

Re: Via Verde - Draft Follow Up Letter
Jose Soto to: Teresia Rodriguez
Cc: Carl Soderberg, Jose Font

03/31/2011 06:49 AM

Hello!

Upon review of the draft, I found that after our discussion of the alternatives analysis section yesterday, you apparently repeated a portion of the paragraph in the editing. Attached is a corrected version. Please update your files accordingly.

Jose Soto
Multimedia Permits and Compliance Branch
Phone: (787) 977-5829



Via Verde Draft Follow Up letter - CORRECTED.docx

Teresia Rodriguez Carl, Attached you'll find a draft letter which includes our latest comments on th... 03/30/2011 06:46:23 PM

From: Teresia Rodriguez/R2/USEPA/US
To: Carl Soderberg/R2/USEPA/US@EPA
Cc: Jose Font/R2/USEPA/US@EPA, Jose Soto/R2/USEPA/US@EPA
Date: 03/30/2011 06:46 PM
Subject: Via Verde - Draft Follow Up Letter

Carl,

Attached you'll find a draft letter which includes our latest comments on the Via Verde project based on a review of the information submitted by PREPA. Please, let us now if you have any questions.

Thanks,

Tere

[attachment "Draft Follow Up letter.docx" deleted by Jose Soto/R2/USEPA/US]

Sindulfo Castillo
Chief, Antilles Regulatory Section
Jacksonville District Corps of Engineers
400 Fernandez Juncos Avenue
San Juan, Puerto Rico 00901-3299

Re: Via Verde Natural Gas Pipeline; SAJ-2010-02881 (IP-EWG)

Dear Mr. Castillo:

This is in further reference to the Via Verde natural gas pipeline project proposed by the Puerto Rico Electric Power Authority (PREPA). Since our December 23, 2010 letter, additional information has been provided by PREPA and its consultants to address the U.S. Environmental Protection Agency's (EPA's) concerns. In addition, the applicant met with EPA representatives on several occasions to present and/or discuss such additional information, including chapters four and six of the local Environmental Impact Statement (EIS) for the project, plus several summary sections.

In our previous letter, EPA objected to the issuance of a Department of the Army permit for the project based on the lack of a detailed alternatives analysis, concerns regarding the use of directional drilling, the lack of suitable compensatory mitigation to address wetlands impacts, and the need to complete a federal Environmental Impact Statement (EIS) for the project. The comments provided herein are based on a thorough review of the additional information furnished by the applicant and its consultants.

To address the alternatives analysis issue, PREPA provided information on the alternatives contained in the local EIS prepared for the project. These included a no action alternative, the construction of a natural gas import terminal on the north coast of the island, tanker and buoy systems and/or transfer platforms for receipt of natural gas at PREPA's Palo Seco, San Juan and Cambalache plants, gravity based systems, floating storage and re-gasification units, and several terrestrial alignments for a natural gas pipeline system. While this represents a significant milestone in the review of alternatives for the project, the documents provided included an additional option: The use of natural gas at PREPA's existing Costa Sur and Aguirre power generating facilities on the south coast of Puerto Rico, combined with the conversion of the nearby Las Mareas Port facility to receive liquefied natural gas (LNG) as means to achieve significant energy production using an alternative fuel. This project, formerly known as the "Gasoducto del Sur", was previously considered by PREPA as means to address the diversification of the electric power supply methods in Puerto Rico. The project was briefly

mentioned in response to comments from the U.S. Army Corps of Engineers and the Puerto Rico Engineers and Surveyors Association. EPA believed that PREPA's dismissal of this alternative was inconsistent with the current project's overall purpose, since it would provide PREPA with an alternative fuel option for two major generating facilities with lesser environmental impacts. However, after evaluating additional information furnished by the applicant's environmental consultant, it appears that *Gasoducto del Sur* was geared to provide natural gas to the combined cycle units located at the Aguirre Power Plant with a 592 MW operational capacity. On the other hand, Via Verde would provide natural gas and an increase in PREPA's operational capabilities to a total of 1,519 MW. Moreover, the Via Verde Project would provide PREPA with the flexibility to operate the most efficient power generating units on the island, which are located on the north coast, through the monitoring of each unit's rated capacity, individual fuel consumption and the type of fuel that fosters the lowest power generating costs. The Via Verde project would thus allow a more efficient use of such power generating units, allowing reductions in the transmission losses, as observed in other PREPA electric power transfer systems. EPA also defers to PREPA's expertise on the fact that "*Gasoducto del Sur*" may destabilize the island's electrical system, resulting in frequent collapses of the electric network of Puerto Rico. Upon further consideration of the supplied information, EPA believes that the alternatives analysis issues have been fully addressed by the applicant.

In regards to EPA's concerns about the use of directional drilling in wetlands and karst terrain, PREPA provided additional information regarding best management practices, the monitoring to be performed and the presence of specialized personnel during drilling operations to monitor the process and stop work immediately if any escape of bentonite mud into karst formations and/or waters of the United States is suspected. In addition, during a March 2, 2011 meeting at the Corps of Engineers, PREPA's consultants announced that directional drilling operations in karst terrain would be greatly reduced, since the pipeline route would be altered to circumvent haystack hills ("*mogotes*"), light equipment would be used, and a pipeline pull method would be required to further reduce impacts. We commend PREPA on these impact reduction measures, and remain confident that best management practices, combined with adequate monitoring by qualified personnel should minimize any undesirable impacts from directional drilling. EPA recommends that a special condition to the Corps of Engineers permit, requiring the presence of a trained geologist/engineer with expertise on karst terrain in the field at all times during drilling operations to closely monitor the process and stop work if any issues or abnormalities are detected be included. We also urge the Corps to consider additional special conditions requiring the avoidance of major karst formations during pipeline construction.

In our previous letter, we commented on the unsuitability of the initially proposed compensation for unavoidable impacts to aquatic resources. Additional information supplied by PREPA to address this issue includes, among others, a commitment to coordinate with the Department of Natural and Environmental Resources (DNER) to develop suitable on-site mitigation in a 3:1 ratio for any unavoidable impacts to aquatic resources. While PREPA has repeatedly stated that a suitable mitigation plan would be developed in a timely manner, EPA believes that such plan must be reviewed and accepted by the Corps of Engineers' resource

agencies before construction of the project begins. In addition, questions remain regarding the concept of "temporary impacts". PRPA expresses that after placing the pipeline, areas would be immediately brought back to initial conditions so that natural re-colonization by prevailing vegetation begins. However, sections of the local Environmental Impact Statement (EIS) prepared for the project indicate a willingness to enhance areas by suppressing invasive and/or nuisance species at locations such as Caño Tiburones or other ecologically valuable areas. If PRPA plans to pursue such wetlands enhancement options, the areas need to be identified, quantified, and a specific plan to address local conditions must be developed. Additional details on the management/maintenance methods to be used need to be clarified. EPA believes that any mitigation and/or wetlands enhancement plans should include performance/success rates to evaluate their suitability and long term viability. Furthermore, please be advised that on January 14, 2011 the Council on Environmental Quality (CEQ) provided guidance for departments and agencies of the Federal government on mitigation and monitoring of activities. As highlighted in this guidance, "Mitigation measures included in the project design are integral components of the proposed action, are implemented with the proposed action, and therefore should be clearly described as part of the proposed action." Therefore, EPA believes that a more robust description of the mitigation and monitoring plans needs to be developed to ensure that this federal objective is fulfilled. The guidance further states that "Mitigation commitments needed to lower the level of impacts so that they are not significant should be clearly described in the mitigated FONSI [finding of no significant impact] document and in any other relevant decision documents related to the proposed action." Therefore, any Corps-issued Environmental Assessment coupled with a FONSI for this project should include that information. We look forward to receiving and reviewing the mitigation plan documents as they become available.

One additional remaining concern for EPA is the proposed project's right-of-way (ROW). At various times throughout the documents supplied by PRPA, the ROW is described as being 100, 150 or 50 feet wide. The applicant's consultant has provided a brief description of the ROW categories, but we would appreciate a written, detailed explanation of the concept and its implementation along the final pipeline route in order to include it in the project review file for future reference.

