

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-03730

Project Name: Apiarios Experiences LLC

Responsible Entity: Puerto Rico Department of Housing

Grant Recipient (if different than Responsible Entity): Same as above

State/Local Identifier: Puerto Rico / Yauco, PR

Preparer: Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, Ivelisse Lorenzo, Janette Cambrelen, Santa Ramirez, Limary Vélez Marrero, Mónica M. Machuca Ríos, Javier Mercado-Barrera, Abdul Feliciano Plaza and Priscilla Toro Rivera. María T. Torres Bregón - Environmental Manager, Angel G. Lopez Guzman - Deputy Director, Aldo A. Rivera-Vazquez – Director for Program Management, and Juan Carlos Perez Bofill - Director for Disaster Recovery CDBG Program.

Consultant: Behar Ybarra & Associates LLC

Direct Comments to: Puerto Rico Department of Housing:
(environmentcdbg@vivienda.pr.gov)

Project Location:

Bo. Diego Hernandez, Carr 372 Km 1.2, Yauco, PR 00698

Farming structure location: latitude 18.057812 longitude -66.852472

Parcel cadastral #: 361-004-115-15-000

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

The proposed activities for PR-RGRW-03730 consist of the purchase and construction of an open air storage structure with a galvalume roof. The installation of the structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and each beam will be buried 2' deep. No concrete slab will be installed for the structure.

No water or power connection will be necessary for this structure. The purpose of the Roof is to increase honey processing capacity and offer additional classes to agrotourism participants related to beekeeping business. The project area is located at PR-372 Km. 1.2 within the Municipality of Yauco. Currently the area is used for the management and care of bees and the beekeeping business. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the storage structure. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the storage structure plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

A site Map is included in Figure 1, illustrating the location of the storage structure on the property. Photos of the location are included in Section 106 documentation, Appendix 1. Refer to Appendix 3 for Site Inspection Report.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

In 2017, Hurricanes Irma and María devastated Puerto Rico's agriculture, destroying 80% of crop value and causing \$780 million in damages. The storms severely impacted food security and agricultural businesses. In response, the Re-Grow Puerto Rico Urban-Rural Agriculture Program was launched, funded by Community Development Block Grant – Disaster Recovery (CDBG-DR).

The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the purchase and construction of a storage structure are in keeping with the overall objectives of the Economic Development Program.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The project area is located in the mountainous area of Yauco with irregular topography. The new storage structure will be installed in a flat area covered with grass and gravel. Currently the area is used for the management and care of bees and the beekeeping business. The purpose of the Roof is to increase honey processing capacity and offer additional classes to agrotourism participants related to beekeeping business. Therefore, there is little to no change in land use associated with these placements.

Funding Information

Grant Number	HUD Program	Funding Amount
B-18-DP-72-0001	Community Planning and Development (CPD) / Community Development	\$11,938,162,230.00
B-17-DP-72-0001		
B-19-DP-78-0002		

B-18-DE-72-0001	Block Grant - Disaster Recovery (CDBG-DR)	
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Estimated Total HUD Funded Amount: \$ 64,456.25

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$ 64,456.25.

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is the purchase and construction of a storage structure will have no impact on any Airports. The site is located 97,641 feet from the nearest major civil airport (Mercedita Airport in Ponce) and 321,461 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. The project is located 36,799 feet north of the nearest Coastal Barrier Resource System, PR-59. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier

		Resources Act. See the attached CBRS map, Figure 3.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located in Zone X, Panel 72000C1615H, 4/19/2005 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4. The project is in compliance with the Flood Insurance without further evaluation.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project consists of the purchase and construction of a storage structure for an agricultural site located in the Municipio of Yauco. The project is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each country by year for all criteria pollutants in Appendix 2.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located 24,816 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.
Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project consists of the purchase and construction of a storage structure for an agricultural project. A visual site inspection of the project area and property was conducted and on-site or nearby toxic, hazardous, or radioactive substances that could affect the health

		<p>and safety of project occupants or conflict with the intended use of the property were not found. According to desk research on the NEPAssist website, it confirms one toxic site of environmental concern identified within 3,000 feet near the proposed storage location.</p> <p>EPA Facility Interests RCRA Info (Hazardous Waste) 110013722748 PRASA YAUCO WTP – 2,520 ft. Address: PR-128 KM 2.6, YAUCO, PR 00698. Coordinates: 18.051081, -66.853974.</p> <p>Based on EPA Enforcement and Compliance History Online (EPA ECHO) there is one violation identified, is a CWA with Reportable Noncompliance because exceed the parameter for BOD-5 and turbidity. The noncompliance parameter should not affect proposed project activities since the project is only limited to the installation and construction of a storage structure. See Appendix 3 for the ECHO Report.</p> <p>After reviewing the aerial history of the project site over the past 20 years, it has consistently been used for agricultural purposes. The area remains rural, with no significant changes during this period that raise any contamination concerns.</p> <p>The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6. See Appendix 3 for Site Inspection Report.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the Puerto Rican boa (<i>Chilabothrus inornatus</i>) and the Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)</p>

could be found in the project area. The scope of work includes continued agricultural use of the property with no intention of cutting down trees or altering the general area where the storage structure will be installed, and it has been maintained that way for agricultural purposes.

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on March 1, 2024, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "May affect but is not likely to adversely affect" (NLAA) determination on the Puerto Rican Boa.

An Informal Consultation was submitted to USFWS on 4/18/2024 and Concurrence Letter was received on 5/29/2024. The Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican boa. Based on the nature of the project, scope of work, information available and existing habitat, PRDOH together with USFWS determined that the proposed project may affect but is not likely to adversely affect the Puerto Rican harlequin butterfly since the project location is 10,218 feet from its critical habitat and the project area has been used for agricultural purposes for the past 20 years. The PRDOHS's Effect Determination Acceptance letter was received on 7/22/2024.

