



# GOVERNMENT OF PUERTO RICO

Department of Natural and Environmental Resources

FEB 21 2020

Milan A. Mora, PE  
Chief - Water Resources Branch  
Programs and Project Management Division  
U.S. Army Corps of Engineers  
701 San Marco Boulevard  
Jacksonville, FL 32207

Dear Engineer Mora:

Receive a cordial greeting from the Department of Natural and Environmental Resources (DNER) personnel and from myself, and thanks for all the support to Puerto Rico and its people in the execution of the flooding control projects.

In previous meeting we had indicated that DNER obtained a budget of \$15 million to serve as a revolving account to perform acquisition on real estate interest for the projects under the Bipartisan Budget Act of 2018 program.

The United States Army Corps of Engineers (USACE) and DNER have executed amendments to the Project Cooperation Agreements for Rio La Plata and Rio Puerto Nuevo projects and another pending for Rio Grande de Arecibo, and it has been stated that DNER is responsible for providing any publicly owned lands, easements, and right-of-way required for completing construction of the projects at no cost to the Department of the Army and without credit or reimbursement, except as provided in Article XX.I.

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Having said that, we have a concern in what you defined as public owned lands: "lands owned by a governmental entity (non-federal state/commonwealth), county or municipality".

It must be clear that this project will be affecting some "public owned lands" but in most of the cases those properties must be acquired by DNER through a buying process because these lands could belong to **Public Corporations**, which are independent juridical entities allocated by the Government of Puerto Rico or **Autonomous Municipalities**, which by Law, have their own power and faculties independent from the Government of Puerto Rico.

Some examples of Public Corporations are PR Energy and Power Authority (PREPA), PR Aqueduct and Sewer Authority (PRASA), Ports Authority, University of PR (UPR), PR Highway and Transportation Authority (PRHTA), Land Authority, among others.



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Our concern is that most of the lands needed to be acquired, belongs to those Public Corporations and to some Municipalities and if there is no provision for reimbursement for those properties, our revolving account could be severely affected and potentially affect the acquisition process for all of these projects.

Respectfully, we request that an amendment could be done to include those properties as Reimbursable defined.

If you need additional information, please do not hesitate to contact Eng. Edgardo J. Contreras Aponte, Auxiliary Administrator of the Water and Mineral Resources Area at (787) 999-2200 ext. 2493, 2497 or via email [econtreras@drna.pr.gov](mailto:econtreras@drna.pr.gov)

Sincerely,



Cynthia I. Rivera Morales

Acting Secretary