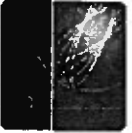
In summary, we believe PRPA has addressed most of our major concerns regarding the Verde Natural Gas Pipeline project. However, additional information is required to fully comply with the Clean Water Act, Section 404(b)(1) Guidelines requirements. We, therefore, condition our approval of the proposed project to receiving, for review and approval, a comprehensive mitigation plan which addresses compensation for both, temporary and permanent impacts to wetlands and a detailed explanation of the project's variable right-of-way before project construction activities begin. In addition, we request that the permit includes a special condition requiring the presence of qualified personnel during drilling operations to closely monitor the process and stop work if any issues or abnormalities are detected.

If you have any questions or require additional information on this matter, please contact Ms. Teresita Rodriguez, Chief of the Multimedia Permits and Compliance Branch (MPCB), at 787-977-5864 or Mr. José Soto, of the MPCB, at 787-977-5829.

Sincerely,

Carl-Axel P. Soderberg
Director

CC: USFWS-Cabo Rojo, PR
DNER-San Juan, PR
PRPB-San Juan, PR
PREQB-San Juan, PR



Via Verde - DRAFT # 2

Jose Soto to: Carl Soderberg

Cc: Teresita Rodriguez, Jose Font

03/29/2011 11:51 AM

History: This message has been replied to.

Attached is draft # 2 of the Via Verde letter, including modifications as per the additional information submitted by Danny Pagan.

Please let me know of any comments and/or changes.

Thanks!

Jose Soto

Multimedia Permits and Compliance Branch

Phone: (787) 977-5829



Via Verde follow-up letter - March 29, 2011 - DRAFT #2.docx

Mr. Edgar W. Garcia
Regulatory Project Manager
Antilles Regulatory Section
Jacksonville District Corps of Engineers
400 Fernandez Juncos Avenue
San Juan, Puerto Rico 00901-3299

Re: Via Verde Natural Gas Pipeline; SAJ-2010-02881 (IP-EWG)

Dear Mr. Garcia:

This is in further reference to the Via Verde natural gas pipeline project proposed by the Puerto Rico Electric Power Authority (PREPA). Since our December 23, 2010 letter, additional information has been provided by PREPA and its consultants to address the U.S. Environmental Protection Agency's (EPA's) concerns. In addition, the applicant met with EPA representatives on several occasions to present and/or discuss such additional information, including chapters four and six of the local Environmental Impact Statement (EIS) for the project, plus several summary sections. These updated comments on the project are based on a thorough review of the additional information furnished by the applicant and its consultants.

In our previous letter, EPA objected to the issuance of a Department of the Army permit for the project based on the lack of a detailed alternatives analysis for the project, concerns regarding the use of directional drilling, the lack of suitable compensatory mitigation to address wetlands impacts, and the need to complete a federal Environmental Impact Statement (EIS) for the project. After evaluating the additional information delivered by the applicant, EPA has the following comments:

To address the alternatives analysis issue, PREPA provided information on the alternatives contained in the local EIS prepared for the project. These included the a no action alternative, the construction of a natural gas import terminal on the north coast of the island, tanker and buoy systems and/or transfer platforms for receipt of natural gas at PREPA's Palo Seco, San Juan and Cambalache plants, gravity based systems, floating storage and re-gasification units, and several terrestrial alignments for a natural gas pipeline system. While this represents a significant milestone in the review of alternatives for the project, the documents provided included an additional option: The use of natural gas at PREPA's existing Costa Sur and Aguirre power generating facilities on the south coast of Puerto Rico, combined with the conversion of the nearby Las Mareas Port facility to receive liquefied natural gas (LNG) as means to achieve significant energy production using an alternative fuel. This project, formerly known as the "Gasoducto del Sur", was previously considered by PREPA as means to address the diversification of the electric power supply methods in Puerto Rico. The project was briefly mentioned in in response to comments from the U.S. Army Corps of Engineers and the Puerto Rico Engineers and Surveyors Association. EPA believed that PREPA's dismissal of this alternative was inconsistent with the current project's overall project purpose, since it would provide PREPA with an alternative fuel option for two major generating facilities with lesser

environmental impacts. However, after evaluating additional information furnished by the applicant's environmental consultant, it appears that *Gasoducto del Sur* was geared to provide natural gas to the combined cycle units located at the Aguirre Power Plant with a 592 MW operational capacity. On the other hand, Via Verde would provide natural gas and an increase in PREPA's operational capabilities to a total of 1,519 MW. Moreover, the Via Verde Project would provide PREPA with the flexibility to operate the most efficient power generating units on the island, which are located on the north coast, through the monitoring of each unit's rated capacity, individual fuel consumption and the type of fuel that fosters the lowest power generating costs. The Via Verde project would thus allow a more efficient use of such power generating units, allowing reductions in the transmission losses, as observed in other PREPA electric power transfer systems. EPA also defers to PREPA's expertise on the fact that "*Gasoducto del Sur*" may destabilize the island's electrical system, resulting in frequent collapses of the electric network of Puerto Rico. Upon further consideration of the supplied information, EPA believes that the alternatives analysis issues have been fully addressed by the applicant.

In regards to EPA's concerns regarding the use of directional drilling in wetlands and karst terrain, PREPA provided additional information regarding best management practices, the monitoring to be performed and the presence of specialized personnel during drilling operations to monitor the process and stop work immediately if any escape of bentonite mud into karst formations and/or waters of the United States is suspected. In addition, during a March 2, 2011 meeting at the Corps of Engineers, PREPA's consultants announced that directional drilling operations in karst terrain would be greatly reduced, since the pipeline route would be altered to circumvent haystack hills ("*mogotes*"), light equipment would be used, and a pipeline pull method would be required to further reduce impacts. We commend PREPA on these impact reduction measures, and remain confident that best management practices, combined with adequate monitoring by qualified personnel should minimize any undesirable impacts from directional drilling. Therefore, EPA recommends that a special condition to the Corps of Engineers permit, requiring the presence of a trained geologist/engineer with expertise on karst terrain in the field at all times during drilling operations in order to closely monitor the process and stop work if any issues or abnormalities are detected be included. We also urge the Corps to consider additional special conditions requiring the avoidance of major karst formations during pipeline construction.

In our previous letter, we commented on the perceived unsuitability of the initially proposed compensation for unavoidable impacts to aquatic resources. Additional information supplied by PREPA to address this issue includes, among others, a commitment to coordinate with the Department of Natural and Environmental Resources (DNER) to develop suitable on-site mitigation in a 3:1 ratio for any unavoidable impacts to aquatic resources. While PREPA has repeatedly stated that a suitable mitigation plan would be developed in a timely manner, EPA believes that such plan must be reviewed and accepted by the Corps of Engineers' resource agencies before construction of the project begins. In addition, questions regarding the concept of "temporary impacts". PREPA expresses that after placing the pipeline, areas would be immediately brought back to initial conditions so that natural re-colonization by prevailing vegetation begins. However, sections of the local Environmental Impact Statement (EIS)

prepared for the project indicate a willingness to enhance areas by suppressing invasive and/or nuisance species at locations such as Caño Tiburones or other ecologically valuable areas. If PREPA plans to pursue such wetlands enhancement options, the areas need to be identified, quantified, and a specific plan to address local conditions must be developed. We also think that additional details on the management/maintenance methods to be used need to be clarified. In addition, EPA believes that any mitigation and/or wetlands enhancement plans should include performance/success rates to evaluate their suitability and long term viability. Furthermore, please be advised that on January 14, 2011 the Council on Environmental Quality (CEQ) provided guidance for departments and agencies of the Federal government on mitigation and monitoring of activities. As highlighted in this guidance, "Mitigation measures included in the project design are integral components of the proposed action, are implemented with the proposed action, and therefore should be clearly described as part of the proposed action." Therefore, EPA feels that a more robust description of the mitigation and monitoring plans needs to be developed to ensure that this federal objective is fulfilled. The guidance further states that "Mitigation commitments needed to lower the level of impacts so that they are not significant should be clearly described in the mitigated FONSI [finding of no significant impact] document and in any other relevant decision documents related to the proposed action." Therefore, any Corps-issued Environmental Assessment coupled with a FONSI for this project should include that information. We look forward to receiving and reviewing the mitigation plan documents as they become available.