		<p>If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p>https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</p> <p>The contractor must inform all personnel about the presence of the Puerto Rican harlequin butterfly and its host plant, "prickly bush," through pre-work meetings and educational materials. Before starting any project activity, the contractor must clearly mark the work area boundaries and survey the butterfly and its host plant. If the "prickly bush" is present, avoid cutting it even if no eggs, caterpillar or chrysalis are present; if the butterfly is observed, stop project activities and establish a 50-meter buffer zone until the butterfly moves away, then conduct a follow-up search for any butterfly life stages and report findings.</p> <p>This project is in compliance with the Endangered Species Act. See attached USWFS Informal Consultation Package and supporting documents in Appendix 4. See attached Endangered Species map, Figure 7.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase and construction of a storage structure and does not include development, construction or rehabilitation that will increase residential density or the construction of a hazardous facility. This project is in compliance with Explosive</p>

		and Flammable hazards without further evaluation.
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in an area designated as not prime farmland. The scope of work includes the purchase and construction of a storage structure, and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Department of Housing and Urban Development (HUD) introduced new floodplain regulations under 89 FR 30850, effective June 24, 2024, establishing the Federal Flood Risk Management Standard (FFRMS).</p> <p>This project was evaluated using the 0.2 Percent-Annual-Chance Floodplain Approach (0.2 PFA) to determine the extent of the FFRMS. The current project involves non-critical actions that are located outside the 0.2-percent-annual-chance floodplain (500-year flood elevation). This approach ensures compliance with the FFRMS, meaning no mitigation is required, and the project adheres to the regulations set forth in 24 CFR Part 55. The project is not located in the 100-year floodplain or ABFE special flood hazard area; therefore, no further action is required.</p> <p>The project is in compliance with Executive Order 11988, as amended by Executive Order 13690. See attached ABFE Map (Figure 9).</p>
<p>Historic Preservation</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The site was visited on March 14, 2024, by SOI-qualified archaeologist. Based on the nature and scope of the undertaking,</p>

<p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>		<p>the APE has been defined as the area potentially affected by ground-disturbing activities related to installation of the storage structure. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated April 2, 2024, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with National Historic Preservation Act.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase and construction of a storage structure for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise abatement and Control without further evaluation.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no EPA Sole Source Aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation. See attached Sole Source Aquifers maps, Figure 11.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>For the proposed project site, a wetland review was performed using the USFWS National Wetland Inventory in addition to visual confirmation during the inspection visit. According to the information obtained there are no wetlands in or near the proposed project area as</p>

		defined in 24 CFR Part 55.9. No further evaluation is required. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 12.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of the NWSRS river. The project is located 376,265 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 13.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section. Refer to EJ Screen Report in Appendix 3.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation

(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	This project consists of the purchase and construction of a storage structure and continued agricultural use of property which is compatible with a zoning code of R-G (General rural) and existing land use of SRC (Common Rustic Soil). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>This project consists of the purchase and construction of a storage structure and the soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. The soil in the project area has been classified as Malaya clay, 20 to 60 percent slopes (McF).</p> <p>The landslide data indicates low to moderate landslide susceptibility; therefore, no erosion is expected to occur from this project. The project will not affect the drainage in the area. There will be no additional runoff associated with the project. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities. See Landslide Susceptibility Map, Figure 14.</p>
Hazards and Nuisances including Site Safety and Noise	2	The project consists of the purchase and construction of a storage structure. There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area. While construction is underway, there will be a temporary rise in noise levels. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.

		Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the purchase and construction of a storage structure on an existing agricultural farm. Electricity connection will not be necessary for the proposed project. The proposed project will have no impact on the energy consumption.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The project consists of the purchase and construction of a storage structure and will result in short-term benefit to employment when contractors are hired for the construction of the storage structure. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The project consists of the purchase and construction of a storage structure and will not alter the demographic characteristics of Yauco, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	<p>In the project area within a one-mile radius:</p> <ul style="list-style-type: none"> • The people of color are 98% compared to PR average of 96%. • 92 % of the people are low income compared to PR average of 70%. • 38% of the people are unemployed compared to PR average of 15%. <p>The proposed activities of the installation of the storage structure will have a positive impact on creating jobs for</p>

		local people. Therefore, the proposed activity complies with this section. See EJSscreen Report in Appendix 3.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The project consists of the purchase and construction of a storage structure for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the purchase and construction of a storage structure and may aid in restoring the demand for local commercial services providing local products; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the purchase and construction of a storage structure for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The project consists of the purchase and construction of a storage structure and will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The project consists of the purchase and construction of a storage structure and this activity will not produce any wastewater. Based on the scope of work is not expected to result in any changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The project consists of the purchase and construction of a storage structure for an agricultural site. No water connection is needed for the purchase and construction of a storage structure; therefore, the proposed project will have no impact on the water supply.

Public Safety - Police, Fire and Emergency Medical	2	The project consists of the purchase and construction of a storage structure for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The project consists of the purchase and construction of a storage structure and will have no impact on Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the purchase and construction of a storage structure for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project consists of the purchase and construction of a storage structure and will be situated on previous agriculture property and will have no impact on unique natural features or water resources. There are no water resources within the parcel. This means that the project's activities are isolated from any existing water bodies, further reducing the likelihood of impact. In addition, the project does not involve extracting water from any existing water sources such as rivers, lakes, or groundwater. Therefore, the project will have no impact on water resources.
Vegetation, Wildlife	2	The project consists of the purchase and construction of a storage structure and will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the storage but no negative impact on wildlife.
Climate Change	2	This project consists of the purchase and construction of a storage structure. The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production, since the

		purpose of the structure will help to increase honey processing capacity.
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Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): March 14, 2024, Jaqueline Lopez, SOI-Qualified Archaeologist. Site inspection was conducted by Patricia Carmenatty on March 1, 2024

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

FAA, National Plan for Integrated Airport Systems:
www.faa.gov/airports/planning_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf

John H. Chafee Coastal Barrier Resources System, Puerto Rico map.
www.fws.gov/CBRA/Maps/Locator/PR.pdf

National Park Service, National Registry of Natural Landmarks.
www.nature.nps.gov/nnl/docs/NNLRegistry.pdf

US Fish and Wildlife Service, Wild and Scenic Rivers – correspondence to Agency on October 16, 2018

National Wild and Scenic Rivers System: www.rivers.gov/puerto-rico.php

Puerto Rico Community Development Block Grant Disaster Recovery Action Plan, July 2018. www.cdbg-dr.pr.gov/en/action-plan/

Programmatic Agreement among the Federal Emergency Management Agency, the Puerto Rico State Historic Preservation Office and the Central Office for Recovery, Reconstruction and Resilience – amended to include the Puerto Rico Department of Housing.

