



COMMONWEALTH OF PUERTO RICO  
OFFICE OF THE GOVERNOR  
PLANNING BOARD

MINILLAS GOVERNMENT CENTER  
DE DIEGO AVE., STOP 22, SANTURCE  
P. O. Box 41119, SAN JUAN, PUERTO RICO 00940-1119

August 6, 2004

Karl D. Gleaves  
Assistant General Counsel  
For Ocean Services  
SSMC4, Room 6111  
1305 East-West Highway  
Silver Spring, Maryland 20910

**Re: Consistency Appeal of Villa Marina Yacht Harbour, Inc.**

Dear Mr. Gleaves:

We received your letter dated August 3, 2004 regarding the appeal at reference. According to this letter the Puerto Rico Planning Board shall submit a translation of the Spanish language documents that were submitted earlier with the brief by September 8, 2004.

Considering the amount of letters to be translated and the human resources needed to perform such task, we respectfully request a time extension of 23 additional days, until September 30, 2004, to submit the translated documents.

We hope you will grant our time extension request. If you have any question about this matter, do not hesitate to communicate with Mrs. Norma Alvira Ruíz at (787)-723-6200 ext. 2441 or Mrs. Mariguel Fuentes Lacén at extension 3067. Thank you for your cooperation.

Sincerely,

  
Angel D. Rodriguez  
Chairman

c: Vivian Gerena, USACE  
Eduardo Ferrer, Villa Marina Yacht Harbor Inc.

NAR/MML/RAO



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

OFFICE OF THE GENERAL COUNSEL

VIA FACSIMILE AND  
CERTIFIED MAIL (return receipt requested)

AUG 3 2004

Eduardo J. Ferrer Ramirez De Arellano, Esq.  
Counsel for Villa Marina Yacht Harbour, Inc.  
P.O. Box 9020485  
San Juan, Puerto Rico 00902-0485

Angel D. Rodriguez  
Chairman, Puerto Rico Planning Board  
Minillas Government Center  
De Diego Ave., Stop 22, Santurce  
P.O. Box 41119  
San Juan, Puerto Rico 00094-1119

Re: Schedule for Reply Briefs - Consistency Appeal of Villa Marina Yacht Harbour, Inc.

Dear Messrs. Ferrer and Rodriguez:

This letter establishes the dates for filing reply briefs and supporting materials in the Villa Marina Yacht Harbour appeal and addresses general items concerning the appeal record. The deadlines for filing reply briefs are as follows:

Villa Marina Yacht Harbour reply brief - September 8, 2004;  
Puerto Rico Planning Board (Puerto Rico) reply brief - October 13, 2004.

With regard to reply briefs, the parties are encouraged to carefully address each of the three elements relevant to determining whether a proposed project "is consistent with the objectives" of the Coastal Zone Management Act (*see* 15 C.F.R. § 930.121). In addition, the Appellant's Notice of Appeal raises an issue concerning the timeliness of Puerto Rico's actions. Both parties should be sure to identify all relevant dates in support of its position (for example, the date on which a consistency certification was provided to Puerto Rico as required by 15 C.F.R. § 930.57(a)) and to provide adequate explanations or documentation in support of its views. Reply briefs are limited to a maximum length of 15 pages (paper size 8 ½ inches wide by 11 inches long, with double spaced text).

Also, please note that documents should be filed in English or accompanied by a certified translation of the documents' complete text. Each party is responsible for translating the materials filed in support of its brief and should provide copies of the translations to this Office



-2-

and one set to the opposing party. For any Spanish language document submitted earlier in the appeal process, a translation should be provided by September 8, 2004. A short extension of the deadline for translating previously filed documents would be considered upon request.

Please submit your reply briefs and supporting materials to Branden Blum, Senior Counselor, Office of the General Counsel, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), 1305 East-West Highway, Silver Spring, Maryland 20910. Three copies of the reply brief and supporting materials should be submitted to this Office. A single set of the materials should be provided to the other party and to the U.S. Army Corps of Engineers. (See my letter establishing the initial briefing schedule for address.) As noted in our July 15, 2004 ruling concerning the Appellant's motion, briefs should be served on the opposing party by the deadline for filing with the Department of Commerce.

If you have any questions concerning this letter, please contact Mr. Blum at 301 713-2967, extension 207. Should you be interested in pursuing settlement negotiations, please call the Director of NOAA's Office of Ocean and Coastal Resource Management, at 301 713-3155, for further information.

Sincerely,



Karl D. Gleaves  
Assistant General Counsel  
for Ocean Services

cc: Vivian Gercna  
Acting Chief, Antilles Regulatory Section  
U.S. Army Corps of Engineers