One additional remaining concern for EPA is the proposed project's right-of-way (ROW). At various times throughout the documents supplied by PREPA, the ROW is described as being 100, 150 or 50 feet wide. While the applicant has since explained the concept of a variable ROW according to the activities being performed (construction, mitigation, maintenance, operation). The applicant's consultant has provided a brief description of the ROW categories, but we would appreciate a written, detailed explanation of the concept in order to include it in the project review file for future reference.

In summary, while PREPA has addressed our major concerns regarding the Via Verde Natural Gas Pipeline project, EPA believes that some additional information is required in order to fully comply with the Clean Water Act, Section 404(b)(1) Guidelines requirements. Specifically, we request additional details regarding the project's compensatory mitigation plan, and a detailed explanation of the project's variable right-of-way. We therefore condition our approval of the proposed permit project to the inclusion of the requested special conditions regarding directional drilling, the timely submission of appropriate mitigation plans, and additional information regarding project's right of way.

If you have any questions or require additional information on this matter, please contact Ms. Teresita Rodriguez, Chief of the Multimedia Permits and Compliance Branch (MPCB), at 787-977-5864 or Mr. José Soto, of the MPCB, at 787-977-5829.

Sincerely,

Carl-Axel P. Soderberg
Director

CC: USFWS-Cabo Rojo, PR
DNER-San Juan, PR
PRPB-San Juan, PR
PREQB-San Juan, PR



Fw: SAJ-2010-02881 Via Verde Pipeline Alignment (UNCLASSIFIED)
Carl Soderberg to: Teresa Rodriguez, Jose Soto

03/25/2011 01:31 PM

----- Forwarded by Carl Soderberg/R2/USEPA/US on 03/25/2011 01:38 PM -----

From: "Garcia, Edgar W SAJ" <Edgar.W.Garcia@usace.army.mil>
To: "Garcia, Edgar W SAJ" <Edgar.W.Garcia@usace.army.mil>, "Ilsamarie carrubba" <Ilsamarie.Carrubba@noaa.gov>, Carl Soderberg/R2/USEPA/US@EPA, "Carlos A. Rubio" <carubio@prshpo.gobierno.pr>, "Miguel Bonini" <mbonini@prshpo.gobierno.pr>, <laime.torres@dot.gov>, <carlos.machado@dot.gov>, <Mareisa_Rivera@fws.gov>, <Edwin_Muniz@fws.gov>, Jose Soto/R2/USEPA/US@EPA, <cathy.kendall@dot.gov>, <marisel.lopez-cruz@dot.gov>, <jose.a.rivera@noaa.gov>
Cc: "Castillo, Sindulfo SAJ" <Sindulfo.Castillo@usace.army.mil>
Date: 03/25/2011 08:12 AM
Subject: SAJ-2010-02881 Via Verde Pipeline Alignment (UNCLASSIFIED)

<<Via Verde Pipe Line.kmz>> Classification: UNCLASSIFIED
Caveats: NONE

Ladies and Gentlemen:

Enclosed are subject file to illustrate the Via Verde Project changes to the alignment.

I don't have the required software to properly convert the file with all information, but at least I was able to illustrate the line.

On the Google Earth KMZ
The line in RED is the pipeline alignment delivered with the permit application.
The line in GREEN is the new proposed pipeline alignment.

Just click on the attached file and select OK and it will show up on your Google Earth program.

For those of you who are fortunate and have ArcView or ArcInfo the shape files are also attached.

I'll see you all on March 31st.







Respectfully,

Edgar W. Garcia
Project Manager
Army Corps of Engineers
Jacksonville District
Antilles Regulatory Section
Tel: (787) 729-6905 Ext. 3059
Fax: (787) 729-6906

Please assist us in better serving you! Please complete the customer survey by clicking on the following link: <http://regulatory.usacesurvey.com/>

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

 3-17-11 centerline.dbf  carta coe shapfile.pdf  3-17-11 centerline.shx  3-17-11 centerline.shp  3-17-11 centerline.prj  3-17-11 centerline.idx
Via Verde Pipe Line.kmz

GOVERNMENT OF PUERTO RICO
Puerto Rico Electric Power Authority

SAN JUAN, PUERTO RICO



PO Box 364267
San Juan, PR 00936-4267

www.prepa.com

March 23, 2011

Mr. Edgar Garcia
Regulatory Project Manager
Antilles Regulatory Section
Jacksonville District Corps of Engineers
400 Fernandez Juncos Avenue
San Juan, Puerto Rico 00901-3299

**Re: SAJ-2010-0881-IP-EWG-Via Verde Gas Pipeline
Final Project Shape Files and Alignment**

Dear Mister Garcia:

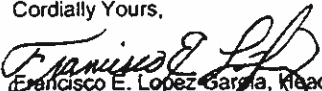
As discussed during the last Interagency Meeting held at the US ARMY Corps of Engineers (USACE) offices on March 2, 2011, attached please find the Shape Files depicting the Final Pipeline alignment for the Via Verde Project.

This alignment considers all mitigation efforts as well as realignments needed to avoid and minimize impacts to the environment; incorporates recommendations presented by different federal regulatory agencies part of the Interagency Committee evaluating the Joint Permit Application (JPA) presented back on September 20, 2011; and, considers additional pipeline alignment adjustments required during the State Environmental Impact Statement (EIS) approval process completed back on November 30, 2010.

The attached Shape File is provided before the due date agreed upon during the last Interagency Committee meeting, in an effort from the Puerto Rico Energy Power Authority (PREPA) to provide the USACE with the required information needed to supplement the information originally included with the JPA presented.

In the event additional information related with this important subject is needed, please do not hesitate to contact the undersigned or Eng. Danny Pagan, at your earliest convenience.

Cordially Yours,


Francisco E. Lopez Garcia, Head
Environmental Protection and
Quality Assurance Division

Enclosure

"We are an equal opportunity employer and do not discriminate on the basis of race, color, gender, age, national or social origin, social status, political ideas or affiliation, religion; for being or perceived to be a victim of domestic violence, sexual aggression or harassment; for physical or mental disability or veteran status or genetic information."

Via Verde follow-up letter

Jose Soto

to:

Carl Soderberg

03/25/2011 10:45 AM

Cc:

Teresita Rodriguez, Jose Font

Show Details

History: This message has been replied to.

Attached please find the **first draft** of the follow-up letter for Via Verde. I limited the comments from DEPP to those solely dealing with wetlands program issues, as per a conference call with Dan Montella and Mario Del Vicario. As of this message, I have **NOT** forwarded the letter to New York. This letter is a follow-up and is not bound by program specific deadlines. If you have any questions/concerns, please let me know.

Mr. Edgar W. García

Regulatory Project Manager

Antilles Regulatory Section

Jacksonville District Corps of Engineers

400 Fernandez Juncos Avenue

San Juan, Puerto Rico 00901-3299

Re: Vía Verde Natural Gas Pipeline; SAJ-2010-02881 (IP-EWG)

Dear Mr. García:

This is in further reference to the Vía Verde natural gas pipeline project proposed by the Puerto Rico Electric Power Authority (PREPA). After our December 23, 2010 letter, voluminous additional information has been provided by PREPA and its consultants to address the U.S. Environmental Protection Agency's (EPA's) concerns. In addition, the applicant has met with EPA representatives on several occasions to present and/or discuss such additional information, including several chapters of the local Environmental Impact Statement (EIS) for the project. These updated comments on the project are based on a thorough review of the additional information furnished by the applicant.