Sierra Research for Office of Mobile Sources. US Environmental Protection Agency. Report No. SR93-03-02, Evaluation of Methodologies to Estimate Nonroad Mobile Source Usage, March 19, 1993: <http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockkey=9100UR51.txt>

US Environmental Protection Agency, National Ambient Air Quality Standards, Nonattainment Areas for Criteria Pollutants (Green Book):
www3.epa.gov/airquality/greenbook/anayo_pr.html

US EPA, Environmental Topics, Air Topics: www.epa.gov/environmental-topics/air-topics

US Fish and Wildlife Service, Environmental Conservation Online System:
<https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?state=PR&status=listed>

Federal Emergency Management Agency, Flood Mapping Service:
<https://msc.fema.gov/portal/home> (compilation of numerous maps)

Puerto Rico Planning Board, Communication regarding Floodplain Management, November 29, 2018.

US Fish and Wildlife Service, National Wetlands Inventory:
www.fws.gov/wetlands/data/mapper.html (compilation of numerous maps)

US Army Corps of Engineers, Jacksonville District, Antilles Section, Communication regarding Wetlands Management, November 13, 2018.

Puerto Rico Coastal Zone Management Program Plan, September 2009.

Puerto Rico Planning Board, Communication regarding Coastal Zone Management, November 16, 2018 (No response).

US EPA, Sole Source Aquifers. Esri HERE, Garmin, NOAA, USGS, EPA.

US Fish and Wildlife Service, Caribbean Ecological Services Field Office. E-mail communication regarding October 23, 2018 letter on Threatened and Endangered Species and Critical Habitats.

NOAA Fisheries / National Marine Fisheries Service, NEPA Coordinator Southeast Regional Office. Communication on October 16, 2018 regarding designated critical habitat. (No response).

US Geological Survey, Data Release of May Showing Concentration of Landslides Caused by Hurricane Maria, <https://doi:10.5066/F7JD4VRF>

List of Permits Obtained: None.

Public Outreach [24 CFR 58.43]: The recovery process has seen significant proactive involvement from the local community. Puerto Rico Department of Agriculture has worked closely with the agricultural community. This project will include a FONSI/NOI-RROF in compliance with NEPA regulations for HUD.

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the purchase and construction of a storage structure for an agricultural site.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the

applicant would consider other locations for the storage structure. However, other locations may result in tree clearing prior to construction and/or need to fill in some steep area and an added cost to the applicant. Any option that requires going off-site would not contribute to the improvement and growth of agricultural production or enable economic development for this applicant.

No Action Alternative [24 CFR 58.40(e)]:

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the purchase and construction of a storage structure for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for economic development for this applicant.

Summary of Findings and Conclusions: The proposed activity has been found to not have any adverse effects on the environmental nor is there the requirement for further consultation with any agency. There are no environmental review topics addressed that result in the need for formal compliance steps or the requirement for mitigation.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities.

Endangered Species

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

The USFWS has developed the following conservation measures for the Boa:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.

2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.

3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.

4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). Do not capture the boa. If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: (787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas

have been found after surveying the area, may continue.

5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior. Last Revised: January 2024

6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.

7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.

8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles are left on site, we recommend they be placed in areas that will not be disturbed in the future.

9. If a dead PR boa is found, immediately cease all work in that area and record the

information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.

10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

The USFWS has developed the following conservation measures for the harlequin butterfly:

1. All project construction personnel must be informed about the potential presence of the PR harlequin butterfly or its occupied host plant, prickly bush (*Oplonia spinosa*), in the project areas and the need to avoid harming the species and its occupied host plant. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act. Educational material (e.g., posters, flyers, or signs with photos or illustrations of all the life stages of the PR harlequin butterfly (i.e., eggs, caterpillar, chrysalis, and adult) as well as its host plant, should be prepared and available to all personnel for reference.

2. Before starting any project activity, including removal of vegetation and earth movement, the boundaries of the work area in the field clearly delineate to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the PR harlequin butterfly (all life stages) and the prickly bush must survey the areas where the work will

be performed for the presence of the species and its host plant.

It is important to note that the PR harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.

3. If the prickly bush is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalis are present.

4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.

5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the PR harlequin butterfly is observed flying in that same area where the plant is located. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.

6. Once the PR harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to

caribbean_es@fws.gov after the 36-hour search is concluded.

7. If, after the initial search or after the 24 to 36-hour search, any life stage of the PR

harlequin butterfly is found in the prickly bush, take the following actions:

- Clearly mark the host plant with flagging tape
- Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
- Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the plant. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
- Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.

8. For all PR harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All PR harlequin butterfly sighting reports should be sent to the U.S. Fish and Wildlife Service, Caribbean Ecological Service Field Office at caribbean_es@fws.gov.

9. For questions regarding the PR harlequin butterfly, the Point of Contact is:

• José Cruz-Burgos, Threatened and Endangered Species Program Coordinator:

- Mobile: 305-304-1386
- Office phone: 786-244-0081
- Office Direct Line: 939-320-3120
- Email: jose_cruz-burgos@fws.gov

<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>While construction is underway, there will be a temporary rise in noise levels. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.</p>
<p>Vegetation, Wildlife</p>	<p>DNER authorization is required for tree clearing or pruning. The landowner and/or the contractor will contact the Permit Management Office to determine permits and authorizations required prior to construction.</p>
<p>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</p>	<p>The proposed action is continued agricultural use of property, which is compatible with the existing land use. The applicant and/or construction manager is required to obtain any necessary local and territorial building and environmental permits prior to construction activities commencing.</p>

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 10/7/2024

Name/Title/Organization: Patricia Carmenatty / Environmental Specialist/ Behar Ybarra & Associates LLC

