DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
ANTILLES OFFICE
400 FERNANDEZ JUNCOS AVENUE
SAN JUAN, PUERTO RICO 00901-3299

REPLY TO
ATTENTION OF

Antilles Regulatory Section
SAJ-2005-7690 (JD-DD)

FEB 27 2007

Mr. Daniel Galán Kercadó
Environmental Manager
Golden Environmental Corp.
144 Calle Zirconia
Urb. Los Prados Sur
Dorado, Puerto Rico 00646

Dear Mr. Galán-Kercadó:

Reference is made to the Jurisdictional Determination Report (JD) submitted by you, regarding a parcel of land of 175.53 "cuerdas", adjacent to State Road PR-135, in San Idelfonso Ward, Coamo, Puerto Rico. The site would be used for a residential-commercial development called Santa Elvira. The JD was assigned number SAJ-2007-0659 (JD-DD).

According to the study, there is an unnamed creek in the middle of the parcel, which would not be altered by the proposed project. A conservation fringe of 10 meters would be established to protect the creek. No wetland areas were identified on the project. Based on the information provided, and on our analysis, the Preliminary JD is hereby, approved.

However, if any discharge of dredged or fill material into jurisdictional areas (within the unnamed creek) is proposed, such as activities associated with a box culvert, the project would require a Department of the Army permit in accordance with Section 404 of the Clean Water Act. In that case, the developer might need to submit a Joint Permit Application for the proposed project. Besides the required plans and drawings, we advise that the package include photos of the area on a small scale, with detailed coverage of the creek and its nearby vegetation.

You are cautioned that to discharge dredged or fill material into waters of the United States prior to a Department of the Army authorization would constitute a violation of Federal laws and the responsible party would be subject to possible enforcement action.

In addition, the proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your

local office that issues building permits to coordinate the local building requirements mandated by the National Flood Insurance Program.

The project site may contain species protected by the endangered Species Act (ESA) of 1972, as amended. You should contact your local U.S. Fish and Wildlife Service (FWS) office located in Boquerón, in the Municipality of Cabo Rojo, Puerto Rico to determine if federally listed species or their habitats are present on your project site. If it is determined that federally listed species may be affected by the proposed project, authorization for "incidental take" may be required. FWS offices can be contacted at telephone number 787-851-7297.

Please be advised this determination reflects current policy and regulations and is valid for a period of no longer than 5 years from the date of this letter unless new information warrants a revision of the determination before the expiration date. If after the 5-year period, the Corps has not specifically revalidated this determination, it will automatically expire. Any reliance upon this determination beyond the expiration date may lead to possible violation of current Federal laws and/or regulation.

This letter will be null and void if the information submitted is found to be inaccurate, or if the conditions at the project site or the proposed project change.

This letter does not obviate the requirement to obtain any other Federal, State, or local permits that may be necessary for your project. Should you have any questions, please contact Mrs. Damaris Delgado to the letterhead address or by telephone at 787-729-6905/6944, extension 3059.

Thank you for your cooperation with our permit program.

Sincerely,

Sindulfo Castillo
Chief, Antilles Regulatory Section