In our previous letter, EPA objected to the issuance of a Department of the Army permit for the project based on the lack of a detailed alternatives analysis for the project, concerns regarding the use of directional drilling, the lack of suitable compensatory mitigation to address wetlands impacts, and the need to complete a federal Environmental Impact Statement (EIS) for the project. After evaluating the additional information delivered by the applicant, EPA has the following comments:

To address the alternatives analysis issue, PREPA provided information on the alternatives contained in the local EIS prepared for the project. These included the a no action alternative,

the construction of a natural gas import terminal on the north coast of the island, tanker and buoy systems and/or transfer platforms for receipt of natural gas at PREPA's Palo Seco, San Juan and Cambalache plants, gravity based systems, floating storage and re-gasification units, and several terrestrial alignments for a natural gas pipeline system. While this represents a significant milestone in the review of alternatives for the project, the documents provided include an additional option: The use of natural gas at PREPA's existing Costa Sur and Aguirre power generating facilities on the south coast of Puerto Rico, combined with the conversion of the nearby Las Mareas Port facility to receive liquefied natural gas (LNG) as means to achieve significant energy production using an alternative fuel. This project, formerly known as the "*Gasoducto del Sur*", which was previously considered by PREPA as means to address the diversification of the electric power supply methods in Puerto Rico, was briefly mentioned in in response to comments from the U.S. Army Corps of Engineers and the Puerto Rico Engineers and Surveyors Association. EPA believes that PREPA's dismissal of this alternative as inconsistent with the current project's overall project purpose (to provide an alternative fuel source to three power generating plants located in the north coast of Puerto Rico), while accurate, does not address the fact that it would provide PREPA with an alternative fuel option for two major generating facilities with lesser environmental impacts. While we must defer to PREPA's expertise on the fact that "*Gasoducto del Sur*" may destabilize the island's electrical system, resulting in frequent collapses of the electric network of Puerto Rico, EPA believes that additional discussion of this alternative is required in order to satisfy the requirements of a comprehensive alternatives analysis for the currently proposed project.

In regards to EPA's concerns regarding the use of directional drilling in wetlands and karst terrain, PREPA provided additional information regarding best management practices, the monitoring to be performed and the presence of specialized personnel during drilling operations to monitor the process and stop work immediately if any escape of bentonite mud into karst formations and/or waters of the United States is suspected. In addition, during a March 2, 2011 meeting at the Corps of Engineers, PREPA's consultants announced that directional drilling operations in karst terrain would be greatly reduced, since the pipeline route would be altered to circumvent haystack hills ("*mogotes*"), light equipment would be used, and a pipeline pull method would be required to further reduce impacts. We commend PREPA on these impact reduction measures, and remain confident that the best management practices, combined with adequate monitoring, should minimize any impacts from directional drilling. Furthermore, EPA urges the Corps of Engineers to consider a special condition to the permit requiring the presence of a trained geologist/engineer with expertise on karst terrain during drilling in order to closely monitor the operations and stop work if any abnormalities are

detected. Another special condition mandating the avoidance of karst formations during pipeline placement should also be considered.

In our previous letter, we commented on the perceived unsuitability of the initially proposed compensation for unavoidable impacts to aquatic resources. Additional information supplied by PREPA to address this issue includes, among others, a commitment to coordinate with the Department of Natural and Environmental Resources (DNER) to develop suitable on-site mitigation in a 3:1 ratio for any unavoidable impacts to aquatic resources. While PREPA has stated that a suitable mitigation plan would be developed in a timely manner, EPA believes that such plan must be reviewed and accepted by the Corps of Engineers' resource agencies before a permit is issued. In addition, questions regarding the concept of "temporary impacts" proposed by PREPA remain. While PREPA expresses that after placing the pipeline, areas would be immediately brought back to initial conditions so that natural re-colonization by suitable wetlands species begins, several of the documents indicate a willingness to enhance areas by suppressing invasive and/or nuisance species. These "enhancement" areas need to be identified and quantified. We also think that additional details on the management/maintenance methods to be used need to be clarified. In addition, we believe that the mitigation and/or wetlands enhancement plans should include performance/success rates to evaluate their suitability and long term viability. Furthermore, please be advised that on January 14, 2011 the Council on Environmental Quality (CEQ) provided guidance for departments and agencies of the Federal government on mitigation and monitoring of activities. As highlighted in this guidance, "Mitigation measures included in the project design are integral components of the proposed action, are implemented with the proposed action, and therefore should be clearly described as part of the proposed action." Therefore, EPA feels that a more robust description of the mitigation and monitoring plans needs to be developed to ensure that this federal objective is fulfilled. The guidance further states that "Mitigation commitments needed to lower the level of impacts so that they are not significant should be clearly described in the mitigated FONSI [finding of no significant impact] document and in any other relevant decision documents related to the proposed action." Therefore, any Corps-issued Environmental Assessment coupled with a FONSI for this project should include that information. We look forward to receiving and reviewing any mitigation planning documents as they become available.

One additional remaining concern for EPA is the proposed project's right-of-way (ROW). At various times throughout the documents supplied by PREPA, the ROW is described as being 100, 150 or 50 feet wide. While the applicant has since explained the concept of a variable

ROW at the meetings to discuss outstanding project issues, we would appreciate a written, detailed explanation of this concept in order to include it in the project review file. If possible, PREPA should provide this information on a map, including the location of any staging areas or work platforms needed during construction. This information would help EPA determine whether there are any other issues that need to be addressed within the ROW in order to provide substantive comments to the Corps and PREPA.

In summary, while PREPA has addressed our major concerns regarding the Vía Verde Natural Gas Pipeline project, EPA believes that some additional information is required in order to fully comply with the Clean Water Act, Section 404(b)(1) Guidelines requirements. Specifically, we request additional evaluation regarding the "*Gasoducto del Sur*" alternative, the consideration of special condition to the permit in order to address our concerns regarding the use of directional drilling, additional details regarding the project's compensatory mitigation plan, and a detailed explanation of the project's variable right-of-way, including maps and staging areas. We therefore condition our approval of the proposed permit project to the submittal and positive evaluation of data to alleviate our remaining concerns.

If you have any questions or require additional information on this matter, please contact Ms. Teresita Rodriguez, Chief of the Multimedia Permits and Compliance Branch (MPCB), at 787-977-5864 or Mr. José Soto, of the MPCB, at 787-977-5829.

Sincerely,

Carl-Axel P. Soderberg

Director

CC: USFWS-Cabo Rojo, PR

DNER- San Juan, PR

PRPB- San Juan, PR

PREQB- San Juan, PR



Via Verde Comments

Stephanie Lamster to: Teresita Rodriguez, Jose Soto
Cc: Grace Musumeci, Carlos Ramos

03/21/2011 11:31 AM

History: This message has been forwarded.

Hello Teresita and Jose,

Attached are our comments regarding the translated sections of the state EIS for the Via Verde project. A hard copy has also been sent to you. Please let me know if you have any questions.

Thank you!
Stephanie



ViaVerdeMemo ToCEPD.docx

Stephanie Lamster Brandt
Endangered Species Coordinator
U.S. Environmental Protection Agency
Region 2
(212) 637-3465

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

DATE: March 21, 2011

SUBJECT: Puerto Rico Electric Power Authority, Via Verde Natural Gas Project
Public Notice Number SAJ-2010—02881 (IP-EWG)

FROM: Carlos R. Ramos, Acting Chief
Strategic Planning and Multi-Media Programs Branch, DEPP

TO: Teresita Rodriguez, Chief
Multi-Media Permits & Compliance Branch, CEPD

The Environmental Review Section (ERS) has reviewed the translated chapters of the Commonwealth of Puerto Rico's Environmental Impact Statement (EIS) provided by the Electric Power Authority (AEE) for the Via Verde Natural Gas Project. We received Chapters 4 and 6, as well as a couple of summary sections. We recognize that our comments may be addressed in other portions of the EIS that we did not receive. Therefore, our review and comments are limited to the sections of the state EIS provided. Please feel free to convey the comments below in your communications with the Army Corps (Corps) of Engineers as you feel appropriate.