Certifying Officer Signature:  Date: 10/21/2024

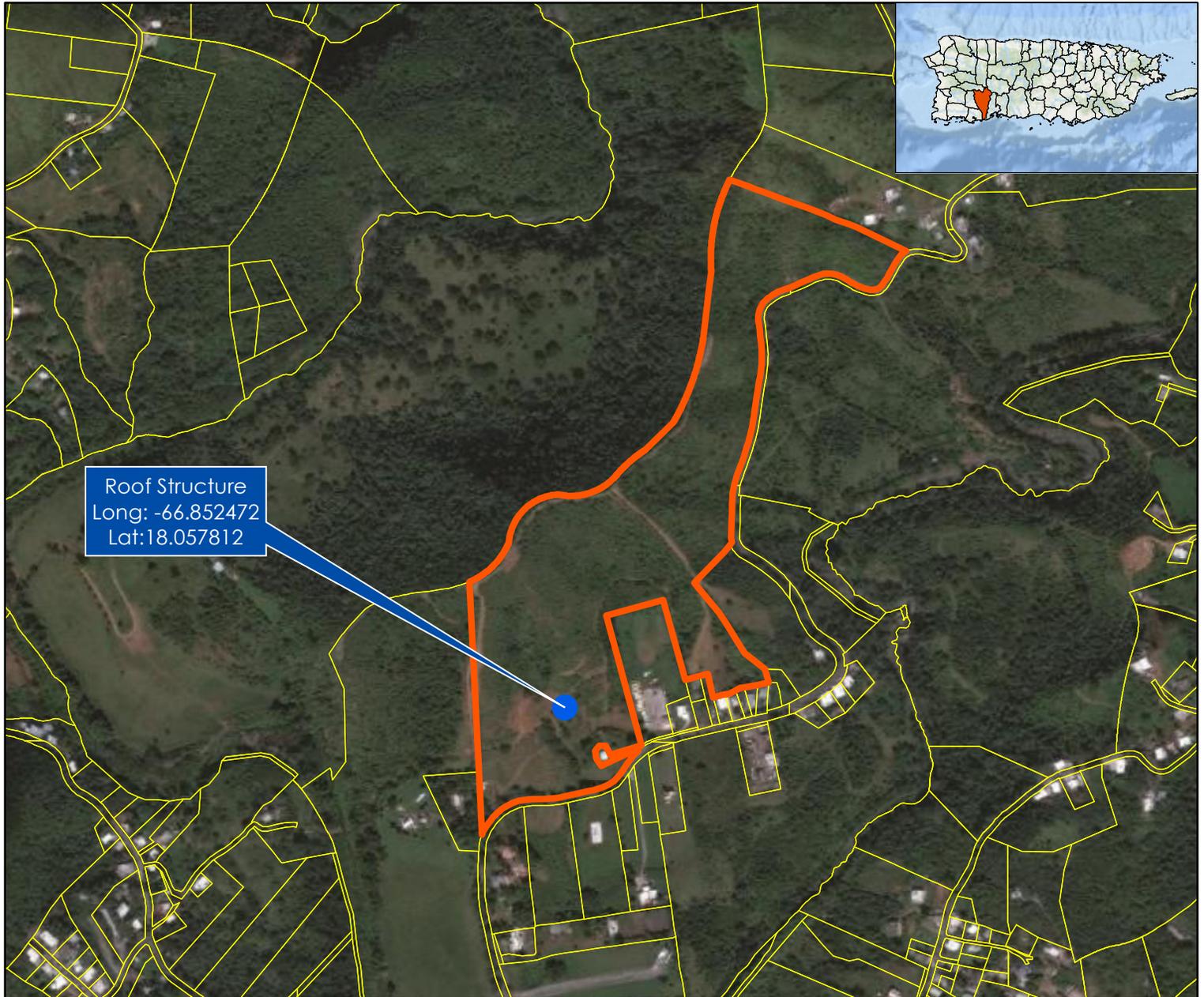
Name/Title: Abdul X. Feliciano Plaza, Permits and Environmental Specialist

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Figures

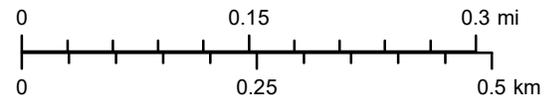
Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Parcel-03730
- CRIM_PARCELS



