further field efforts in the immediate vicinity of possible construction to ensure that if any toads were actually present they would be found and removed before work occurred.

We still haven't received a response from FOIA Exemption (b)(6) on our request last month that copies of studies/reports submitted by Casa Pueblo be provided to PREPA. Have you heard anything from him on this point?

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From: "FOIA Exemption (b)(6) SAJ" FOIA Exemption (b)(6)@usace.army.mil>
Sent: Thursday, April 14, 2011 9:37 AM
To: LarryEvans@bcpeabody.com
Subject: FW: Via Verde field study reports (UNCLASSIFIED)

See FWS comments on surveys.

FOIA Exemption (b)(6)

Chief, North Permits Branch
Telephone FOIA Exemption (b)(6)
Fax FOIA Exemption (b)(6)
Cell FOIA Exemption (b)(6)

Please assist us in better serving you! Please complete the customer survey by clicking on the following link:

<http://per2.nwp.usace.army.mil/survey.html>

-----Original Message-----

From: FOIA Exemption (b)(6) SAJ
Sent: Thursday, April 14, 2011 7:23 AM
To: FOIA Exemption (b)(6) SAJ; FOIA Exemption (b)(6) SAJ
Subject: FW: Via Verde field study reports (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

FYI

FOIA Exemption (b)(6)
Project Manager
Antilles Regulatory Section

-----Original Message-----

From: Rafael_Gonzalez@fws.gov [mailto:Rafael_Gonzalez@fws.gov]
Sent: Wednesday, April 13, 2011 12:30 PM
To: daniel_paganrosa@yahoo.com
Cc: FOIA Exemption (b)(6) SAJ; Edwin_Muniz@fws.gov; Marelisa_Rivera@fws.gov
Subject: Via Verde field study reports

Dear Mr. Pagán:

These are our preliminary comments on the field studies report of the endangered species; Puerto Rican nightjar, Puerto Rican parrot, broad-winged and sharp-shine hawks, Puerto Rican crested toad, and Coqui Llanero you submit to us on March 12 and 13, 2011.

Puerto Rican crested toad and Coqui Llanero field studies:

1. Surveys for the Puerto Rican crested toad were conducted during the period of least activity of the species (e.g., November-January), surveys should be conducted during the time of the year when the species is more active, which coincides with the raining season or during copious raining event.
2. The reports do not inform time of the day and for how long the surveys took place for both species.

Puerto Rican Parrot field study:

1. This field study was not designed for Puerto Rican parrot detection. The study is missing a period of high activity for the Puerto Rican parrot (e.i., the afternoon) and observation points at key strategic areas.
2. Information provided is not sufficient to make a determination of presence or absence of the species in the area.

Broad-winged and sharp-shinned hawk field study:

1. Currently no comments

Puerto Rican nightjar field study:

1. Currently no comments

Endangered plants:

1. No report submitted

We have received the new alignment from the USACOE and we are currently evaluating it. We are going to evaluate how the new alignment relates to the surveyed areas.

In addition, remember you can use the Biological Assessment (BA) from Gasoducto del Sur and Rio Valenciano dam as a guideline for Via Verde BA.

Thank you for the opportunity to provide input. If you have any question, please don't hesitate to contact me at 787-851-7297 extension 214.

Best Regards,

Rafael Gonzalez
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Classification: UNCLASSIFIED
Caveats: NONE