



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

MAY 27 2004

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Luis Muniz
206 Eleanor Roosevelt, Suite A
San Juan, Puerto Rico 00918-3033

Mr. Angel D. Rodriguez, Chairman
Puerto Rico Planning Board
Minillas Governmental Center, North Building
De Diego Ave. Stop 22
P.O. Box 41119
San Juan, Puerto Rico 00940-1119

Re: Muniz Consistency Appeal Withdrawal

Dear Mr. Muniz and Chairman Rodriguez:

I am writing regarding the appeal of Mr. Luis Muniz (Appellant) before the Secretary of Commerce, pursuant to Section 307 of the Coastal Zone Management Act of 1972 (CZMA), as amended, 16 U.S.C. 1451 *et seq.*, and the Department of Commerce's implementing regulations, 15 C.F.R. Part 930, Subpart H. The appeal is taken from the objection of the Puerto Rico Planning Board (Board) to Appellant's consistency certification for the Jauca Bay Resort project, for which Appellant applied for a permit from the U.S. Army Corps of Engineers (Corps).

The parties requested and were granted several stays and engaged in prolonged settlement negotiations. In a letter dated January 27, 2004 (copied to Appellant), this office requested of the Board a clarification of its position with respect to the Jauca Bay project. By letter dated March 5, 2004, the Board stated that the Jauca Bay project is consistent with the Puerto Rico Coastal Management Plan.

This office recently received a letter dated May 14, 2004, from Appellant, giving notice of Appellant's withdrawal of the appeal. The letter indicated that a copy had also been sent to the



Board. Appellant's withdrawal of his appeal is officially acknowledged, and the appeal is dismissed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karl Gleaves".

Karl Gleaves
Assistant General Counsel
for Ocean Services

cc: Mr. Edwin Muniz, U.S. Army Corps of Engineers
Mr. Patricio Martinez Lorenzo
Ms. Rose Ortiz, Puerto Rico Planning Board