

**GOVERNMENT OF PUERTO RICO
PUERTO RICO PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

NEPR Received: Apr 24, 2023 9:37 AM
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IN RE:

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

**SUBJECT: Submission of Scope of Work and
Request for Confidentiality and Supporting
Memorandum of Law**

**MOTION SUBMITTING SCOPE OF WORK AND REQUEST FOR
CONFIDENTIALITY AND SUPPORTING MEMORANDUM OF LAW**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and LUMA Energy ServCo, LLC (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submits the following:

I. Submittal of Scope of Work and Request for Confidentiality

1. On March 26, 2021, this Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding (the "March 26 Order"), ordering, in pertinent part, that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency. *See* March 26 Order on pages 18-19. This Energy Bureau thereafter determined that this directive applied to both PREPA and LUMA. *See* Resolution and Order of August 20, 2021 ("August 20 Order") on page 3.

2. Consequently, LUMA has submitted to this Energy Bureau several Transmission and Distribution projects ("T&D Projects") on July 8, 2021 (twenty-eight (28) Scopes of Work and an itemized list of T&D Projects), August 30, 2021 (twenty-nine (29) SOWs and an updated

list of T&D Projects) and October 4, 2021 (thirty-eight (38) SOWs and an updated list of T&D Projects), February 2, 2022 (three (3) SOWs and an updated list of T&D Projects), May 20, 2022 (one (1) SOW and an updated list of T&D Projects), July 29, 2022 (four (4) SOWs and an updated list of T&D projects), August 10, 2022 (two (2) SOWs and an updated list of T&D projects), November 11, 2022 (sixty (60) SOWs and an updated list of T&D projects), November 16, 2022 (one (1) SOW and an updated list of T&D Projects), January 30, 2023 (one (1) SOW and an updated list of T&D projects), and March 29, 2023 (two (2) SOWs and an updated list of T&D projects). The Energy Bureau has approved all the T&D Project SOWs submitted by LUMA as of this date.

3. In accordance with the March 26 Order, LUMA hereby submits to the Energy Bureau an SOW for T&D Project for this Energy Bureau's review and approval prior to submittal to COR3 and FEMA in thirty (30) days for the following project: "Island-Wide Vegetation Clearing," dated April 17, 2023. *See Exhibit 1.*

4. Additionally, LUMA submits the "Island-Wide Vegetation Clearing" T&D Project in compliance with a Resolution and Order dated February 27, 2023, issued by the Energy Bureau in the proceeding *In Re: Review of LUMA's Initial Budgets*, Case No. NEPR-MI-2021-0004. Therein, the Energy Bureau instructed LUMA to include its plans for maximizing federal funding in the development of a strategy to address the necessary clearing of vegetation. The execution of the "Island-Wide Vegetation Clearing" T&D Project will provide significant improvements in system reliability and will enable the furtherance of LUMA's vegetation management goals. LUMA submits this "Island-Wide Vegetation Clearing" T&D Project in recognition that Vegetation Management conveys a strong positive impact on system performance and that such a

project represents an integral part of LUMA’s efforts to maximize federal funding opportunities in order to return all affected facilities to a standard consistent with current safety codes and standards.

5. Section 428 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (known as the “Stafford Act”) administered by FEMA, provides funding through grants to states, local, tribal, and territorial governments through its Public Assistance Program to help communities respond to and recover from major disasters. LUMA has presented and received approval from the Energy Bureau for 206 initial SOWs for projects under Section 428. The Energy Bureau's approval of these SOWs allows LUMA to engage with our grid recovery partners to seek different sources of federal funding, such as the US Department of Housing and Urban Development and the Puerto Rico Department of Housing Community Development Block Grant-Disaster Recovery Programs for Hazard Mitigation, Grid Resilience, and Cost Share, as well as FEMA 406 Hazard Mitigation proposals in all major asset categories and projects. For example, LUMA is actively engaging in steps to request funding through Section 406 of the Stafford Act. Section 406 of the Stafford Act provides FEMA with discretionary authority to fund mitigation measures in conjunction with repairing disaster-damaged facilities.¹ To access Section 406 funding, during the preliminary design phase, LUMA will develop Section 406 Hazard Mitigation proposals consistent with the damages. LUMA’s activities are aligned with its commitment to pursuing federal funding from all potential sources available in order to maximize the execution of proposed projects.

¹ It should be noted that it is unknown whether funding through Section 406 will be available at the time of the initial SOW submission.

