United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services
Field Office
P.O. Box 491
Boqueron, PR 00622

OCT 25 2013

FILED by

In Reply Refer to:
FWS/R4/CESFO/72123-035

Mr. Sindulfo Castillo
Chief Antilles Regulatory Section
U.S. Army Corps of Engineers
400 Fernández Juncos Avenue
San Juan, Puerto Rico 00901-3299

Re: Aguirre Offshore GasPort Draft Biological Assessment, Salinas, Puerto Rico SAJ-2012-00353 (SP-CGR)

Dear Mr. Castillo:

Thank you for notice dated October 1, 2013 regarding the above referenced project. 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.).

The US Fish and Wildlife Service (the Service) provided comments on the above referenced project via letters dated March 23, 2012, October 3, 2012, May 24, 2013, and September 19, 2013 (see attached).

The Federal Energy Regulatory Commission (FERC) is the lead federal agency for the Aguirre Offshore GasPort project. The Service has provided technical assistance to FERC regarding possible impacts to aquatic resources and possible effects to the Antillean manatee. On our most recent letter (September 19, 2013), we provided technical assistance and recommendations to the project consultant on a draft Biological Assessment (BA). The Service is currently awaiting the completion of the BA to continue with the Section 7 consultation process.

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,

for Edwin E. Muñiz
Field Supervisor

Enclosures: USFWS letters dated March 23, 2012, October 3, 2012, May 24, 2013, and September 19, 2013.

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

United States Department of the Interior

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Field Office
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Boqueron, PR 00622

MAR 23 2012

CESFO COPY
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In Reply Refer to:
FWS/R4/CESFO/72123-035

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Aguirre Offshore GasPort Project, Jobos Bay, Salinas, Puerto Rico, ER 12/0146, Docket No. PF 12-4-000

Dear Ms. Bose:

Thank you for your notice of intent to prepare an Environmental Impact Statement (EIS) dated February 28, 2012, requesting comments regarding the above referenced project. 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 request from 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).

Liquid natural gas (LNG) will be delivered to the project via LNG carriers (LNGCs), unloaded and stored within a permanently docked floating storage and regasification unit (FSRU), regasified on the FSRU, and delivered directly to the Aguirre Plant by a subsea pipeline. Information provided describes that providing LNG to the Aguirre Power Plant at maximum throughput rate will require approximately 12 to 24 LNGCs deliveries per year (approximately on every 14 to 30 days).

According to the information provided, the Aguirre Offshore GasPort Project would consist of the following:

- Construction of a fixed platform carrying topside facilities and two berths, one on each side of the fixed platform;
- Permanent docking of a liquefied natural gas (LNG) vessel at the fixed platform with a storage capacity of 150,900 cubic meters;
- Construction of about 4 miles of new 18 inch diameter subsea pipeline, which would be coated in protective concrete and laid atop the sea floor; and
- Construction of a new onshore metering and regulating (M&R) station within the boundaries of the power plant.

The proposed project lies within the range of the endangered Antillean manatee (*Trichechus manatus manatus*). 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 aerial surveys for two decades and has consistently counted high numbers of manatees within the Jobos Bay area. Manatee aerial survey data also depicts, although to a lesser degree, manatees within the Boca del Infierno area and south of the cays in Jobos Bay.

The USFWS Caribbean Ecological Services Field Office has invested significant resources and efforts to continue with the recovery of the endangered Antillean manatee. One of these efforts is to identify areas where manatees aggregate and have suitable manatee habitat for future designation as manatee protection areas (MPAs) in Puerto Rico. Regulations (50 CFR 17 subpart J; 44 FR 60964, Oct. 22, 1979) authorize the designation of MPAs in areas where restrictions or prohibitions on certain waterborne activities are needed to prevent the take of manatees. Future designation of MPAs in Puerto Rico, if authorized, will restrict or prohibit certain waterborne activities within specific boundaries for the purpose of preventing the taking of manatees.

In order to assist us with the recovery effort mentioned above, we contracted the USGS North Carolina Cooperative Research Unit from the North Carolina State University. They gathered available data on manatee distribution, manatee habitat criteria and characteristics, and conducted a structured decision process to compile information from species experts. Based on that analysis, the USGS has identified areas which include the specific ecological attributes necessary for manatee long-term survival and identified areas where "take" of manatees can be reduced through the designation of MPAs under the current regulatory framework.

