



August 27, 2003

Mr. Edwin E. Muñiz
Director
Antilles Office
U.S. Army Corps of Engineers
400 Fernández Juncos Avenue
San Juan, Puerto RICO 00901-3299

**Re: Federal Consistency Certification
CZ-2001-0529-117
JPA-179; 198800516 (IP-VG)
Villa Marina Yacht Harbor Expansion
Sardinera, Fajardo**

Dear Mr. Muñiz:

We are evaluating the case at reference since March 5, 2003 when the application was considered complete. During the evaluation period the Puerto Rico Planning Board (PRPB) found that the following issues need to be addressed:

- 1- The proposed expansion has a significant impact in the public use of submerged lands and waters. The proposed expansion will reduce the availability of access to the sea for the existing marinas and the public in general.
- 2- It is necessary to evaluate the viability of the breakwater in terms of public safety. This structure as proposed will significantly alter the current patterns in the area. It is necessary to investigate how significant will be this effect for the navigation safety at the unique and reduced entrance that will remain for Sea Lovers, Puerto Chico Marina and the Fishermen. This project in order to be consistent with the Puerto Rico Coastal Zone Management Program cannot have a negative impact on the other existing activities nor the quality of life of people.

These issues were presented to the applicant in a letter dated July 9, 2003 (enclosure 1). The applicant answered submitting a letter and three studies (enclosure 2). We proceeded to send the information to the Department of Natural and Environmental Resources (DNER) in order to consult this agency about the above mentioned issues. The DNER informed in a meeting (August 21, 2003) that they need additional time to evaluate these aspects and provide the required assessment. We also consulted the Coast Guard about the navigation safety and they will be answering during the next week.

Federal Consistency Certification

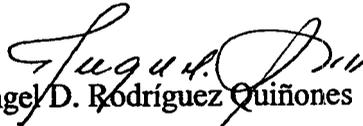
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Considering the above mentioned fact we agreed with the applicant to extend the review period pursuant to section 930.60 of the CZMA Federal Consistency Regulations (enclosure 3). This is in order to give the agencies sufficient time to make their evaluation and comments.

If you have any question or need more information about this matter do not hesitate to communicate with Ms. Rose A. Ortiz at (787)-723-6200 ext. 2020.

Cordially,


Angel D. Rodríguez Quiñones
Chairman

c: Eldon Hout, OCRM, Maryland
Ernesto Díaz, PRCZMP, DNER
Celso Rossy, DNER, San Juan
Wanda García, EQB, San Juan

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