6. LUMA hereby requests that *Exhibit 1* be maintained confidential and is submitting a redacted version for public disclosure and an unredacted non-public version under seal of confidentiality. LUMA submits below its Memorandum of Law stating the legal basis for which the unredacted version of *Exhibit 1* should be filed under seal of confidentiality. As will be explained below, the SOW in *Exhibit 1* should be protected from public disclosure as these documents contain confidential information, including personal identifying information of individuals who are LUMA staff or contractors that are protected under Puerto Rico's legal framework on privacy emanating from the Puerto Rico Constitution and should also be protected pursuant to the Energy Bureau's Policy on Management of Confidential Information. *See* Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009 ("Policy on Management of Confidential Information"), issued on August 31, 2016, as amended by the Resolution dated September 20, 2016.

II. Memorandum of Law in Support of Request for Confidentiality

A. Applicable Laws and Regulations to Submit Information Confidentially Before the Energy Bureau

7. The bedrock provision on the management of confidential information filed before this Energy Bureau is Section 6.15 of Act 57-2014, known as the "Puerto Rico Energy Transformation and Relief Act." It provides, in pertinent part, that: "[i]f any person who is required to submit information to the [Energy Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Energy Bureau] to treat such information as such [...]" 22 L.P.R.A. §1054n. If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, "it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved

in the administrative procedure in which the allegedly confidential document is submitted.” *Id.* §1054n(a).

8. Access to confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” *Id.* §1054n(b). Finally, Act 57-2014 provides that this Energy Bureau “shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Energy Bureau] who needs to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review.” *Id.* §1054n(c).

9. Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Puerto Rico Rules of Evidence.

10. Moreover, the Energy Bureau’s Policy on Management of Confidential Information details the procedures a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 20, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and why each claim or designation conforms to the applicable legal basis of

confidentiality. *Id.* at ¶ 3. The party who seeks confidential treatment of information filed with the Energy Bureau must also file both a “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.* at ¶ 6.

11. The Energy Bureau’s Policy on Management of Confidential Information states the following with regard to access to validated Trade Secret Information and CEII:

1. Trade Secret Information

Any document designated by the [Energy Bureau] as Validated Confidential Information because it is a trade secret under Act 80-2011 may only be accessed by the Producing Party and the [Energy Bureau], unless otherwise set forth by the [Energy Bureau] or any competent court.

2. Critical Energy Infrastructure Information (“CEII”)

The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties’ authorized representatives only after they have executed and delivered the Nondisclosure Agreement.

Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party’s offices. During the review, the authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

Id. at § D (on Access to Validated Confidential Information).

12. Energy Bureau Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, also includes a provision for filing confidential information in proceedings before this Energy Bureau. To wit, Section 1.15 provides that “a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged

information, request the [Energy Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed according to [...] Article 6.15 of Act No. 57-2015, as amended.” *See also* Energy Bureau Regulation No. 9137 on *Performance Incentive Mechanisms*, § 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

B. Request for Confidentiality

13. The SOW in *Exhibit 1* contains the name, signature, and role of two individuals who are LUMA employees and a contractor, respectively, who reviewed the SOW as part of LUMA’s internal review and approval of each document.² LUMA respectfully requests that information on the names, signatures, and roles of these individuals be maintained confidentially in the context that these reveal details of their employment duties and that their protection is in the public interest and aligned with Puerto Rico’s legal framework on privacy which protects from the disclosure of personal information. *See, e.g.*, Const. ELA, Art. II, Sections 8 and 10, which protect the right to control personal information and distinctive traits, which applies *ex proprio vigore* and against private parties. *See also e.g. Vigoreaux v. Quiznos*, 173 D.P.R. 254, 262 (2008); *Bonilla Medina v. P.N.P.*, 140 D.P.R. 294, 310-11 (1996), *Pueblo v. Torres Albertorio*, 115 D.P.R. 128, 133-34 (1984). *See also* Act 122-2019, Article 4(vi) (which provides, as an exception to the rule on public disclosure, information the disclosure of which could invade the privacy of third parties

² This employee and contractor are different from the top tier employees who have in the past signed these documents and who may be publicly known.

or affect their fundamental rights); and Article 3(c) of Act 122-2019 (stating that personnel files and similar information does not constitute public information subject to disclosure). It is respectfully submitted that the redaction of the aforementioned information does not affect the public's or the Energy Bureau's review of the SOW nor interfere with processes before this Energy Bureau. Therefore, on balance, the public interest to protect privacy weighs in favor of protecting the relevant portions of the SOW.

