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DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
ATLANTIC
6506 HAMPTON BLVD
NORFOLK VA 23508-1278

TELEPHONE NO:

IN REPLY REFER TO:

January 4, 2006

U.S. Department Of Interior Fish & Wildlife Service
Boqueron Field Office
Attn: Mr. Edwin E. Muñiz
Field Supervisor
Carr. 301, KM 5.1, Bo. Corozo
PO Box 491 Boqueron, PR 00622

Re: Substantive Requirements of the Endangered Species Act for the Preliminary Assessment/Site Inspection (PA/SI) Activities at Five PI/PAOC Site, Former Vieques Naval Training Range (VNTR), Vieques, Puerto Rico

Dear Mr. Muñiz:

As discussed in our letter dated June 30, 2005, the Navy intends to meet the substantive requirements of the Endangered Species Act of 1973 (ESA), and its amendments, under the provisions of Comprehensive Environmental Response Compensation and Liability Act (CERCLA). In accordance with these requirements, a threatened and endangered species evaluation was conducted on our behalf by Geo-Marine Inc. (GMI) in advance of vegetation removal at five photo-identified/potential areas of concern (PI/PAOC) sites on the former Vieques Naval Training Range (VNTR). The vegetation removal is being conducted in support of a preliminary assessment/site inspection (PA/SI), which is part of the CERCLA investigation process, to be conducted at these sites. This letter summarizes the work to be completed at the five PI/PAOC sites and the results of the threatened and endangered species evaluation.

Project Description

A PA/SI is to be conducted at eight PI/PAOC sites as part of the Environmental Restoration Program (ERP) for the former VNTR. The PA/SI is part of the CERCLA process and is intended to help determine if there have been releases of hazardous waste or hazardous constituents from past waste management activities at the sites. A PA/SI work plan has been prepared and received regulatory approval. As stated above, the PA/SI work plan is for eight sites, identified as PI-4, PI-7, PAOC J, PAOC K, PAOC L, PAOC N, PAOC S, and PAOC U. At five of the eight PI/PAOC sites (PI-4, PI-7, PAOC J, PAOC K, and PAOC S), site preparation consisting of vegetation removal from the areas to be investigated will be performed. The vegetation removal will be conducted using either mechanical brush cutting equipment or hand tools such as machetes and weed eaters. Vegetation will be cleared to approximately ground level, with minimal soil disturbance, to facilitate access to sampling locations by drilling rigs.

Quality Performance ... Quality Results

January 4, 2006

Summary of Geo-Marine Threatened and Endangered Species Survey Report

In September 2005, GMI conducted a flora and fauna survey, with 100 percent coverage, of the five PI/PAOC sites where vegetation removal is to occur. The purpose of this evaluation was to identify habitat or potential habitat that is currently in or could be used by the Least Tern (*Sterna antillarum antillarum*), Roseate Tern (*Sterna dougallii dougallii*), or any other listed endangered, threatened, critical or sensitive avian species. Additionally, a survey of the flora and fauna was conducted to determine if any Federally listed species or preferred habitats were present.

As presented in the GMI report (attached), there were no federally protected species identified at any of five PI/PAOC sites. Further, at four of the five PI/PAOC sites, there were no preferred habitats identified. Along a portion of PAOC S, a former pipeline was located near the edge of a mangrove community that appeared to have potential as a habitat for *Stablia monosperma*. However, an extensive search during this field effort, as well as previous searches conducted in 2001, did not find any of these plants in this area.

Conservation Measures

As a conservation measure, the threatened and endangered species survey was conducted. Because there were no listed endangered, threatened, critical or sensitive species or habitat (flora or fauna) within the area where vegetation will be cleared in support of the PA/SI, no additional conservation measures are necessary for these areas. However, during the course of the vegetation removal activities at PAOC S, the field crew will be observant for *Stablia monosperma* specimens. If any *Stablia monosperma* specimens are identified, a conservation measure consisting of establishing a buffer zone around the *Stablia monosperma* to prevent their accidental damage or destruction will be implemented. The size of the buffer zone will be the radius of the approximate root area (estimated by the horizontal distance from the trunk of the tree to the tip of the branch farthest from the trunk) plus an additional 10 feet. Any barriers installed denoting the buffer zone will be removed following the investigation activities.

Summary

Based upon the results of the GMI survey, the Navy has determined that the proposed vegetation removal at the five PI/PAOC sites will not affect federal threatened/endangered listed flora or fauna species. We trust that you will find that the Navy has cooperated in good faith by conducting the survey prior to vegetation removal. The Navy is notifying USFWS that the Navy is meeting the intent of the CERCLA ARARs.

We appreciate your input in this process and look forward to continue the communication flow between the agencies. If you have any questions, please don't hesitate in contacting me at 757-322-4815.

Sincerely,



Christopher T. Penny, P.E.
Eastern Vieques Remedial Project Manager
Naval Facilities Engineering Command Atlantic
Environmental Division
By direction of the Commander

January 4, 2006

Enclosure

Copy to:

PREQB (Ms. Yarissa Martínez)

NAVFAC ATLANTIC (Messrs. Byron Brant, Jeffrey Harlow, Johnny Noles)

USEPA (Mr. Daniel Rodríguez)

DOI (Ms. Susan Silander; Messrs. Bud Oliviera, Oscar Díaz, Félix López)

CH2MHILL (Messrs. Brett Doerr, John Tomik, Ms. Susana Struve, Ms. Rebecca Singleton)

DNER (Mr. Craig Lilyestrom)