The key ecological attributes defined for manatees in Puerto Rico are sea grass, fresh water and sheltered areas. The USGS has identified a total of thirteen potential MPA regions for Puerto Rico. Using a less conservative 80th percentile (top 20%) threshold to identify MPA regions for

the island, the top ranked MPA region in Puerto Rico is from Santa Isabel to Jobos Bay (attached Figures 17 and 18 from Drew et al. 2011, under review).

Based on the above, the Service is concerned about the possible effects of the proposed project on the Antillean manatee and its habitats. We recommend the applicant and FERC develop a Biological Assessment to evaluate the effects of the project on the species and its habitat. The applicant and FERC should consider the following when evaluating the proposed projects effects on the Antillean manatee:

1. In-water construction methods and all project associated vessels size, speed and use, including possible effects to manatee feeding grounds in the area and individuals.
2. Benthic survey should quantify damage to sea grass beds and other feeding resources from all proposed project components.
3. Specific actions that will be taken to protect manatees in case of project related accidents or emergencies during and post construction.
4. Anticipated LNG and fuel oil barge traffic within the area and site-specific measures to minimize effects on manatees related to barge traffic.
5. Possible designation of safety or no-anchoring zones.

You should be aware that the proposed project also lies within the range of the endangered hawksbill (*Eretmochelys imbricata*) and green (*Chelonia mydas*) sea turtles and the federally listed corals *Acropora palmata* and *Acropora cervicornis*. The NOAA Fisheries' Protected Resources Division has jurisdiction over sea turtles in the water and coral resources and should be consulted.

The Service is also concerned about possible effects to aquatic resources in the area. The Jobos Bay has large expanses of healthy sea grass beds with soft sediments. The impacts to sea grass beds of the proposed installation method versus other methods should be discussed in the Federal EIS. The applicant estimates about 90 acres of construction impacts and 60 acres of permanent impacts to marine bottom. The applicant needs to consider compensatory mitigation for these impacts. The Federal EIS should evaluate the possibility of the pipeline acting as a barrier to migrating marine organisms. This has occurred with a freshwater pipeline from the island of Vieques to the island of Culebra, where the pipeline acts as a barrier to conch which pile up at the pipe and become too readily available to fishermen.

While the bottom tow technique is preferable over mechanical trenching, there are techniques such as mid water tow or off bottom tow which utilize flotation devices to keep the pipe off the bottom until the string is ready to be placed. This avoids the pipe creating its own trench as it is pulled along the bottom. Self-trenching or burial; however, may be a desirable outcome of this installation technique. Page 8 of the Alternatives Summary mentions the possible need for additional pipe protection. We recommend the use of flexible mats over sand bags or rock revetment. These are easier to place with more precision and could provide suitable substrate for colonization by marine organisms.

The on shore facilities will be located within the PREPA's Aguirre facility; however, the Federal EIS should discuss the possible effects, if any, of land base project components such as storage areas, parking, pipe yards, and trailers, among others.

The proposed project is located within two designated Coastal Barrier Units, PR-46 and PR-45P (map attached), the boundary of the two units is the Boca del Infierno pass through which the proposed pipeline will pass. Be aware that the Coastal Barrier Act prohibits the use of Federal funds within designated units.

The Cayos Caribe islands form part of Jobos Bay National Estuarine Research Reserve (JBNERR) which is reserve designated by NOAA. The boundary of the reserve extends offshore into Boca del Infierno. It is important that the Federal EIS discuss the possible effects of the project on the reserve and maps show the pipeline route versus the reserve boundary.

The Federal EIS should also consider possible effects, if any, on migratory bird species during and after construction and operation and management of the GasPort facility. In addition, the Federal EIS should also consider effects, if any, of all lighting placed on the permanent platform offshore terminal on marine species including sea turtles.

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

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

C

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services
Field Office
P.O. Box 491
Boqueron, PR 00622
OCT 03 2012

In Reply Refer To:
FWS/R4/CESFO/72067-015

Fernando L. Pagés Rangel
Director
Tetra Tech, Inc.
P.O. Box 79192
Carolina, Puerto Rico 00984

Re: Aguirre Offshore GasPort Project
Baseline Benthic Characterization,
Jobos Bay, Salinas, Puerto Rico.