C. Identification of Confidential Information

14. In compliance with the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, below, find a table summarizing the hallmarks of this request for confidential treatment.

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 1	Island-Wide Vegetation Clearing	Page 1	Right to privacy (<i>see, e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	April 24, 2023

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **approve** the SOW for T&D Projects with the Excel attachment submitted as *Exhibit 1* to this Motion; and **grant** the request for confidential treatment of *Exhibit 1*.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 24th April 2023.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to the attorney for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law.



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Exhibit 1



FEMA Project Initial Scope of Work

Project Name: Island-Wide Vegetation Clearing

Revision:0

Date: April 17, 2023

APPROVALS

The signatures below formally approve the Project Initial Scope of Work.

Grant Manager's Name	Signature	Date
[Redacted]	[Redacted]	April 20, 2023
Department VP's Name	Signature	Date
[Redacted]	[Redacted]	April 20, 2023



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Overview

Project Name:	Island-Wide Vegetation Clearing
Project Type:	T&D Grid
Region:	All Regions
Damage Number:	136271
Damaged Inventory/Asset Category:	Island Wide T&D Grid
FEMA Project Number: <i>(formerly Project Worksheet)</i>	<Provided by FEMA>

Introduction

The purpose of this document is to present a Project Scope of Work (SOW) with Cost Estimates to be submitted to Puerto Rico Central Office for Recovery (COR3) and the Federal Emergency Management Agency (FEMA) for projects under DR-4339-PR Public Assistance. COR3 and FEMA will review the completed document to create and version a specific project worksheet and post fixed-cost estimates to repair, restore, or replace eligible facilities, including Section 406 hazard mitigation for a particular project.

LUMA Energy submits this initial SOW pursuant to the Transmission and Distribution Operations & Maintenance Agreement between Puerto Rico Electric Power Authority (PREPA), the Puerto Rico Public-Private Partnerships Authority (P3A) and LUMA Energy¹, and in accordance with the Consent to Federal Funding Letter issued by PREPA and P3A collectively provides the necessary consent for LUMA Energy, as agent of PREPA, to undertake work in connection with any Federal Funding requests related to the Transmission and Distribution System submitted to FEMA.

PREPA intends to restore its facilities to its pre-disaster design, function and capacity per applicable codes and standards. PREPA is seeking SOW approval from COR3 and FEMA, to receive Public Assistance under DR-4339PR.

LUMA Energy provides the Operations and Maintenance of the electric service transmission and distribution system (T&D System) for the island of Puerto Rico. PREPA is the agency that owns the facilities, sites, and systems identified in this Scope of Work that are eligible as critical services facilities as defined in the PAAP (Section 428) and BBA 2018 guidance documents.

This document provides a description of the project including an initial scope of work, cost estimates, Environmental & Historical Preservation ("EHP") relevant information and proposed 406 hazard mitigation work.

This document will be updated with information developed during the initial design and engineering phase through the construction phase.

¹ Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement dated as of June 22, 2020 ("T&D OMA").



Facilities

Facilities List:

The Puerto Rico Electric Power Authority (PREPA) owns more than 19,000 miles of transmission and distribution lines, as well as more than 400 substations. The facilities addressed in this project are all the overhead transmission and distribution lines (16,000+ miles), as well as substations. To ensure the functioning of this infrastructure to the level of service needed, keeping this equipment clear from vegetation is significant.

System Description:

Each portion of the system requires different degrees of vegetation clearing.

1. Transmission Lines Vegetation Clearing:

- Full clearing of all overhead transmission lines with minimum vegetation clearing distance (MVCD) clearances for 38 kV, 115 kV and 230 kV
- Ground crews engaging in ROW clearing and reclamation
- Creation and restoration of access roads
- Tree crews working from aerial platforms (a.k.a. bucket trucks)
- Manual Tree climbing crews
- Manual tree felling
- Manual vegetation clearing
- Mechanical vegetation clearing
- Slash/debris disposal via chipping, mulching, hauling, etc.
- Approved herbicide applications where applicable
- Including, but not limited to augmented and enhanced vegetation clearing techniques to exceed standards for MVCD and address/inventory any vegetation with strike potential to PREPA's facilities.
- Provide management of traffic when necessary

