



## United States Department of the Interior

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Caribbean Ecological Services Field Office  
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In Reply Refer To:  
FWS/R4/CESFO/72023-110

Submitted via electronic mail: [Rosado\\_L@jp.pr.gov](mailto:Rosado_L@jp.pr.gov)

Ms. Leslie M. Rosado Sánchez  
Directora Interina del Planificación Física  
Junta de Planificación de Puerto Rico  
PO Box 41119  
San Juan, Puerto Rico 00940

Re: PE-2024-55-010, Cabo Rojo Land Acquisition

Dear Ms. Rosado:

This is in reply to your August 26, 2024, email requesting review and comments regarding the request by Cabo Rojo Land Acquisition LLC, that the proposed tourist development project known as Esencia be designated as a Strategic Project, projects deemed as priority and that have a pressing or compelling interest by the government of Puerto Rico. Our comments are issued as technical assistance in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (16 U.S.C. 1531 et seq. as amended). They are also based on the known best available information. Our comments and any future determination may be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat is designated that may be affected by the identified action.

Cabo Rojo Land Acquisition LLC is proposing the development of a 1,549 cuerdas (1,504 acres) site for a multiuse tourist/residential project, consisting of 81 land parcels to be known as Esencia. The Applicant is requesting a full buildout evaluation, even though they recognize that a full development of the area may not be feasible at this time. The current proposal is for 530 hotel rooms, 1,132 residential units, a school, plus amenities such as shopping, golf course, trails, etc., including public access to the beach. With regards to infrastructure, the project is proposing its own drinking water system, wastewater system, and electrical infrastructure using solar energy. However, if this is not feasible, they recognize the project will require connection to existing public infrastructure.

We are concerned that the project has the potential to impact a relatively undeveloped coastline, mangrove wetlands, salt flats, shallow seagrass beds and other marine ecosystems, and remnants of native dry forest habitats. The area also falls within the 2008 Puerto Rico Department of Natural and Environmental Resources' (DNER) Plan de Manejo Para El Area de Planificación Especial Del Suroeste Sector Boquerón.

Based on the project description and information provided by the Planning Board, we have the following comments and recommendations:

- 1) The proposed project occurs within the occupied designated Critical Habitat for the endangered, yellow-shouldered blackbird (*Agelaius xanthomus*). The project area includes mangrove wetlands that is considered occupied habitat by the species and may be used for nesting and foraging, as well as the adjacent upland native dry forests may also serve as foraging habitat, nesting, provide shelter and serve as corridors for the species.

The continued fragmentation of forested habitat may compromise the current and future stability of the yellow-shouldered blackbird in southwest Puerto Rico can exacerbate the threat of nest parasitism by the shiny cowbird (*Molothrus bonariensis*), and potentially increase predation by feral or domestic cats and dogs, commonly associated with high density urban developments.

- 2) The proposed project occurs within the range of the endangered Puerto Rican nightjar (*Antrostomus noctitherus*), a ground nesting bird endemic to Puerto Rico. This species nests in dry forested areas along the south coast of Puerto Rico. Deforestation and habitat fragmentation associated to the proposed project may result in the reduction of suitable breeding and foraging habitat for the species. Habitat fragmentation may also result in the intrusion of exotic plant species (e.g., guinea grass invasion that increase the potential for fires). Similarly to the yellow-shouldered blackbird, the Puerto Rican nightjar might be affected by potential predation by feral or domestic animals.
- 3) The proposed project occurs within suitable sea turtle nesting beaches within the Boquerón Bay. Coastal development without comprehensive sea turtle conservation measures may result in habitat degradation and destruction, resulting in adverse impacts to sea turtles and their nesting habitat. Some of the activities that may affect these species and their habitat are destruction of native coastal vegetation, installation of permanent barriers or structures at their habitat, installation of artificial lights that can be seen from the beach, vehicular traffic or parking within the beach areas, increased predation or damage by pest species (rats, mongooses, dogs, horses, and ants), and root intrusion into nesting habitat from landscapes or exotic vegetation. Artificial lighting may keep females from coming onto the beach to nest and may cause disorientation or miss orientation of both adult female nesting turtles and emerging hatchlings, often resulting in their death. All projects should avoid affecting sea turtle nests and their nesting habitat. For potential impacts to sea turtles in the water, the applicant must consult with the NOAA National Marine Fisheries Service.
- 4) The proposed project occurs within the Caño Boquerón and Los Pozos area. The Service considers shallow coastal areas, bays, estuaries, river mouths and mangrove lagoon ecosystems such as Caño Boquerón as important habitats for the conservation of the Antillean manatee population in Puerto Rico. In fact, the Caño Boquerón and some areas of the Boquerón Bay are currently being evaluated for proposing as manatee critical habitat. The proposed project should avoid affecting these types of habitats and evaluate any potential direct and indirect effects that the proposed project may have on the Antillean manatee and its habitat.

