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STATE HISTORIC PRESERVATION OFFICE
Office of the Governor

2004 AUG 25 PM 3:55

August 5, 2004



Commonwealth of Puerto Rico

Mr. Milton Segarra
Acting President Board of Directors
Department of Economic Development and Commerce
San Juan, PR 00936-2350

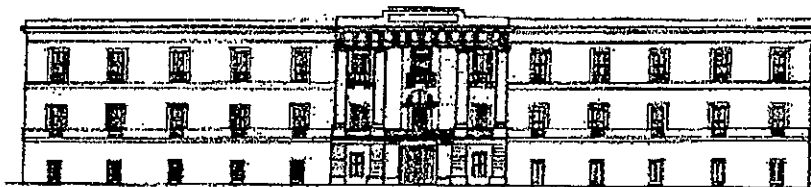
SHPO 04-29-02-03

**PUERTO LAS AMERICAS,
PONCE, PUERTO RICO**

Dear Mr. Segarra:

Thank you for your letter dated July 9, 2004. Your communication was received at our Office on July 15, 2004. As stated in our letter dated April 6, 2004 our Office does not oppose the PTA project.

The State of Historic Preservation Office reviewed the determination by the US Army Corps of Engineers (USACE) of "no adverse effect" from the Port of the Americas on structures with potential for inclusion in the Historic Register within the Playa the Ponce Ward, as stated in their letter of May 25, 2003.



Cuartel de Ballajá

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Pursuant to Subpart B of Section 106 of the National Historic Preservation Act, Sec. 800.5 Part (3.b), "Finding of no adverse effect", the SHPO hereby could conditionally agree with the finding of the USACE. The following are the conditions for this agreement:

- (1) Completion of the "Phase IB Terrestrial Archaeological Propection" within the action area of the Project.
- (2) Submission to our office for review and comments of the documents and data requested in our letter of June 18, 2004, listed below:
 - a) Identification, evaluation, and assessment of the structures in Playa de Ponce Ward, including those structures projected for rehabilitation and use with the undertaking (as suggested by a phone conversation with Mr. Jose Rosario, pers.com. August 3, 2004) . As stated in 36 CFR Part 800.16(d) the area of direct and indirect effects needs to be considered. We are facilitating the photographic documentation we have in our possession. However, due to the limited nature of our field visit not all structures were photographed. In addition, evaluation meeting federal standards of the historic significance of these structures is still pending. We reiterate we are available to advise you in this endeavor.
 - b) Plans of the buffer zone and wall projected to be constructed "to mitigate any potential visual effects" on the Playa de Ponce Ward, as soon as available, for our review. While we understand this buffer zone and wall have not yet been designed, the location and description of the proposed construction should be submitted to our Office as soon as available.

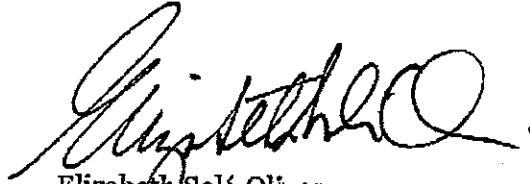
Again, we reiterate that our Office does not oppose the PTA Project. **The documents listed above should be addressed to our office within the next thirty days in order to sustain our determination.**

The Puerto de Las Americas project is of great importance. Nevertheless, it is also in the public interest that it be developed in harmony with our historic patrimony.

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If you have any questions do not hesitate to contact our Office. We appreciate your interest in the rescue and preservation of our national historical heritage and we reiterate our commitment to assist you in this endeavor.

Sincerely,



Elizabeth Solá Oliver
State Historic Preservation Officer

Enclosures

cc. José M. Rosario
Acting Deputy District Engineer for the Antilles

José Martínez Laboy