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth



1:8,000

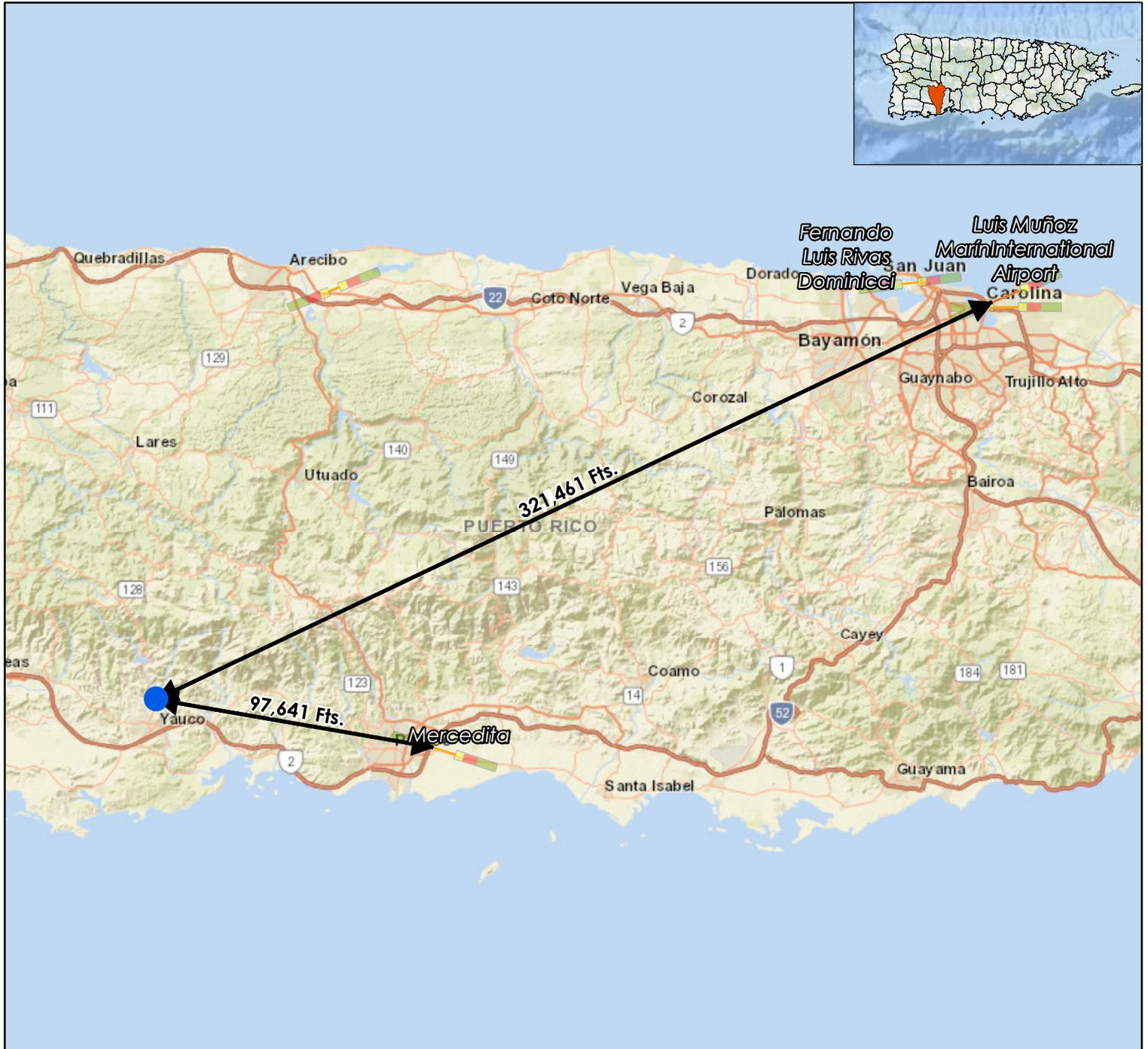
Source

Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crimpr.net/cdprpc/>

Apiarios Experiences LLC
 Bo. Diego Hernandez,
 Carr 372 Km 1.2,
 Yauco, PR 00698
 Catastro: 361-004-115-15-000
 Lat:18.057812, Long:-66.852472

Figure 2: Airports

Puerto Rico Department of Housing ReGrow

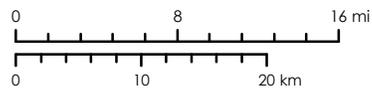


Legend:

- PR-RGRW-03730
- SJU Military Runway
- Civil Runway

Accident Potential Zone

- APZ 1
- APZ 2
- Clear Zone



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

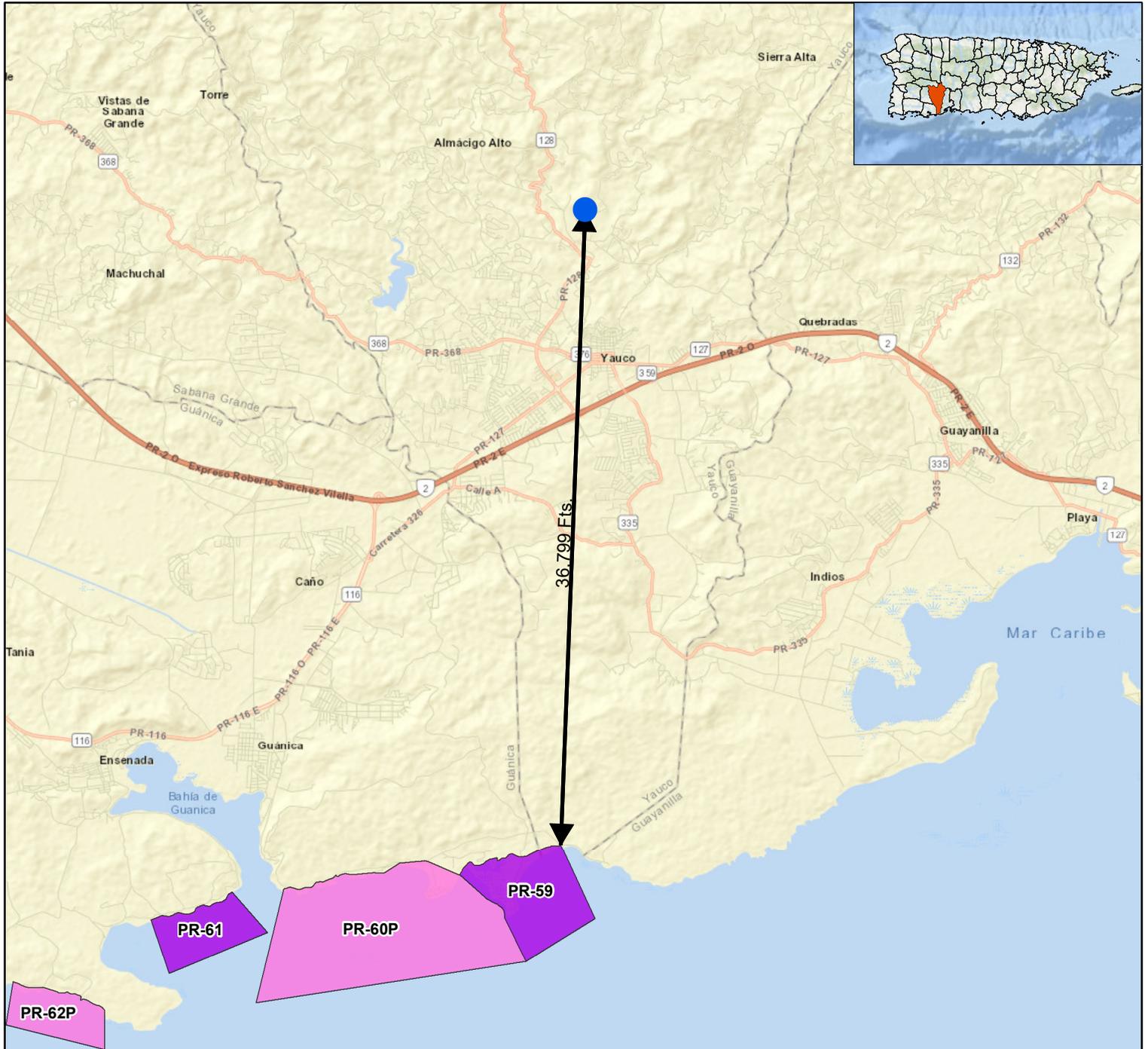
Federal Aviation Administration (FAA)
<https://adds-faa.opendata.arcgis.com/>