In a number of places throughout the EIS, such as page 16 of the summary chapter under "Pipeline right-of-way restoration," a 100-foot right-of-way is mentioned, however in other places in the document (such as page 31 of Chapter 6) and as stated in DEPP's February 28th meeting with EQB, it is listed as 150 feet. Does the size of the right-of-way vary throughout the project? If so, why? The difference is significant and the distance should be clarified.

On page 23 of the summary chapter, it is mentioned that a biologist will be available at all times during karst drilling to evaluate the area carefully. Though we see the value in having a biologist present, it would also be important to have a geologist with a karst background present who can evaluate the impacts of the drilling from a geological perspective.

Of the 33% of the alignment that will cross through wetlands (page 24 of the summary chapter), it is not clear whether the full 33% will be mitigated at a 3:1 ratio.

Page 29 of the summary chapter states that no cumulative impacts on mangroves and wetlands are expected. That is inconsistent with statements made in other sections of the EIS and should be clarified.

Page 4 of chapter 6 discusses the impacts of deforestation. It states, "It is estimated that 1,191.3 acres of land will be impacted, most of them (approximately 66%) temporarily." ERS is assuming that the 34% of permanently impacted acres are from the right-of-way. We disagree that the impacts of 66% of the deforestation are temporary since the permanent removal of trees will alter the habitat and thus impact areas of deforestation regardless of whether or not deep rooted trees and natural vegetation are permitted to regrow in those areas. Further, using the term "temporary impacts" might not be representative of the impacts, and should be explained in terms of months or years of recovery. A discussion of the age and species of the trees inhabiting the forest should be included to give a clearer picture of the recovery time of the area as well as a discussion of the ecosystem in general and the habitat provided by the trees and undergrowth in those areas. This information will all be helpful in determining how best to mitigate project impacts.

Pages 6-7 of Chapter 6 state, "Bosque Vega is the only forest that will receive a direct impact with this project. This reserve is fragmented in six portions. Via Verde will impact one of them. However, the impact will be minimal. The total area of this forest is 1.85 square miles. The portion that will be impacted is .46 square miles." The impacted area represents about 25% of this portion of the forest, which is not minimal. This section then goes on to say "of these, only .0086 square miles will be impacted." These sentences are inconsistent, but ERS interprets them to mean that .0086 square miles are being directly impacted by the project. We reiterate that the impacts of deforestation are not only limited to the trees that are cut down. The statement on page 7 that "...the total area to be impacted by the project is .0086 square miles, or 0.07%. This percentage is graphically imperceptible," might not be representative of the impact. AEE should be reminded that evaluation of direct impacts only, and not indirect impacts, does not paint a clear picture of environmental effects and that an imperceptible amount on a graph could be very significant from an ecosystem perspective. The effectiveness of the mitigation proposed by AEE through the acquisition of "land contiguous to some of the portions to connect two isolated portions" cannot be assessed without a map of the fragmented forest and proposed area of acquisition.

Page 59 of chapter 6 states that there will be no impact to most areas of the project during the operational phase. However, once the forested areas are deforested, the indirect impacts of the project will continue as long as a clearing is maintained. This section also states that the impacts from the clearance of existing vegetation in the forest mostly affect the ecosystem by allowing exotic species to invade. However, there are also essential natural behaviors (mating, feeding, nesting, etc.) of species that can be impacted, especially for species that spend time in the canopy or underbrush which will be permanently eliminated in the 50-foot right-of-way. Page 61 states that there "could be indirect impacts on biodiversity by the secondary effects of fragmentation in the short and middle terms." ERS believes these impacts will be felt in the *long* term as well, as the impacts of deforestation and fragmentation are likely to exist well beyond the life of the pipeline.

Lastly, we wanted to point out that on January 14, 2011 the Council on Environmental Quality (CEQ) provided guidance for departments and agencies of the Federal government on mitigation and monitoring of activities. As highlighted in this guidance, "Mitigation measures included in the project design are integral components of the proposed action, are implemented with the proposed action, and therefore should be clearly described as part of the proposed action." ERS feels that a more robust description of the mitigation and monitoring plans needs to be developed to ensure that this federal objective is fulfilled. The guidance further states, "Mitigation commitments needed to lower the level of impacts so that they are not significant should be clearly described in the mitigated FONSI [finding of no significant impact] document and in any other relevant decision documents related to the proposed action." Therefore, any Corps-issued Environmental Assessment coupled with a FONSI for this project should include that information.

In a related matter, pursuant to a March 16, 2011 memorandum from Office of Water Acting Assistant Administrator Nancy K. Stoner to Regional Administrators, the Regions are being asked to work in partnership with their States to limit phosphorous and nitrogen pollution to our waters to the extent possible regardless of whether or not numeric nutrient criteria exist for a particular water body. It would be environmentally beneficial if these principles could be incorporated into the permitting and stormwater management processes.

Should you have any questions regarding these comments, or the NEPA process in general, please feel free to call Stephanie Lamster at (212) 637-3465.

cc: J. Filippelli, DEPP
J. Brennan-McKee, DEPP

Saved in: G:\deppdiv\SPM\ERS\Staff\LAMSTER\ViaVerdeMemoToCEPD.docx

Save to:

G:\deppdiv\SPM\ERS\ERSFINAL\309\PuertoRico\ViaVerdeMemoToCEPD.docx

DEPP-SPMM:03/18/11:03/21/11:X3465

RE: Via Verde - February 28, 2011 Meeting Participants

Clayton, Carol

to:

John Filippelli, pedronieves, Daniel.Paganrose, Daniel.Paganrose, Carlos Ramos, Joann Brennan-McKee, Stephanie Lamster, Mario DelVicario, Phyllis Feinmark, Kalpin, Mark, Daniel Montella, Teresita Rodriguez

03/04/2011 10:53 AM

Show Details

John, thanks very much to you and your colleagues for meeting with us. Thanks also for sending the attendance list.

Best regards,

Carol Clayton

From: Filippelli.John@epamail.epa.gov [mailto:Filippelli.John@epamail.epa.gov]

Sent: Friday, March 04, 2011 9:44 AM

To: pedronieves@jca.gobierno.pr; Daniel.Paganrose@yahoo.com; Daniel.Paganrose@yahoo.com; Ramos.Carlos@epa.gov; Brennan-Mckee.Joann@epa.gov; Lamster.Stephanie@epa.gov; Delvicario.Mario@epa.gov; Feinmark.Phyllis@epa.gov; Kalpin, Mark; Clayton, Carol; Montella.Daniel@epa.gov; Rodriguez.Teresita@epa.gov

Subject: Via Verde - February 28, 2011 Meeting Participants

All,

Thank you for your participation in last Monday's meeting. I believe that the conversation was informative and productive. Attached is the attendance list.

Please let me know if you have any questions.

John Filippelli, Acting Deputy Director
Division of Environmental Planning & Protection
EPA Region 2
212-637-3736

Via Verde - February 28, 2011 Meeting Participants

John Filippelli

to:

pedronievas, Daniel.Paganrose, Daniel.Paganrose, Ramos.Carlos, Brennan-Mckee.Joann,
Lamster.Stephanie, Delvicario.Mario, Feinmark.Phyllis, Mark.Kalpin, Carol.Clayton, Montella.Daniel,
Rodriguez.Teresita

03/04/2011 10:38 AM

Show Details

All,

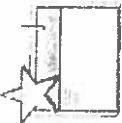
Thank you for your participation in last Monday's meeting. I believe that the conversation was informative and productive. Attached is the attendance list.

Please let me know if you have any questions.

