

HODGE & FRANCOIS

September 22, 2009

Mr. [REDACTED]
Chief, Antilles Regulatory Section
U.S. Army Corps of Engineers
400 Fernandez Juncos Avenue
San Juan, PR 00901-3299

Re: SAJ-1999-3354 (IP-VG)

Dear [REDACTED]

Once again, I want to say how much I enjoyed meeting you and your staff at the St. Thomas program offered by the Army Corps. It was such an interesting presentation, and particularly for me, as someone with limited previous experience in this area, it was extremely helpful.

I want to advise you of the status of my client's work on the matters addressed in your letter of August 12. I enclose a copy of a survey showing the points marked in-situ, as you directed, to delimit the area to be restored. I also enclose several photos showing examples of the stakes placed to effect that marking. Finally, I enclose a copy of the letter from the Virgin Islands Coastal Zone management Commission, dated September 10 but actually faxed to me on September 15, confirming that CZM has determined that our client may proceed with the work you outlined without the need for a CZM permit. The actual work reflected in the survey was done on the day after the CZM letter was received. Amy Dempsey has been assigned to coordinate and supervise the work now required as it proceeds, in accordance with your directive.

However, given the need for confirmation that the work contemplated would not require a VI CZM permit before we proceeded, the ability to complete the work within 45 days from the date of your letter has been impacted. Under the circumstances, we believe that it would be reasonable to expect that the work could be done with 45 days from the date of receipt of the CZM letter, however, and we would ask that you agree to extend the date for completion accordingly.

If you have any questions about this, please let me know. Otherwise, we are hopeful you will agree to this adjustment in the deadline to complete the restoration and mitigation work required.

Thank you again for your consideration.

Sincerely,

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Cc: Amy Dempsey