1:600,000

Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow



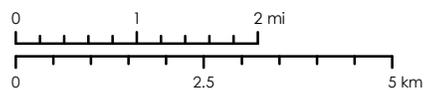
Legend:

● PR-RGRW-03730

Coastal Barrier Resources System (CBRS)

Otherwise Protected Area

System Unit



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Source

U.S. Fish and Wildlife Service (FWS)
<https://www.fws.gov/program/coastal-barrier-resources-act>

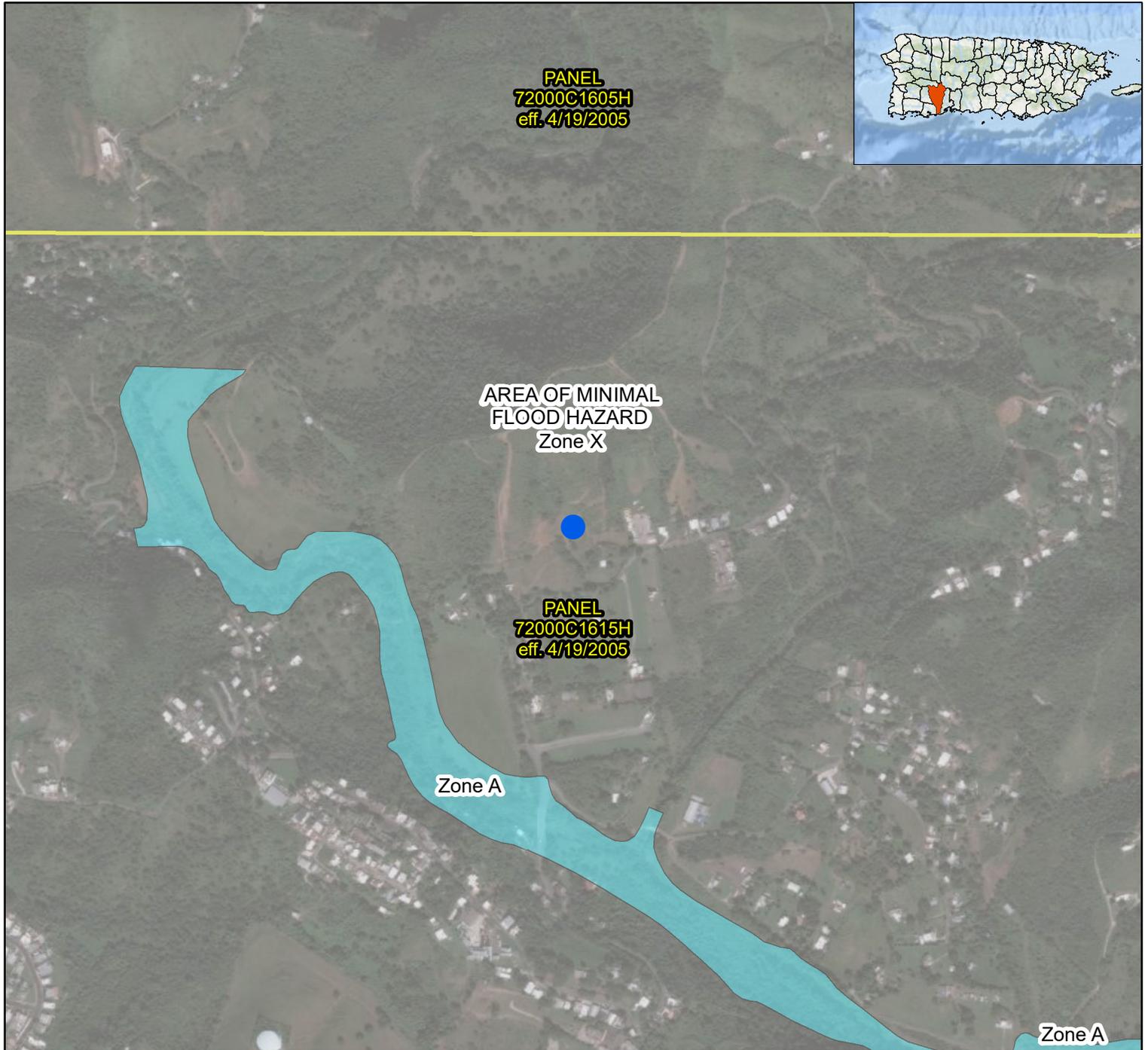


1:100,000

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 Bo. Diego Hernandez,
 Carr 372 Km 1.2,
 Yauco, PR 00698
 Catastro: 361-004-115-15-000
 Lat:18.057812, Long:-66.852472

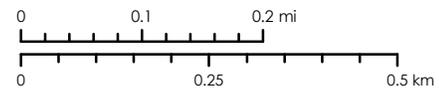
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Without Base Flood Elevation (BFE)-Zone A, V, A99 Zone A, V, A99
- Area of Minimal Flood Hazard Zone X
- FIRM Panel