- 5) Regarding federally listed plants, the project lies within the range and occupied habitat of the following listed species: *Aristida chaseae* (no common name), *Catesbaea melanocarpa* (no common name), *Eugenia woodburyana* (no common name), and cobana negra (*Stahlia monosperma*). In addition, the endangered bariaco (*Trichilia triacantha*) has been recently located in the neighboring area of Sierra Bermeja associated to the above-mentioned species, which makes the presence of this species likely within the proposed project area.
- a. *Aristida chaseae* is an endangered grass endemic to Puerto Rico, only known to occur within the municipalities of Lajas and Cabo Rojo. Within the proposed project site, *A. chaseae* is known to occur in the area of Peñones de Melones. The species also occurs within the neighboring Cabo Rojo National Wildlife Refuge and extends into the hills of Sierra Bermeja. Because of the reduced range of this species, the species' reproductive ecology, and the lack of connectivity of the Peñones de Melones population with other natural populations, the *A. chaseae* population within the project area may harbor a unique genetic variability important for its recovery and long-term conservation.
  - b. *Catesbaea melanocarpa* is an endangered shrub known to occur in some of the Lesser Antilles, the island of St. Croix (U.S. Virgin Islands) and Puerto Rico. Here, the species was known to occur also in the Peñones de Melones area. Despite that it has not been relocated there, there is plenty of suitable habitat for the species within the proposed project area. Thus, based on the reproductive ecology and dispersal mechanisms of *C. melanocarpa*, we do not discard that it may still occur in that area.
  - c. *Eugenia woodburyana* is a threatened shrub or small tree endemic to Puerto Rico and restricted to the southern coast of the Island. The species is known to occur in dry forest overlying serpentine or limestone soils, and was previously recorded within the proposed project area, but the Service has not been able to relocate the population there. Nonetheless, the forested hills and drainages within the project area harbor suitable habitat for *E. woodburyana* and thus, undetected individuals of the species may occur within that landscape.
  - d. Cobana negra is a threatened tree endemic to the Dominican Republic and Puerto Rico. The species is known to occur within the proposed project area associated to coastal lowlands and mangroves. This is one of the few Cobana negra natural populations in Puerto Rico, and because of the reduced number of the species' natural populations and individuals, and the little evidence of its natural recruitment, we deem essential the conservation of all remaining natural populations, including the one known to occur in the proposed project area.
  - e. Bariaco is an endangered shrub endemic to Puerto Rico and restricted to the southwest coast of the Island, from Ponce to Cabo Rojo. As stated above, the species was recently recorded from the hills of Sierra Bermeja and it is historically known from the area of Punta Guaniquilla in Cabo Rojo. Therefore, is likely the forested hills and drainages within the project area may harbor undetected individuals of this species.