Dear Mr. Pagés

This is in reply of your request for comments on the Report of Baseline Benthic Characterization Study prepared by Tetra Tech Inc. for the Aguirre Offshore GasPort Project. Our comments are provided as technical assistance under the Endangered Species Act (Act) of 1973, as amended (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 1 mile outside of the Jobos Bay National Estuarine Research Reserve (JBNERR).

The Aguirre Offshore GasPort Project would consist of two main components: 1) an Offshore Terminal comprised of an offshore marine liquefied natural gas (LNG) receiving facility 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 Central Aguirre Power Plant.

On August 31, 2012, Tetra Tech Inc., on behalf of Excelerate Energy L.P, provided to this office the results of the benthic characterization study that identify and delineate sensitive natural resources within the proposed project area. Tetra Tech Inc. requested comments on this study and data necessary to support preparation of the Federal Energy Regulatory Commission (FERC)

application and National Environmental Policy Act (NEPA) process, as well as impacts analysis for federal and state permits.

We reviewed the above referenced document and have following comments and recommendations:

1) The proposed project lies within the range of the endangered Antillean manatee (*Trichechus manatus manatus*). Manatees are frequently observed along the southern and eastern coast of Puerto Rico. 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 aerial surveys for two decades and has consistently counted high number of manatees within Jobos Bay area (6 to 13 manatees per survey). Manatee aerial survey data also shows, although to a lesser degree, manatees within the Boca del Infierno area and south of the cays in Jobos Bay.

The proposed project site has been identified by the Service as a manatee hot spot. We contracted the USGS North Carolina Cooperative Research Unit from the North Carolina State University to gathered available data on manatee distribution, manatee habitat criteria and characteristic, and conducted a structured decision process to compile information from species experts. Based on that analysis, the USGS identified areas which include the specific ecological attributes necessary for manatee long-term survival and identified areas where "take" of manatees can be reduce through the designation of manatee protection areas (MPAs) under the current regulatory framework (50CFR 17 subpart J; 44 FR 60964, Oct 22, 1979). The key ecological attribute defined for manatees in Puerto Rico are sea grass beds, fresh water and sheltered areas. The USGS has identified a total of thirteen potential MPA regions for Puerto Rico (Drew et al, 2011). Using a less conservative 80th percentile (top 20%) threshold to identify MPA regions for the island, the top ranked MPA region in Puerto Rico is located from Santa Isabel to Jobos Bay (attached figure 17 from Drew *et al.* 2012, under review). Please find in Appendix I of this letter some references that support Jobos Bay as a hotspot for manatees.

2) Based on the results of the benthic study, aquatic resources may be adversely affected by the construction of the proposed project. The result of the study shows that sea grasses are the most abundant epibenthic biota in the project area, being turtle grass (*Thalassia testudinum*) the most abundant species recorded. Sea grasses and their associated epiphytes are highly productive, produce a structural matrix on which many other species depend, improve water quality, and stabilize sediments. Sea grass beds are among the most productive valuable habitat for numerous recreational and commercially important fishery resources, and listed species including sea turtle and manatee. As mentioned above, the USGS has defined sea grass beds as a key ecological attribute for manatee habitat.

Based on the above we recommend that direct, indirect and cumulative impacts to sea grass beds and other benthic resources be carefully evaluated. We recommend the applicant evaluatesconstruction alternatives that would avoid or minimize sea grass impacts.

In addition, we have concerns about possible effects of the proposed project on the Antillean manatee and its habitats. Since the project requires federal permits, consultation under Section 7 of the ESA will be required. We recommend the development of a Biological Assessment that discusses in details impacts to the Antillean manatee and its habitats.

Thank you for the opportunity to comment on this project. It is the Service mission to work with others to conserve, protect and enhance fish, wildlife, plants, and their habitats for the continuing benefit of our people. Please do not hesitate to contact us at 787/851-7297, if you have any question concerning our comments. You may also visit our website http://www.fws.gov/caribbean for additional information on threatened and endangered species under jurisdiction.

Sincerely yours,

for Edwin E. Muñiz
Field Supervisor

cp

Enclosure: Figure 17 from Drew et al. 2012, under review.
Appendix I: List of references.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services
Field Office
P.O. Box 491
Boqueron, PR 00622

MAY 2 4 2013

In Reply Refer to:
FWS/R4/CESFO/72123-035

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Application for the Aguirre Offshore GasPort LNG Import Terminal Facilities, Jobos Bay, Salinas, Puerto Rico, ER 13/0278, FERC Docket No. CP13-193-000, PF 12-4-000

Dear Ms. Bose:

Thank you for your notice of application of the Aguirre Offshore GasPort, LLC authorization to construct and operate certain liquefied natural gas (LNG) import facilities. 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.).