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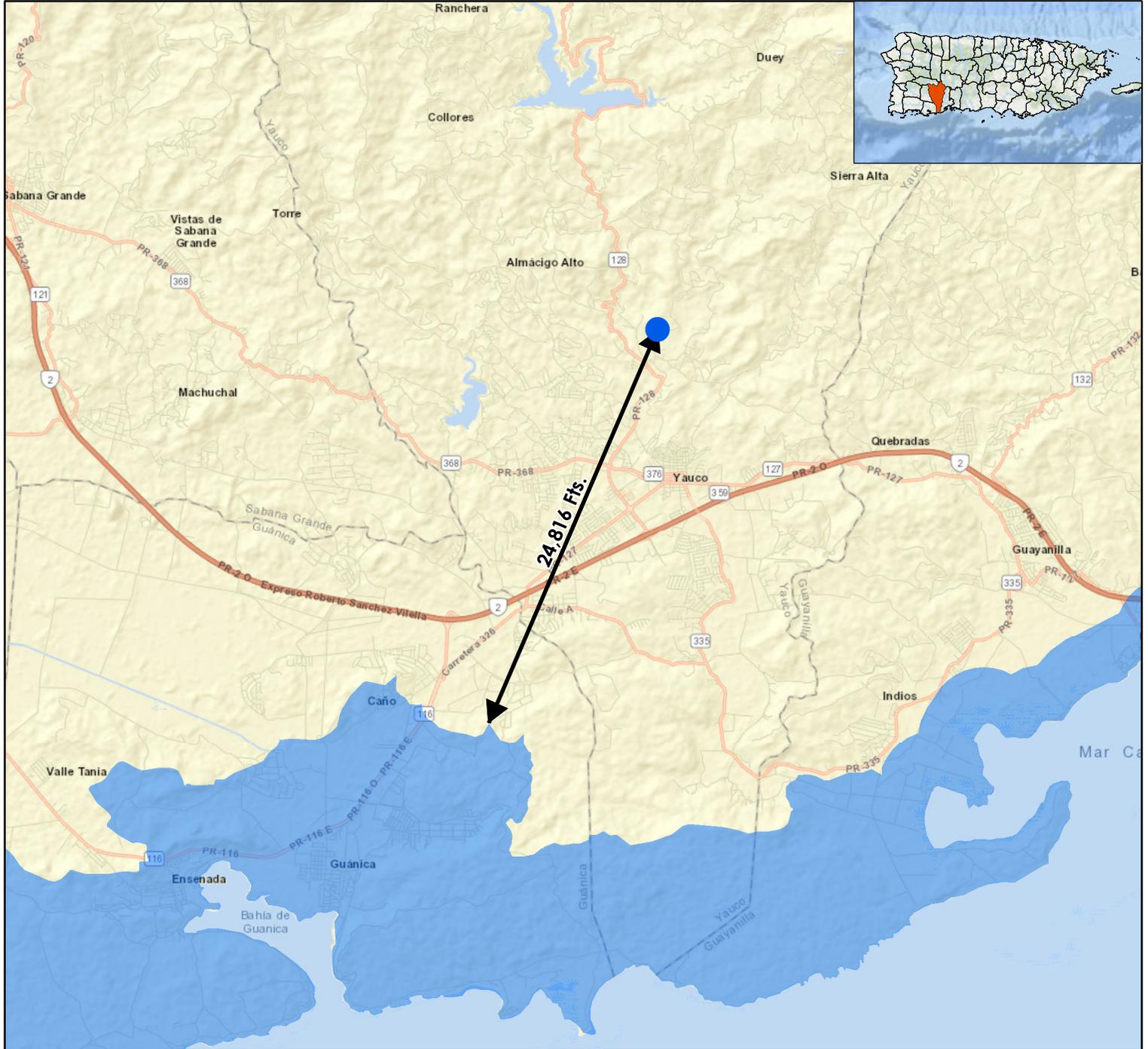
1:10,000

Source

Federal Emergency Management Agency (FEMA)
<https://msc.fema.gov/portal/home>

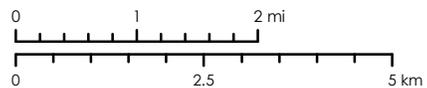
Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Coastal Zone Management Act Boundary



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Source

NOAA Office for Coastal Management (NOAA/OCM)
<https://www.fisheries.noaa.gov/inport/item/53132>