John Filippelli, Acting Deputy Director
Division of Environmental Planning & Protection
EPA Region 2
212-637-3736

Via Verde Pipeline Meeting 2/28/11
New York, NY Attendance sheet

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE #</u>	<u>E-MAIL</u>
John Filippelli	EPA-R2- Water	212-637-3736	Filippelli.John@epa.gov
Carlos R. Ramos	EPA -R2- SPMMB	212-637-3755	Ramos.Carlos@epa.gov
Joann Brennan-Mckee	EPA-R2- DEPP	212-637-3803	Brennan-Mckee.Joann@epa.gov
Stphanie Lamster	EPA-R2-DEPP	2123-637-3465	Lamster.Stephanie@epa.gov
Mario DelVicario	EPA-R2-WMB	212-637-3779	Delvicario.Mario@epa.gov
Phyllis Feinmark	EPA-R2-ORC	212-637-3232	Feinmark.Phyllis@epa.gov
Pedro J. Nieves	EQB	787-767-8056	pedronieves@jca.gobierno.pr
Mark C. Kalpin	Wilmer Hale	617-526-6176	Mark.Kalpin@wilmerhale.com
Carol Clayton	Wilmer Hale	202-663-6650	Carol.Clayton@wilmerhale.com
Dan Montella	EPA-R2-WMB	212-637-3801	Montella.Daniel@epa.gov
Daniel Pagan	PREPA	787-382-7330	Daniel.Paganrose@yahoo.com
Teresita Rodriquez (via conference line)	EPA-R2 CEPD	787-977-5846	Rodriguez.Teresita@epa.gov



Invitation: Via Verde Pre-Meeting (conference call in # 866-299-3188 212-637-3726)

Thu 02/24/2011 10:00 AM - 11:00 AM

Attendance is optional for Teresita Rodriguez

Chair: **John Filippelli/R2/USEPA/US**

Sent By: **Traci Neftleberg/R2/USEPA/US**

Rooms: **DEPP Conference Room 2521/R2-NY@EPA**

John Filippelli has invited you to a meeting. You have not yet responded.

Required: Daniel Montella/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Soto/R2/USEPA/US@EPA, Mario DelVicario/R2/USEPA/US@EPA, Phyllis Feinmark/R2/USEPA/US@EPA, Stephanie Lamster/R2/USEPA/US@EPA

Optional: Joann Brennan-McKee/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, Teresita Rodriguez/R2/USEPA/US@EPA

Time zones: This entry was created in a different time zone. The time in that time zone is: Thu 02/24/2011 9:00 AM EST - 10:00 AM EST

Description

Re: Fw: PREPA Via Verde Letters

Jose Soto

to:

Daniel Montella

02/14/2011 03:52 PM

Bcc:

Teresita Rodriguez

Show Details

I'm on my compressed day off today, but will forward the letters as soon as I get to the office tomorrow.

-----Daniel Montella/R2/USEPA/US wrote: -----

To: Jose Soto@EPA
 From: Daniel Montella/R2/USEPA/US
 Date: 02/14/2011 01:26PM
 Subject: Fw: PREPA Via Verde Letters

can you forward these letters?

thanks

- Dan

----- Forwarded by Daniel Montella/R2/USEPA/US on 02/14/2011 01:26 PM -----

From: Grace Musumeci/R2/USEPA/US
 To: Daniel Montella/R2/USEPA/US@EPA
 Date: 02/11/2011 11:08 AM
 Subject: Fw: PREPA Via Verde Letters

Dan, do you have copies of the letters that John is trying to track down?

----- Forwarded by Grace Musumeci/R2/USEPA/US on 02/11/2011 11:07 AM -----

From: John Filippelli/R2/USEPA/US
 To: "Grace Musumeci" <Musumeci.Grace@epamail.epa.gov>, "Jose Soto" <Soto.Jose@epamail.epa.gov>
 Cc: "Lingard Knutson" <Knutson.Lingard@epamail.epa.gov>
 Date: 02/11/2011 10:34 AM
 Subject: PREPA Via Verde Letters

Grace, Jose,

I'm on my way to Washington, DC for the PREPA Via Verde meeting. In CEPD's fact sheet 2 letter are mentioned:

- January 27, 2011 PREPA's Executive Director forwarded a letter to R2 RA

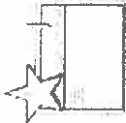
- January 28, 2011 PREPA letter and attachment to USACE project manager.

Could you please e-mail me copies of these this morning?

Thank you very much.

John

Sent from my BlackBerry Wireless Device



Invitation: Via Verde 2/11 De-Brief conference iine 866-299-3188 212-637-3726)

Mon 02/14/2011 4:00 PM - 4:45 PM

Attendance is required for Teresita Rodriguez

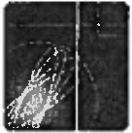
Chair: **John Filippelli/R2/USEPA/US**

Sent By: **Traci Nefteberg/R2/USEPA/US**

Location: **NY Staff in Johns office**

John Filippelli has invited you to a meeting. You have not yet responded.
Required: Daniel Montella/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Soto/R2/USEPA/US@EPA, Mario DelVicario/R2/USEPA/US@EPA, Stephanie Lamster/R2/USEPA/US@EPA, Teresita Rodriguez/R2/USEPA/US@EPA
Time zones: This entry was created in a different time zone. The time in that time zone is: Mon 02/14/2011 3:00 PM EST - 3:45 PM EST

Description



Martin Peña and Via Verde items for weekly report

Jose Soto to: Carl Soderberg

Cc: Jose Font, Teresita Rodriguez

02/03/2011 04:16 PM

Martin Peña Initiative

- A meeting with Proyecto Enlace, a HUD representative and Brownfields staff is scheduled for January 4, 2011. Potential Brownfields projects, funding opportunities and other related issues will be discussed.
- A briefing on the Martin Peña Initiative for all CEPD staff is scheduled for February 8. This briefing is part of the engagement process for the initiative, as described in the workplan. The purpose of the meeting is to present the proposed workplan, as well as to gather additional ideas and support for related projects.
- The first monthly meeting for key players in the initiative has been scheduled for February 10. A progress report on several on-going activities will be delivered. Discussion of new and pending action items will also occur.

Via Verde

- USACE held a meeting with PREPA, its consultants and the resource agencies (EPA, Fish and Wildlife Service, State Historical Preservation Office, NOAA Fisheries and Federal Highway Administration) on February 1, 2011. During the meeting, agencies' comments were addressed, and additional concerns regarding the project were discussed. As a result of the meeting, PREPA agreed to provide additional documentation regarding the alternatives analysis, specific width of the right-of-way at the various ecosystems to be impacted, details on the drilling method in the Karst region, maintenance requirements, wetlands restoration and mitigation, necessary modifications, if any, at the Ecoelectrica facility where the natural gas will be off-loaded, and a Biological Evaluation concerning the various species identified by the USFWS and NMFS.

Jose Soto
Multimedia Permits and Compliance Branch
Phone: (787) 977-5829



Re: Fw: Via Verde & Pedro Nieves - DC meeting request. 
Peter Brandt to: Teresita Rodriguez

02/03/2011 12:11 PM

Hi - got your message. I'm on a call with Jose - will call you when we're off.

Teresita Rodriguez

Ok, here is the version without the reference to the doc being in Spanish. From:....
02/03/2011 11:08:55 AM

From: Teresita Rodriguez/R2/USEPA/US
To: Peter Brandt/R2/USEPA/US@EPA
Date: 02/03/2011 11:08 AM
Subject: Re: Fw: Via Verde & Pedro Nieves - DC meeting request.

Ok, here is the version without the reference to the doc being in Spanish.

[attachment "Via Verde Breifing F.doc" deleted by Peter Brandt/R2/USEPA/US]

Peter Brandt

Hi Teresita - do you want to send me a revised version and then I'll send it to H...
02/03/2011 10:41:57 AM

Re: Fw: Via Verde & Pedro Nieves - DC meeting request.

Teresita Rodriguez to: Peter Brandt

Bcc: Teresita Rodriguez

02/03/2011 12:04 PM

Ok, here is the version without the reference to the doc being in Spanish.



Via Verde Briefing F.doc

Peter Brandt

Hi Teresita - do you want to send me a revised version and then I'll send it to H...

02/03/2011 10:41:57 AM

From: Peter Brandt/R2/USEPA/US
To: Teresita Rodriguez/R2/USEPA/US@EPA
Date: 02/03/2011 10:41 AM
Subject: Fw: Via Verde & Pedro Nieves - DC meeting request.