The Service has already provided comments on the above referenced project via letters dated March 23, 2012 and October 3, 2012. Our main recommendation was for the proponent to develop a Biological Assessment (BA) to evaluate the effects of the project on the Antillean manatee and its habitat (i.e. seagrass). The information submitted indicates that the BA for threatened and endangered species is pending.

The Service acknowledges that some of the information submitted is appropriate for the BA and should be included accordingly. For example, the information pertaining to the LNG Carriers deliveries and effects on boat traffic and manatees. In addition, all information regarding marine mammal observer protocols during and after construction should be as specific as possible. Since the most common marine mammal for that area seems to be the manatee, observer protocols could be manatee oriented, as long as it does not affect the potential for observing other marine mammals and sea turtles. However, since other marine mammals and sea turtles in the water are under the jurisdiction of the NOAA, you need to consult with them regarding these species.

Another comment related to the manatee is that we believe the following statement does not apply to the occurrence of Antillean manatees in Jobos Bay: *It is reasonable to conclude that marine turtles and mammals are truly uncommon rather than to ascribe the lack of sightings to poor conditions or vigilance* (Appendix 3B p. 4-8 and Appendix 3E p. 5). Also Figure 8-6 from Resource Report 8, does not accurately reflect manatee occurrence within the depicted area. The Service recommends the proponent to appropriately address manatee occurrence within the Jobos Bay in its BA.

During several years of manatee airplane surveys, the Jobos Bay area has consistently produced the highest counts of manatees for Puerto Rico. Please refer to the attached a map of manatee aerial survey data points from 1984-2002 and 2009-2011 (Figures 14 and 15, Drew, C. A., et al. 2012). More detailed helicopter surveys have also been completed within the Jobos Bay by the Carribean Stranding Network, with similar results. In addition, the Jobos Bay and contiguous areas have been recommended for future designation of federal Manatee Protection Areas (MPA), due to the availability of key ecological attributes for manatees in that area (Figure 21, Drew, C. A., et al. 2012).

Both temporary and permanent impacts will occur along the pipeline route and offshore terminal, including direct mortality of seagrass and reef areas. The information provided explains that impacts to seagrass and other submerged aquatic vegetation will and may occur along the 20 foot pipeline right of way (ROW) and the lay barge construction areas associated with points of infliction. The proponent further explains that construction will result in direct permanent impacts along the footprint of the pipeline (2 ft. wide) while indirect permanent impacts are anticipated in the areas (2 ft. per side) immediately adjacent to the pipeline. Total area of direct and indirect permanent impacts to seagrass should be carefully evaluated and scientifically justified in order to appropriately calculate total impacts and compensation. We recommend implementation of a long-term post-construction seagrass monitoring plan.

The Service further recommends that the establishment of a manatee radio-tracking project within the Jobos Bay will help obtain the necessary long-term information to further avoid/minimize the proposed projects effects on the Antillean manatee and its habitat.

The Service will provide additional technical assistance with the completion and evaluation of the pending BA for threatened and endangered species.

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

Enclosure: Figures 14, 15 and 21 from Drew, C. A., et al. 2012. Science Summary in Support of Manatee Protection Area Design in Puerto Rico. Technical Bulletin 330, North Carolina Agricultural Research Service, College of Agriculture and Life Sciences, North Carolina State University. 63 pp.+Appendices

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

United States Department of the Interior

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SEP 19 2013

In Reply Refer to:
FWS/R4/CESFO/72123-035

Fernando L. Páges Rangel, P.E.
Director
Tetra Tech Inc.
PO Box 79192
Carolina, PR 00984

Re: Aguirre Offshore GasPort Draft Biological Assessment, Salinas, Puerto Rico

Dear Mr. Páges:

Thank you for sending the Aguirre Offshore GasPort (AOGP) Draft Biological Assessment (BA) for our review. 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.).

