

Cambio

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By E-mail:
stephanie.strength@wdc.usda.gov

Ms. Stephanie Strength
Environmental Protection Specialist
USDA/RUS
1400 Independence Ave., SW.
Room 2244-S, Stop 1571
Washington, DC 20250-1571

Re: Comments Concerning Public Scoping for RUS EIS Related to Energy Answers Arecibo Incineration Project

Dear Ms. Strength:



On November 28, 2014, the Rural Utilities Service of the U.S. Department of Agriculture (“RUS”) issued the Notice of Cancellation of a Supplemental Final Environmental Impact Statement and Notice of Public Scoping and Intent to Prepare an Environmental Impact Statement for the Energy Answers Arecibo Incineration Project. Pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality’s regulations for implementing NEPA (40 CFR Parts 1500–1508) and RUS’s Environmental and Policies and Procedures (7 CFR Part 1794), *Cambio* hereby submits its Comments Concerning Public Scoping for RUS EIS Related to Energy Answers Arecibo Incineration Project.

Cambio is a recently created non-governmental organization whose mission is to promote responsible and sustainable development in Puerto Rico and the Caribbean Region. Our interest in commenting on the Rural Utilities Services’ Environmental Impact Statement (“RUS EIS”) process for the Energy Answers Arecibo Puerto Rico Renewable Energy Project (“Energy Answers incineration project”), as provided for under the National Environmental Policy Act (“NEPA”), the Council on Environmental Quality’s regulations for implementing NEPA (40 CFR Parts 1500-1508) and RUS’s Environmental Policies and Procedures (7 CFR Part 1794), stems from the reality that the local or state EIS process related with the Energy Answers incineration project was, to put it simply, a biased and irresponsible one designed to fast-track the approval of the Energy Answers incineration project by denying constitutionally-protected public comment and participation rights, as well as preventing the legally-required local agency evaluation of the same.

Due to the above fact, *Cambio* welcomes RUS’s decision to cancel its prior Supplemental Final Environmental Impact Statement process related with Energy Answers Arecibo, LLC’s

financial assistance request for the construction of its proposed municipal waste incineration facility in Arecibo, Puerto Rico. *Cambio* also welcomes RUS's determination to prepare an independent RUS EIS and provide an unbiased process that complies with its responsibilities under National Environmental Policy Act ("NEPA"), the Council on Environmental Quality's regulations for implementing NEPA (40 CFR Parts 1500-1508), and RUS's Environmental Policies and Procedures (7 CFR Part 1794). Nonetheless, we object to RUS's intention to incorporate by reference the local EIS document. RUS must not incorporate by reference in its independent EIS process incomplete, inaccurate and flawed information and documents, including the local EIS document. Specific examples of such inaccuracies, flaws and self-serving assumptions will be discussed throughout our comments in the accompanying document.

Thank you for your attention to this matter, and we welcome the opportunity to work with RUS in its evaluation and consideration process in order to achieve responsible and sustainable decisions for Puerto Rico. Please contact us if you have any difficulties accessing any of the documents referenced in our comments.

Sincerely,



Ingrid M. Vila-Biaggi, P.E.
Environmental Engineer



Luis E. Rodríguez-Rivera, Esq.
Prof. Environmental Law,
UPR School of Law

cc: Judith Enck, Region 2 Administrator USEPA
Stuart Delery, Acting Associate Attorney General, White House Task Force Co-chair
Jerry Abramson, Director, Intergovernmental Affairs, White House Task Force Co-chair
Phillis Adams, USDA District Office Director
Carmen Guerrero, Secretary, P.R. Department of Natural and Environmental Resources
Ana Rius, Secretary, P.R. Department of Health
Antonio Medina, Executive Director, PRIDCO
Pedro Saadé, UPR Law Clinic
Alexis Massol, Casa Pueblo
Angel González, Colegio de Médicos de Puerto Rico