Hi Teresita - do you want to send me a revised version and then I'll send it to HQ?

----- Forwarded by Peter Brandt/R2/USEPA/US on 02/03/2011 09:35 AM -----

From: Judith Enck/R2/USEPA/US
To: Teresita Rodriguez/R2/USEPA/US@EPA
Cc: Peter Brandt/R2/USEPA/US@EPA, Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>, Jose Soto/R2/USEPA/US@EPA
Date: 02/03/2011 09:34 AM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

Looks good. Delete reference to the document not being in spanish. We should not expect permit applicants in pr to provide english copies. Peter, please attach tguis to our original letter and send to hq staff that are doing the mtg today. Peter, please talk to george about whether he or barbara are attending the mtg

Sent by EPA Wireless E-Mail Services
Teresita Rodriguez

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

From: Teresita Rodriguez
Sent: 02/03/2011 10:13 AM AST
To: Judith Enck
Cc: Peter Brandt; Barbara Finazzo; Bonnie Bellow; Carl Soderberg; George Pavlou; Grace Musumeci; Jose Font; Kevin Bricke; "shore berry" <shore.berry@epa.gov>; Jose Soto

Subject: Re: Via Verde & Pedro Nieves - DC meeting request.
Hi Judith,

Attached you'll find the ViaVerde briefing paper for review. We tried to be as concise as possible. We are available at your convenience should there be any questions.

[attachment "Via Verde Breifing = February 3, 2011.doc" deleted by Judith Enck/R2/USEPA/US]



Fw: Via Verde & Pedro Nieves - DC meeting request.
Peter Brandt to: Teresita Rodriguez

02/03/2011 10:41 AM

History: This message has been replied to.

Hi Teresita - do you want to send me a revised version and then I'll send it to HQ?
----- Forwarded by Peter Brandt/R2/USEPA/US on 02/03/2011 09:35 AM -----

From: Judith Enck/R2/USEPA/US
To: Teresita Rodriguez/R2/USEPA/US@EPA
Cc: Peter Brandt/R2/USEPA/US@EPA, Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>, Jose Soto/R2/USEPA/US@EPA
Date: 02/03/2011 09:34 AM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

Looks good. Delete reference to the document not being in spanish. We should not expect permit applicants in pr to provide english copies. Peter, please attach iguis to our original letter and send to hq staff that are doing the mtg today. Peter, please talk to george about whether he or barbara are attending the mtg
Sent by EPA Wireless E-Mail Services
Teresita Rodriguez

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

From: Teresita Rodriguez
Sent: 02/03/2011 10:13 AM AST
To: Judith Enck
Cc: Peter Brandt; Barbara Finazzo; Bonnie Bellow; Carl Soderberg; George Pavlou; Grace Musumeci; Jose Font; Kevin Bricke; "shore berry" <shore.berry@epa.gov>; Jose Soto
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.
Hi Judith,

Attached you'll find the ViaVerde briefing paper for review. We tried to be as concise as possible. We are available at your convenience should there be any questions.

[attachment "Via Verde Breifing = February 3, 2011.doc" deleted by Judith Enck/R2/USEPA/US]

Re: Via Verde & Pedro Nieves - DC meeting request.

Judith Enck to: Teresita Rodriguez

02/03/2011 10:29 AM

Cc: Peter Brandt, Barbara Finazzo, Bonnie Bellow, Carl Soderberg, George Pavlou, Grace Musumeci, Jose Font, Kevin Bricke, "shore berry", Jose Soto

Looks good. Delete reference to the document not being in spanish. We should not expect permit applicants in pr to provide english copies. Peter, please attach tguis to our original letter and send to hq staff that are doing the mtg today. Peter, please talk to george about whether he or barbara are attending the mtg

Sent by EPA Wireless E-Mail Services
Teresita Rodriguez

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

From: Teresita Rodriguez

Sent: 02/03/2011 10:13 AM AST

To: Judith Enck

Cc: Peter Brandt; Barbara Finazzo; Bonnie Bellow; Carl Soderberg; George Pavlou; Grace Musumeci; Jose Font; Kevin Bricke; "shore berry" <shore.berry@epa.gov>; Jose Soto

Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

Hi Judith,

Attached you'll find the ViaVerde briefing paper for review. We tried to be as concise as possible. We are available at your convenience should there be any questions.

[attachment "Via Verde Breifing = February 3, 2011.doc" deleted by Judith Enck/R2/USEPA/US]



Re: Via Verde & Pedro Nieves - DC meeting request.

Judith Enck to: Teresita Rodriguez

Cc: Peter Brandt, Barbara Finazzo, Bonnie Bellow, Carl Soderberg, George Pavlou, Grace Musumeci, Jose Font, Kevin Bricke, "shore berry"

02/02/2011 06:55 PM

History: This message has been replied to and forwarded.

great. short good. long bad.

i will ask a manager from nyc to attend. pedro has never called me about this so not sure what the expectations are around a hq mtg the letter was quite reasonable - correct deficiencies in the eis, not opposition to the pipeline.

Judith Enck

Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866
(212) 637-5000

Teresita Rodriguez

Jose Soto is writing the first draft. It will be circulated by 10:00 am tomorrow (o...

02/02/2011 04:55:31 PM

From: Teresita Rodriguez/R2/USEPA/US
To: Judith Enck/R2/USEPA/US@EPA

Cc: Peter Brandt/R2/USEPA/US@EPA, Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>

Date: 02/02/2011 04:55 PM

Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

Jose Soto is writing the first draft. It will be circulated by 10:00 am tomorrow (or sooner).

Judith Enck

who is writing the first draft of the briefing memo from region 2? Judith Enck R...

02/02/2011 05:53:24 PM

From: Judith Enck/R2/USEPA/US

To: Peter Brandt/R2/USEPA/US@EPA

Cc: Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>, Teresita Rodriguez/R2/USEPA/US@EPA

Date: 02/02/2011 05:53 PM

Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

who is writing the first draft of the briefing memo from region 2?

Judith Enck
Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866
(212) 637-5000

Peter Brandt

FY1 - they are scheduled to meet with Nancy Stoner on Friday, Feb 11 at 2pm....

02/02/2011 04:36:16 PM

From: Peter Brandt/R2/USEPA/US
To: Judith Enck/R2/USEPA/US@EPA
Cc: Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>, Teresita Rodriguez/R2/USEPA/US@EPA
Date: 02/02/2011 04:36 PM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

FY1 - they are scheduled to meet with Nancy Stoner on Friday, Feb 11 at 2pm.

Judith Enck

Please work on a background memo for nancy or scott or whomever agrees to t...

02/01/2011 08:23:17 PM

From: Judith Enck/R2/USEPA/US
To: Peter Brandt/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Barbara Finazzo/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Teresita Rodriguez/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>
Date: 02/01/2011 08:23 PM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

Please work on a background memo for nancy or scott or whomever agrees to take the meeting. I would like to review it first. Thanks
Sent by EPA Wireless E-Mail Services

Peter Brandt

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

From: Peter Brandt
Sent: 02/01/2011 05:02 PM EST
To: Judith Enck; George Pavlou; Barbara Finazzo; Carl Soderberg; Jose Font; Teresita Rodriguez; Kevin Bricke; Grace Musumeci; Bonnie Bellow; shore.berry@epa.gov
Subject: Via Verde & Pedro Nieves - DC meeting request.

Hi,

Pedro Nieves and Daniel Galan of DPNR, through Governor Fortuño's DC office, has requested a meeting with Acting Administrator for Water Nancy Stoner and General Counsel Scott Fulton on Feb. 9. to discuss Puerto Rico's Via Verde project.

Although we all likely know, I've asked OCIR to re-engage the Governor's office on more specifics on what they would like to cover.



Re: Via Verde & Pedro Nieves - DC meeting request.