- 6) In addition to serving as habitat for multiple federally listed species, the dry forest landscape of the proposed project area serves as a natural wildlife corridor with other conservation areas in the region (e.g., Cabo Rojo National Wildlife Refuge, Cartagena Lagoon National Wildlife Refuge, the DNER Boquerón Wildlife Refuge, and areas managed by the NGO Para La Naturaleza).
- 7) It is our understanding that all the coastal wetlands and associated saltflats that are showed as part of the project, are part of the Boquerón Insular Forest created in 1918. Further clarification of land ownership needs to be determined by the government of Puerto Rico. If the area is indeed privately held, then we recommend that it should be separated from the project with the necessary upland buffers and inscribed in the property registry as a conservation easement in perpetuity.
- 8) The various maps in the document have a line indicating surveyed wetlands; however, these wetlands must still be verified for jurisdiction by the U.S. Army Corps of Engineers (Corps) and any structures or construction within these areas would require a Corps permit.
- 9) There are numerous drainages throughout the site that drain mostly into the wetland areas along the shore and provide a certain amount of hydrology to maintain these systems. These drainages will form part of the project's storm water runoff not only from the proposed residential developments, but also from the golf courses and other areas, all these will directly discharging the project's urban runoff along various points into the wetlands. Increased sediment, nutrient and possible contaminants loads could impact these wetlands and alter the hydrological regime.
- 10) The project states that 75% of the land is composed of green areas and includes the two proposed golf courses in their calculations. It is important to highlight that from the standpoint of wildlife habitat conservation, golf courses do not provide the same ecosystem services that the native dry forest habitat they will replace. Also, golf courses are highly developed lands that are leveled, landscaped, and shaped, requiring high maintenance with regards to water and pesticide/herbicide use. Thus, the golf courses should be included in the development footprint of the project and not in the green area calculations. In addition, from the provided conceptual drawings, it seems that parts of the golf courses are placed along or within the existing wetland areas. This use of wetlands is inappropriate and can lead to excess storm water runoff possibly containing contaminants and nutrients directly into these, which could negatively impact terrestrial vegetation and wildlife species, and eventually the marine environment. The project should provide an estimate of what natural areas will remain after development.
- 11) While the project states that it will provide its own drinking and wastewater, there are no specifics. Will drinking water be produced by desalinization like in the U.S. Virgin Islands? If so, intakes and out falls will be needed, resulting in additional impacts to marine ecosystems that need to be included in the project details. Using local infrastructure for drinking water, wastewater, electricity, and solid waste will further strain local utilities. The cumulative impacts of adding such a large-scale project into the local utility infrastructure needs to be carefully considered and evaluated.

Because of known records of multiple federally listed plant and animal species within the proposed project area and the importance of the habitat for the long-term viability of such species, it would be ideal for our office to review any additional documents already submitted such as fauna/flora surveys, detailed project plans overlaying the topography of the project area, and shapefiles or KML/KMZ files showing the boundaries of the different components of the project.

It is our understanding that projects of strategic importance are those that are of great importance because of their nature or economic impact for which there is a pressing need by the government. This project proposes a self-contained community like several others in Puerto Rico, which includes a school, shopping, residential and a tourism portions. While we recognize it may provide economic development opportunities, as currently proposed, this project will also result in impacts to resources such as ecologically important areas, federally listed species, native dry forests, local wildlife, and wetlands. Indirect or interrelated impacts to adjacent wetlands and the nearshore marine ecosystems are not well documented and will certainly result in a loss not a benefit to those resources. Furthermore, the project will potentially place a burden on local infrastructure such as solid waste disposal, traffic, an increased need for potable and wastewater disposal.

Therefore, while the currently proposed project certainly meets some of the expectations of a large-scale tourism development, the current proposal does not adequately outline the needs for public utilities, compliance with public policy such as land use, special planning and conservation, infrastructure, and environmental impacts.

Thank you for the opportunity to comment on this proposal, if you have any questions, please contact me or my staff at [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov) or (786) 244-0081

Sincerely,

Lourdes Mena  
Field Supervisor

fhl

cc:

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