2. Distribution Lines Vegetation Clearing:

- Full clearing of all overhead distribution feeders, laterals, primary and secondary conductors
- Tree crews working from aerial platforms (a.k.a. bucket trucks)
- Manual tree climbing crews
- Manual tree felling
- Manual vegetation clearing
- Mechanical vegetation clearing
- Slash/debris disposal via chipping, mulching, hauling, etc.
- Approved herbicide applications where applicable
- Including, but not limited to augmented and enhanced vegetation clearing techniques to exceed standards for MVCD and address/inventory any vegetation with strike potential to PREPA's facilities.
- Provide management of traffic when necessary

3. Substation Vegetation Clearing:

- Clearing around substation and all access points to enter substation



- Manual tree felling
- Manual vegetation clearing
- Mechanical vegetation clearing
- Slash/debris disposal via chipping, mulching, hauling, etc.
- Approved herbicide applications where applicable
- Including, but not limited to augmented and enhanced vegetation clearing techniques to exceed standards for MVCD and address/inventory any vegetation with strike potential to PREPA's facilities.

4. Access Roads:

- Identifying and restoring existing access roads
- Identifying new areas for access roads
- Manual tree climbing crews
- Manual tree felling
- Manual vegetation clearing
- Mechanical vegetation clearing
- Slash/debris disposal via chipping, mulching, hauling, etc.
- Approved herbicide applications where applicable



Project Scope

The island-wide T&D grid was damaged by the strong winds and heavy rainfall during the atmospheric event hurricane Maria. Keeping electric equipment clear from vegetation is the utmost importance to rebuilding the power grid. A one-time, island-wide vegetation reset is crucial to enhancing the reliability and resiliency of the grid, including the number and duration of customer outages. LUMA is going to achieve industry standards by implementing a vegetation program to proactively address hazardous vegetation island-wide.

LUMA estimates that the proposed island-wide vegetation remediation will have immediate and widespread benefits, including:

1. 70% annual reduction of outages caused by vegetation;
2. 35-45% annual reduction of customer interruptions;
3. Faster restoration for impacted customers;
4. Improved safety for utility workers and the public;
5. Support the rebuilding of the grid and effective execution of large-scale construction projects; and
6. Mitigation of the hazards due to vegetation impacts and damages.

The scope includes, but is not limited to, performing condition assessments, preparing work scopes, and executing the necessary vegetation clearing, including manual tree felling, manual vegetation clearing, mechanical vegetation clearing, slash/debris disposal via chipping, mulching, hauling, etc., and approved herbicide applications where applicable.

This island-wide vegetation clearing is a critical component of the plan to build back a more reliable and resilient grid in Puerto Rico. Aside from the large number of outages caused by the under-maintained vegetation, this program will produce immediate results and enables the rebuilding of the grid. The additional funding programs discussed here go into more detail of how the vegetation clearing can enable these larger-scale improvements. In so doing, it will allow LUMA to establish an operational foundation that will lead to enhanced reliability, resiliency, and improved public safety that will support a more equitable and resilient economic and energy future for Puerto Rico, which can produce benefits that are above the associated costs of these large-scale investments.

Type of Project:

Choose One (Restoration, Improved or Alternate)

If improved, provide the changes in facility size, capacity, dimension, or footprint. If alternate, provide rationale for recommendations.

to its pre-disaster design, function and capacity per applicable codes and standards.

This work will be in compliance with FEMA (Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work FEMA-4339-DR-PR February 2020)

Note: If preliminary A&E work has not been completed, the type of work designation is considered initial and is based on currently available information. The type of work designation may be revised based on the results of the completed preliminary A&E work.



Preliminary Engineering

Is architectural and engineering funding required to help define the intended scope of work?

Yes

Codes and Standards

Which of the following types of codes, specifications, and standards apply to the restoration, replacement, relocation, or alternate scope of work?

The following will be referenced when applying specific codes, specifications, and standards to the project design:

1. Consensus-based codes, per FEMA (Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work FEMA-4339-DR-PR February 2020).
2. Industry standards per FEMA Recovery Policy FP-104-009-5, Version 2, Implementing Section 20601 of the 2018 Bipartisan Budget Act through the Public Assistance Program.
3. FEMA Recovery Interim Policy FP-104-009-11 Version 2.1, Consensus-Based Codes, Specifications, and Standards for Public Assistance.
4. LUMA's latest Design Criteria Document (DCD) which aggregates the design considerations of the vast majority of the consensus-based codes, specifications, and standards listed in FEMA Recovery Interim Policy 104-009-11 Version 2.1 (December 20, 2019).
5. USDA/RUS standards for power system design and vegetation clearance adopted for the Puerto Rico grid reconstruction.
6. NERC FAC-003-04 Transmission Vegetation Management for Reliability (although the T&D system is not connected to North American grid and NERC FAC-003-04 is not a regulatory requirement in Puerto Rico, LUMA's vegetation work will generally be aligned with the NERC standard).
7. International Society of Arborists (ISA)/United Arborists' Association (UAA) Best Management Practices.
8. Puerto Rico regulations, including Act 17-2019 establish priorities for the maintenance of the infrastructure of the electrical system, including vegetation issues and Act 57-2014 which provides that PREB will oversee the compliance of T&D Operator with a vegetation management plan.
9. Forest Service laws and regulations including Federal Lands Policy and Management Act of 1976, Wild and Scenic Rivers Act, and Special Uses Permit regarding Procedures for Operating Plans and Agreements for Powerline Facility Maintenance and Vegetation Management within and abutting the Linear Boundary of a Special Use Authorization for a Powerline Facility.
10. Puerto Rico Department of Natural and Environmental Resources (DNER), oversees the implementation of laws and regulations governing Puerto Rico State Forests, including Puerto



Rico Forests Act (Act No. 133); Puerto Rico vulnerable and endangered species (Regulation Number 6766); and Puerto Rico Water Quality Standards

11. Regulations administered by the U.S. Fish and Wildlife Service (FWS) including the Endangered Species Act regulations in 50 CFR Part 402
12. Regulations administered by the Environmental Protection Agency (EPA) including the Clean Water Act and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
13. OSHA standards 1910.269 which establishes Minimum Approach Distances for qualified utility arborists and trainees and OSHA 1910.331-335 which establishes MADs for incidental work by qualified and nonqualified arborists
14. Puerto Rico Planning Board Joint Evaluation for the Evaluation and Issuance of Permits Related to Development, Land Use and Business Operations, Regulation 9233, contains requirements related to land use and development including requirements governing the cutting, trimming, uprooting, transplanting or planting of trees as well as certain earth disturbance activities that may be incidental to vegetation activities
15. PREPA's Regulation for Easements of the Electric Power Authority, Regulation 7282
16. Other industry standards and best practices:
 - a. National Electric Safety Code, Rule 218
 - b. ANSI Z133 Safety Requirements for Arboricultural Operations
 - c. ANSI A300 Tree, Shrub, and other Woody Plant Management Standard Practices: Part 1 Pruning, Part 7 Integrated Vegetation Management, Part 9 Tree Risk Assessment
 - d. International Society of Arboriculture Best Management Practices: Tree Pruning, Utility Pruning of Trees, Tree Risk Assessment, Utility Tree Risk Assessment, Integrated Vegetation Management, Closed Chain of Custody for Herbicides in the Utility Vegetation Management Industry
 - e. Right-of-Way Stewardship Council: ROW Steward Technical Requirements

Codes, Specifications, and Standards

Yes
Applicable codes and standards will be identified and incorporated into the plans and specifications.

Industry Standards

Yes
Applicable industry standards will be identified and incorporated into the plans and specifications.



Estimate

Cost estimates to complete the work have been generated at a class 5 level, which is between -50% and +100% of the final project cost. The estimate includes materials, construction labor and equipment, engineering, management, and contingencies.

Estimated Budget for Architectural & Engineering Design:	\$5,000,000
Estimated Budget for Procurement & Construction:	\$1,195,000,000
Estimated Overall Budget for the Project:	\$1,200,000,000

406 Hazard Mitigation Proposal

406 Mitigation Opportunity Scope of Work

LUMA will develop 406 Hazard Mitigation proposals during the preliminary engineering phase that are consistent with the damages. FEMA has documented their support for the usage of Section 406 funds for a one-time, island-wide vegetation clearance and removal operation subject to certain conditions, including compliance with scope of work and cost-reasonableness reviews, as well as all applicable environmental and historic preservation (EHP) laws, regulations, and executive orders (EO).

406 Mitigation Opportunity Cost Estimate

Estimated Budget for Architectural & Engineering to Design:	Unknown at this time
Estimated Budget for Procurement:	Unknown at this time
Estimated Budget for Construction:	Unknown at this time
Estimated Overall Budget for the Project:	Unknown at this time

Note: If available, detailed engineering cost estimates will be included as an attachment.

Environmental & Historic Preservation Requirements

EHP considerations will be identified and evaluated during the preliminary design phase and submitted to FEMA for review. Requirements will be incorporated into the final design and construction.



Document Revision History

This table contains a history of the revisions made to this document

Rev.	Effective Date	Brief Description of Change
0	April 20, 2023	Initial Release