George Pavlou to: Judith Enck

Cc: Peter Brandt, Barbara Finazzo, Bonnie Bellow, Carl Soderberg, Grace Musumeci, Jose Font, Kevin Bricke, "shore berry", Teresita Rodriguez

02/02/2011 06:23 PM

Judith, shouldn't the Region attend and participate at his meeting as well?

George Pavlou, Deputy Regional Administrator
EPA-Region 2
290 Broadway
NY, NY 10007

Tel:212-637-5000

Judith Enck

who is writing the first draft of the briefing memo from region 2? Judith Enck R...

02/02/2011 04:53:19 PM

From: Judith Enck/R2/USEPA/US
To: Peter Brandt/R2/USEPA/US@EPA
Cc: Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>, Teresita Rodriguez/R2/USEPA/US@EPA
Date: 02/02/2011 04:53 PM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

who is writing the first draft of the briefing memo from region 2?

Judith Enck
Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866
(212) 637-5000

Peter Brandt
Judith Enck
Peter Brandt

FYI - they are scheduled to meet with Nancy Stoner on Friday, Feb 11 at 2pm....
Please work on a background memo for nancy or scott or whomever agrees to t...

02/02/2011 04:36:16 PM
02/01/2011 08:23:17 PM

----- Original Message -----
From: Peter Brandt

Sent: 02/01/2011 05:02 PM EST

To: Judith Enck; George Pavlou; Barbara Finazzo; Carl Soderberg; Jose Font; Teresita Rodriguez; Kevin Bricke; Grace Musumeci; Bonnie Bellow; shore.berry@epa.gov
Subject: Via Verde & Pedro Nieves - DC meeting request.

Hi,

Pedro Nieves and Daniel Galan of DPNR, through Governor Fortuño's DC office, has requested a meeting with Acting Administrator for Water Nancy Stoner and General Counsel Scott Fulton on Feb. 9. to discuss Puerto Rico's Via Verde project.

Although we all likely know, I've asked OCIR to re-engage the Governor's office on more specifics on what they would like to cover.



Re: Via Verde & Pedro Nieves - DC meeting request.

Judith Enck to: Peter Brandt

Cc: Barbara Finazzo, Bonnie Bellow, Carl Soderberg, George Pavlou, Grace Musumeci, Jose Font, Kevin Bricke, "shore berry", Teresita Rodriguez

02/02/2011 05:53 PM

History: This message has been replied to.

who is writing the first draft of the briefing memo from region 2?

Judith Enck
Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, N.Y. 10007-1866
(212) 637-5000

Peter Brandt

FYI - they are scheduled to meet with Nancy Stoner on Friday, Feb 11 at 2pm.....

02/02/2011 04:36:16 PM

From: Peter Brandt/R2/USEPA/US
To: Judith Enck/R2/USEPA/US@EPA
Cc: Barbara Finazzo/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>, Teresita Rodriguez/R2/USEPA/US@EPA
Date: 02/02/2011 04:36 PM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

FYI - they are scheduled to meet with Nancy Stoner on Friday, Feb 11 at 2pm.

Judith Enck
Peter Brandt

Please work on a background memo for nancy or scott or whomever agrees to t...

02/01/2011 08:23:17 PM

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

From: Peter Brandt
Sent: 02/01/2011 05:02 PM EST
To: Judith Enck; George Pavlou; Barbara Finazzo; Carl Soderberg; Jose Font; Teresita Rodriguez; Kevin Bricke; Grace Musumeci; Bonnie Bellow; shore.berry@epa.gov
Subject: Via Verde & Pedro Nieves - DC meeting request.

Hi,

Pedro Nieves and Daniel Galan of DPNR, through Governor Fortuño's DC office, has requested a meeting with Acting Administrator for Water

Nancy Stoner and General Counsel Scott Fulton on Feb. 9. to discuss Puerto Rico's Via Verde project.

Although we all likely know, I've asked OCIR to re-engage the Governor's office on more specifics on what they would like to cover.

Via Verde DC meeting - Breifing paper (DRAFT)

Jose Soto

to:

Teresita Rodriguez

02/02/2011 05:44 PM

Cc:

Carl Soderberg, Jose Font

Show Details

History: This message has been replied to.

Tere,

Attached is my briefing on the Via Verde project, as requested. I'm sending copies of the draft to Carl and Jose Font.

Please distribute as necessary. Thanks!



Re: Via Verde & Pedro Nieves - DC meeting request.

Peter Brandt to: Judith Enck

Cc: Barbara Finazzo, Bonnie Bellow, Carl Soderberg, George Pavlou, Grace Musumeci, Jose Font, Kevin Bricke, "shore berry", Teresita Rodriguez

02/02/2011 05:36 PM

FYI - they are scheduled to meet with Nancy Stoner on Friday, Feb 11 at 2pm.

Judith Enck

Please work on a background memo for nancy or scott or whomever agrees to t...

02/01/2011 08:23:17 PM

From:

Judith Enck/R2/USEPA/US

To:

Peter Brandt/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Barbara Finazzo/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Teresita Rodriguez/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>

Date:

02/01/2011 08:23 PM

Subject:

Re: Via Verde & Pedro Nieves - DC meeting request.

Please work on a background memo for nancy or scott or whomever agrees to take the meeting. I would like to review it first. Thanks
Sent by EPA Wireless E-Mail Services

Peter Brandt

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

From: Peter Brandt

Sent: 02/01/2011 05:02 PM EST

To: Judith Enck; George Pavlou; Barbara Finazzo; Carl Soderberg; Jose Font; Teresita Rodriguez; Kevin Bricke; Grace Musumeci; Bonnie Bellow; shore.berry@epa.gov

Subject: Via Verde & Pedro Nieves - DC meeting request.

Hi,

Pedro Nieves and Daniel Galan of DPNR, through Governor Fortuño's DC office, has requested a meeting with Acting Administrator for Water Nancy Stoner and General Counsel Scott Fulton on Feb. 9. to discuss Puerto Rico's Via Verde project.

Although we all likely know, I've asked OCIR to re-engage the Governor's office on more specifics on what they would like to cover.



Re: Via Verde & Pedro Nieves - DC meeting request.

Grace Musumeci to: Barbara Finazzo, Bonnie Bellow, Kevin Bricke, Peter Brandt, shore berry, Teresita Rodriguez, Lamster.Stephanie, John Filippelli

02/02/2011 09:19 AM

History: This message has been replied to.

Hi Teresita.

I imagine you may have the lead on this. If you need anything re NEPA, please contact Stephanie Lamster as I will be on travel the remainder of this week.
Thanks,
Grace

Judith Enck

Please work on a background memo for nancy or scott or whomever agrees to l...

02/01/2011 08:23:17 PM

From: Judith Enck/R2/USEPA/US
To: Peter Brandt/R2/USEPA/US@EPA, George Pavlou/R2/USEPA/US@EPA, Barbara Finazzo/R2/USEPA/US@EPA, Carl Soderberg/R2/USEPA/US@EPA, Jose Font/R2/USEPA/US@EPA, Teresita Rodriguez/R2/USEPA/US@EPA, Kevin Bricke/R2/USEPA/US@EPA, Grace Musumeci/R2/USEPA/US@EPA, Bonnie Bellow/R2/USEPA/US@EPA, "shore berry" <shore.berry@epa.gov>
Date: 02/01/2011 08:23 PM
Subject: Re: Via Verde & Pedro Nieves - DC meeting request.

Please work on a background memo for nancy or scott or whomever agrees to take the meeting. I would like to review it first. Thanks
Sent by EPA Wireless E-Mail Services

Peter Brandt

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

From: Peter Brandt
Sent: 02/01/2011 05:02 PM EST
To: Judith Enck; George Pavlou; Barbara Finazzo; Carl Soderberg; Jose Font; Teresita Rodriguez; Kevin Bricke; Grace Musumeci; Bonnie Bellow; shore.berry@epa.gov
Subject: Via Verde & Pedro Nieves - DC meeting request.

Hi,
Pedro Nieves and Daniel Galan of DPNR, through Governor Fortuño's DC office, has requested a meeting with Acting Administrator for Water