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US ARMY CORPS  
OF ENGINEERS

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ANTILLES REGULATORY SECTION  
(PERMIT)

February 2, 2011

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

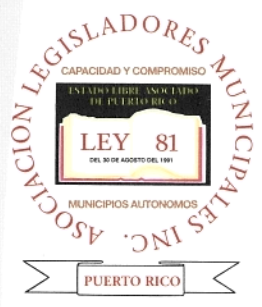
Dear Mr. Garcia:

The Municipal Legislators Association of Puerto Rico vehemently opposes to the Department of the Army (DA) permit application submitted through Joint Permit Application Number 1059 on September 20, 2010 for the Via Verde Natural Gas Pipeline (NGPL) project. This project consists of a proposal to construct and install a 24-inch diameter steel NGPL for approximately 92 miles, with a construction right of way (ROW) of 150 feet wide that transverses the island of Puerto Rico throughout Arecibo, Palo Seco, Toa Baja and San Juan. This construction will cover about 1,672 acres, crossing 235 rivers and covering 369 acres of jurisdictional wetlands. Our opposition is based on several considerations.

First, the U.S. Fish and Wildlife Service emphasized on important concerns regarding the impact this project will represent to the southern karst region, central mountains, and northern karst region of Puerto Rico. Cutting through these regions will impact some 32 endangered species and numerous streams and wetlands. The project also fails to appropriately consider alternatives to avoid and minimize such impacts, nor provides adequate compensatory mitigation ratio to the fauna and flora.

Furthermore, your Department noted that the referred permit application is "largely deficient, very conceptual, and failed to adequately address the issues raised by the agencies and the general public". There are also concerns regarding an appropriate connection to a natural gas supply system; failure to comply with notifying the public of projects adjoining their properties, depriving the citizens of their right to know; and, more importantly, risking one of the most important resources for humans' survival: water. This project will have an impact on more than 235 rivers and tributaries, and will cut through our karst region, which is largely responsible for the accumulation of precious subterranean water.

Moreover, there are serious considerations regarding the safety and wellbeing of our residents for the proximity this pipeline will have to human life activity. The Puerto Rico Power Authority has approved a ROW or minimum distance of a mere 75 feet from the pipeline to adjoining residences and other centers of commercial and



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secular activity. Based on the Federal Pipeline Safety Regulation, the Pipeline and Hazardous Materials Safety Administration of the U.S. Department of Transportation and the Canadian Standards Association, there is a recommended distance of, at least, 660 feet for the development, planning and use of lands where such pipelines exist.

Based on the aforementioned criteria and exercising the power invested by State Law 81 of August 30, 1991, the Municipal Legislators Association of Puerto Rico has approved the Resolution number 2010-2011-01 to vehemently oppose to the construction of the Via Verde project. We are also encouraging each and every municipal legislature to approve local laws to limit the construction of these pipelines to conform with the above mentioned standards. Our responsibility is to ensure the safety and wellbeing of our citizens, thus will continue to oppose to this construction, based on its deficiencies and lack of technical in-depth studies of the referred Joint Permit Application, which may represent a clear and present danger to human life, and a threat to dozens of species and our treasured water resources.



Given the factual information provided and the risks this project may pose to human life, endangered species and national resources, we respectfully request your denial of the Joint Permit Application Number 1059 of September 20, 2010 for the Via Verde Natural Gas Pipeline (NGPL) project.

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Respectfully,

Reinaldo Castellanos  
Acting President

c: Col. Alfred A. Patano, Jr.  
District Commander  
Jacksonville District Corps of Engineers

Edwin Muñiz  
Field Supervisor  
U.S. Fish & Wildlife

Lillian Maldonado  
Executive Director