United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services
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In Reply Refer to:
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Fernando L. Páges Rangel, P.E.
Director
Tetra Tech Inc.
PO Box 79192
Carolina, PR 00984

Re: Aguirre Offshore GasPort Project Baseline Benthic Survey, Jobos Bay, Salinas, Puerto Rico, ER 12/1046, Docket No. PF 12-4-000

Dear Mr. Pages:

Thank you for submitting the Aguirre GasPort Project Baseline Benthic Characterization Plan dated February 2012 and received on March 6, 2012. Our comments are provided as technical assistance under the Endangered Species Act (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.).

Excelerate Energy L.P. in cooperation with the Puerto Rico Electric Power Authority (PREPA) is proposing to develop, construct, and operate the Aguirre Offshore GasPort Project. The proposed project is located within approximately 4 miles offshore of the Central Aguirre Power Plant in Salinas and about 1 mile outside of the Jobos Bay National Estuarine Research Reserve (JBNERR).

The Aguirre Offshore GasPort will consist of two main components: 1) an offshore marine liquid natural gas (LNG) receiving facility (Offshore Terminal) consisting of a floating storage and regasification unit (FSRU) moored at an offshore berthing platform; and 2) a subsea pipeline connecting the Offshore Terminal to the Aguirre Power Plant. Details of each project component were provided in the submitted benthic characterization plan.

Based on the information provided, Excelerate Energy contracted Tetra Tech, Inc. to conduct biological and habitat assessment surveys of all areas temporarily or permanently affected by the construction of the gas pipeline and Offshore Terminal, including all structure location, construction barge locations, and areas within the potential anchor spread of the construction barge and support vessels. Benthic surveys will be conducted to identify any sensitive bottom

habitats and will also be used to assess any additional impacts to habitat caused during construction, if necessary.

The proposed project lies within the range of the endangered Antillean manatee (*Trichechus manatus manatus*), listed sea turtles (*Eretmochelys imbricata, Chelonia mydas*) and migratory bird species. The Jobos Bay also provides important aquatic resources for commercial and recreational fisheries activities.

Antillean manatee distribution in Puerto Rico is well known. Manatees are more frequently observed along the southern and eastern coasts and far less on the northwestern coast. Areas that consistently present a high number of observations include Jobos Bay in the south, the eastern coast of the former Roosevelt Roads Naval Station, the northwest coast of Vieques, and Guayanilla in the southwest. The Service has been conducting manatee airplane surveys for two decades and has consistently counted high numbers of manatees within the Jobos Bay area. A recent helicopter manatee survey counted at least 26 manatees including 2 calves within the Jobos Bay (personal communication, Dr. Antonio Mignucci). Manatee airplane survey data also depicts, although to a lesser degree, manatees within the Boca del Infierno area and south of the cays in Jobos Bay.

Based on the above, we recommend Tetra Tech, Inc. to incorporate the following information in their Aguirre GasPort Project Baseline Benthic Characterization Plan:

1. Record manatee and sea turtle activity in their surveys. These shall include the date and time of the observation, location, the species and number observed, age class (if possible), and behavioral comments (*i.e.* resting, feeding, traveling, calving, among others);
2. Benthic survey should identify sea grass species present and the total area occupied within the sampling area;
3. Presence of large invertebrate aggregations such as conch and lobsters should also be noted in the survey.
4. In addition to photo documentation of each sample station, a 360 degree photo mosaic of the area around each sample station should be included.

In addition, traveling boat speed of the towed-diver survey was not specified. We recommend that Tetra Tech Inc. include one or two marine mammal observers on board the boat while conducting the towed-diver survey. The on-board observer should know how to identify manatees from a boat. If a manatee or other marine mammal or sea turtle is observed within the path of the survey, the necessary precautions shall be incorporated to avoid a possible boat impact with a manatee. In this case, we recommend reducing speed to 5 mph (no wake) and or stopping the boat. Observer shall indicate when the manatee(s) has moved at least 50 feet away from the survey path.

All personnel involved with the benthic survey shall be made aware of the presence of manatees in this area. Please remember that it is considered harassment and unlawful to purposely touch, feed or provide water to manatees. Section 9 of the ESA prohibits the "take" of an endangered

species. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harass in the definition of "take" in the ESA means intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact Jan P. Zegarra at 787-851-7297 extension 220. You may also visit our website http://www.fws.gov/caribbean/ES for additional information on threatened and endangered species under jurisdiction and Section 7 consultation process.

Sincerely yours,

Edwin E. Muñiz
Field Supervisor

jpz
cc:
USFWS, RO, Jerry Ziewitz
DNER, San Juan
COE, San Juan
NOAA Fisheries, Cabo Rojo
EPA, Guaynabo
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