The US Fish and Wildlife Service (the Service) has already provided comments on the above referenced project via letters dated March 23, 2012, October 3, 2012, and May 24, 2013. After reviewing the submitted BA, we offer the following comments and recommendations for the Antillean manatee:

1. Direct effects on the manatee may not only include impeding normal foraging activities as described (Section 5.1.3, page 5-2), but also traveling, resting, mating, and nursing activities of these animals. Since construction is anticipated to require approximately 12 months, and the Jobos Bay is one of the most important manatee areas in Puerto Rico, we believe the proposed construction activities and watercraft traffic during construction may result in harassment of individuals by affecting the normal behaviors described above. In addition, and besides vessel strikes, the Applicant should consider direct impacts from the equipment used for construction (e.g., dredging, pipeline placement), which may strike a manatee if appropriate protection measures are not implemented. The conservation measures proposed in the BA are too general. Those measures should be described as specific as possible in order for us to evaluate if such measures are appropriate to avoid/minimize adverse effects on the manatee.

2. We do not concur with the statement on Section 5.6.2 (page 5-7) that AOGP construction and operation are not likely to directly impact the manatee or permanently impact the manatee's habitat (i.e., seagrass). No specific justification was made regarding this statement and seems contradictory from your initial may affect, likely to adversely affect determination for the

manatee. In addition, permanent impacts to seagrass communities are unavoidable and have been calculated. Please provide this information in the BA. As expressed on our May 24, 2013 letter, total area of direct and indirect permanent impacts to seagrass should be carefully evaluated in order to appropriately calculate total impacts and compensation. Since direct and permanent impacts to seagrass are expected, the BA should include specific information that addresses this impact in relation to the manatee and sea turtles.

3. There also seems to be a contradiction between your initial effects determination for the manatee and the effect of entanglement. Table 6-1 (page 6-1) concludes a may affect, likely to adversely affect determination, but Section 5.1.3 (page 5-2) clearly states that due to the nature of the equipment used during construction and operation, entanglement is not a potential stressor. In addition, we believe that the use of any type of siltation fencing may potentially result in entanglement of manatees and sea turtles. If any type of silt fencing is to be used, we recommend that you include in the BA possible effects of silt fencing with specific avoidance and minimization measures.

4. All information regarding proposed manatee observer protocols during and after construction should be as detailed as possible. Although the BA describes that certified marine mammal observers will be utilized on vessels, no further details were provided as to how many and what will the observer do in case a manatee is observed within certain distances of the construction activities. In addition, the BA also describes that during the operation of the Offshore GasPort, vessels within the area will need to be managed in order to minimize potential effects on manatees (Section 5.1.3, page 5-2). These specific management strategies should also be included in the BA in order for the Service to assess if measures are appropriate to avoid/minimize adverse effects on the manatee during the operation of the GasPort.

5. Avoidance and minimization measures included in the project's Resource Report 3- Fish, Wildlife, and Vegetation (April 2013) should also be included in the BA. For example, measures that will be implemented during ongoing pile driving activities and when manatees are spotted during the construction and operation of the project.

6. The following report was recently completed through a Service contract: *Science Summary in Support of Manatee Protection Area (MPA) Design in Puerto Rico*. Please use this reference to update Sections 3.1.4 and 4.1.4 on page 3-3 and 4-2 respectively. The referenced report compiles the latest and best Antillean manatee information for Puerto Rico. You may access the report by copying and pasting the following link in your browser: http://www.basic.ncsu.edu/eda/projects.html#ManateeMPA

7. Figure 4-1 on page 4-3 does not include manatee or sea turtle sightings or foraging habitat within the project area.

8. We recommend the Applicant to consider the establishment of a manatee radio-tracking project within the Jobos Bay. This measure would be the most suitable to obtain the

necessary long-term information to further assess the proposed projects effects on the Antillean manatee.

9. There are no known nesting beaches within the Project Area for neither of the listed sea turtles. Please also include this information in the BA accordingly, as it was not included for the leatherback and hawksbill sea turtles.

10. Laboy et al. 2008 is missing in the References section.

Table 6-1 (page 6-1) of the BA summarizes your effects determination on the federally listed species reported to occur in the project area. Only the Antillean manatee and the Yellow-shouldered blackbird fall exclusively under the Service's jurisdiction. Sea turtles have shared jurisdiction between the Service, when nesting on the beach, and the NOAA National Marine Fisheries Service (Protected Resources Division), when in the water. Possible effects to sea turtles in the water should be consulted with the National Marine Fisheries Service office.

We recommend that the Applicant incorporates all of the above recommendations into the final BA. 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,

for Edwin E. Muñiz
Field Supervisor

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