



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
PO Box 491  
Boquerón, PR 00622



In Reply Refer To:  
FWS/R4/CESFO/MM-170

Mark Reiss  
Chief Dredging Sediment and Oceans Section  
EPA Region 2, Division of Water  
290 Broadway  
New York, NY 10007-1866

Re: Site Management and Monitoring Plan for Ocean  
Dredged Material Disposal Sites in Puerto Rico (Arecibo  
Harbor, Mayaguez Harbor, Ponce Harbor, and San Juan  
Harbor)

Dear Mr. Reiss:

This is to follow up on your request for consultation for the Site Management and Monitoring Plan (SMMP) for the existing Ocean Dredged Material Disposal Sites (ODMDS) in Puerto Rico. Our comments are issued as technical assistance in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (16 U.S.C. 1531 et seq. as amended).

Issuance of the SMMP does not authorize the dredging or disposal of any specific project sediment, the consultation is limited to the plan itself. Implementation of the SMMP will ensure that any impacts to the receiving environment associated with the transport and disposal of dredged materials will be minimized. Each individual dredging project seeking to dispose material at one of the five Puerto Rico ODMDSs would require separate EFH and ESA consultation and coordination during the permit or authorization process before any actual dredging or disposal is authorized.

The West Indian manatee, *Trichechus manatus* is the only species under the purview of the Fish and Wildlife Service that be present in the near shore transit areas and bays where these activities would take place.

After reviewing the proposed SMMP the contact numbers in the plan should be corrected as follows:

- PRDNER 787-724-5700, 787-230-5550, 787-771-1124
- USFWS [www.caribbean\\_es@fws.gov](http://www.caribbean_es@fws.gov) 786-244-0081
- Puerto Rico Manatee Conservation Center 787-400-2782, 787-279-1912 ext. 2070

The SMMP has provisions that require dredging contractors to employ trained ESA observers and to adhere to the vessel strike avoidance guidelines will minimize the risk to marine mammals and turtles. In addition, measures to avoid impacts to shelf edge habitat will have secondary benefits to turtles and manatees by avoiding further degradation of this habitat due to dredged material transport operations.

Based on the conservation measures in the SMMP, EPA has determined that the methodology outlined in the SMMP may affect but are not likely to adversely affect the manatee.

We have reviewed the information provided in your letter and our files and concur with your determination that the proposed action may affect, but is not likely to adversely affect, the above referenced species. No adverse impacts to designated critical habitat are anticipated.

In view of this, we believe that requirements of section 7 of the Endangered Species Act (Act) have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on his action, if you have any questions please contact Felix Lopez of my staff at (786) 244-0081.

Sincerely yours,

Edwin E. Muñiz  
Field Supervisor

fhl  
cc:  
DNER, San Juan