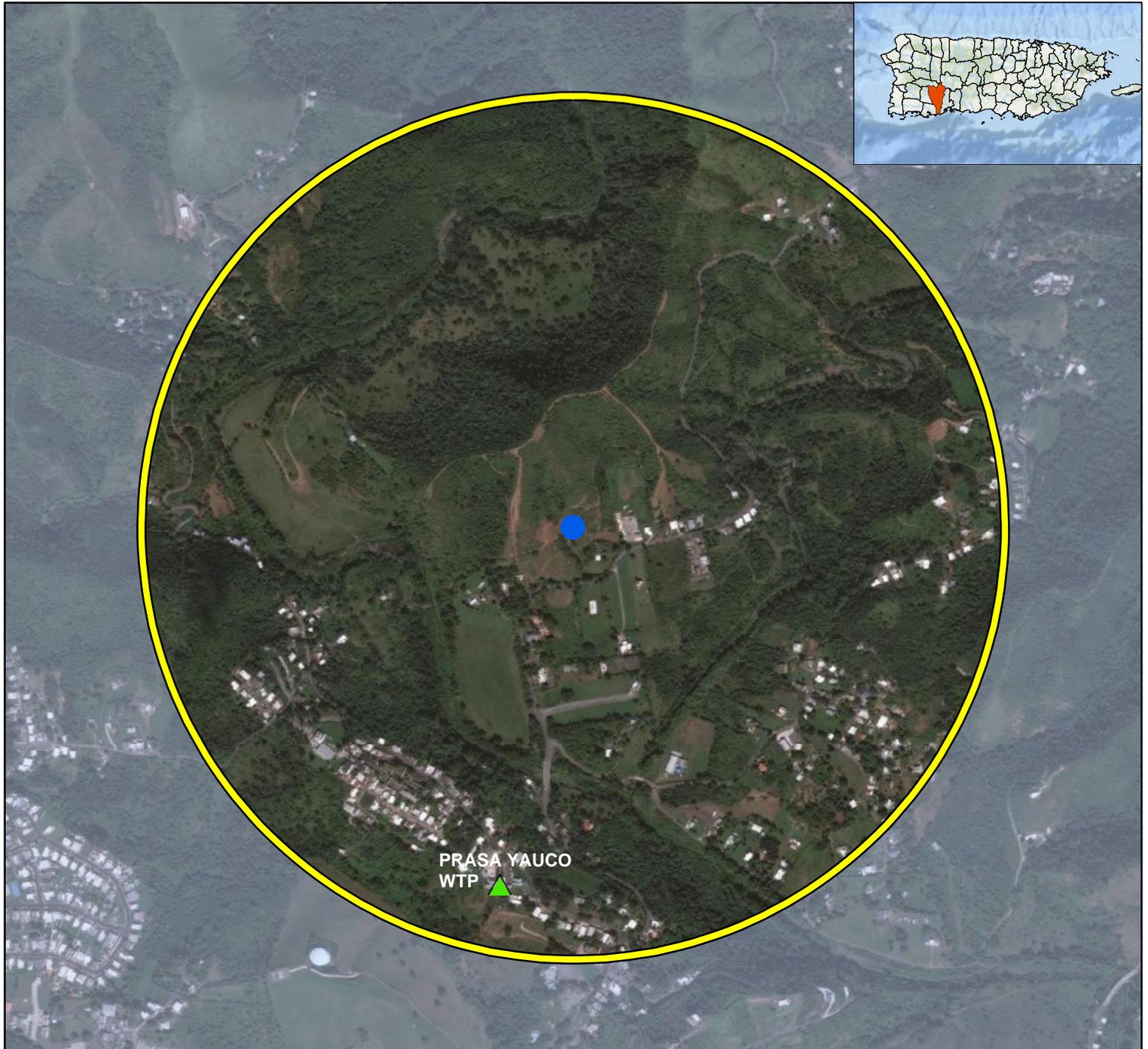


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Apiarios Experiences LLC
 Bo. Diego Hernandez,
 Carr 372 Km 1.2,
 Yauco, PR 00698
 Catastro: 361-004-115-15-000
 Lat:18.057812, Long:-66.852472

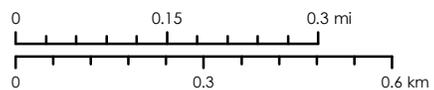
Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- AIR_MAJOR
- NCDB
- ▲ RCRA
- ▲ RCRA_LQG
- 3,000 Ft. Buffer



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Source

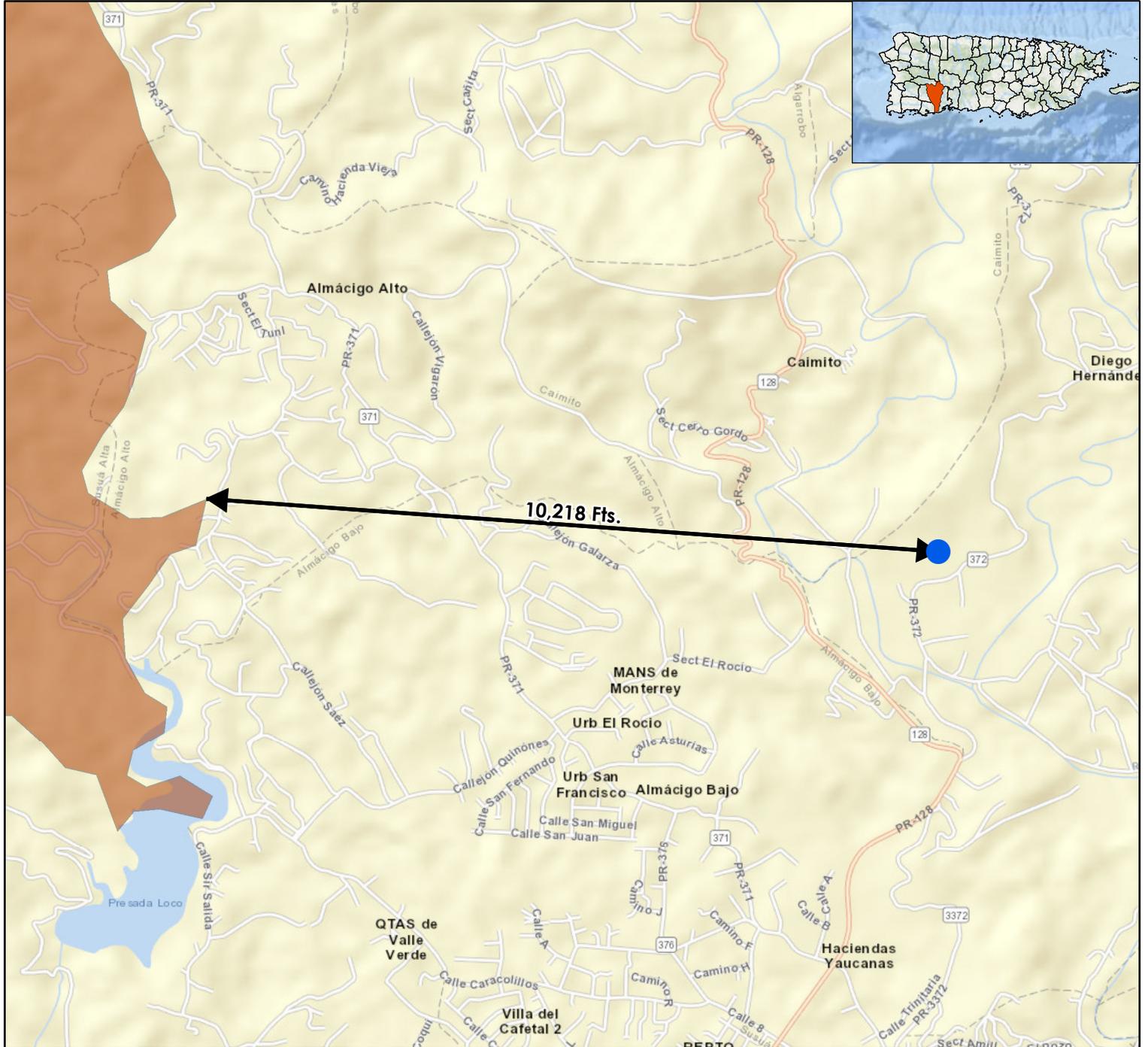
EPA Facility Registry Service (FRS)
<https://www.epa.gov/frs>



1:12,000

Figure 7:Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Critical Habitat



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Source

NOAA Office of Response and Restoration
<https://response.restoration.noaa.gov/>



1:24,000

Apiarios Experiences LLC
 Bo. Diego Hernandez,
 Carr 372 Km 1.2,
 Yauco, PR 00698
 Catastro: 361-004-115-15-000
 Lat:18.057812, Long:-66.852472

Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow

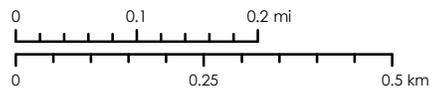


Legend:

● PR-RGRW-03730

Farm Class

- Farmland of statewide importance
- Not prime farmland
- Prime farmland if irrigated



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 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

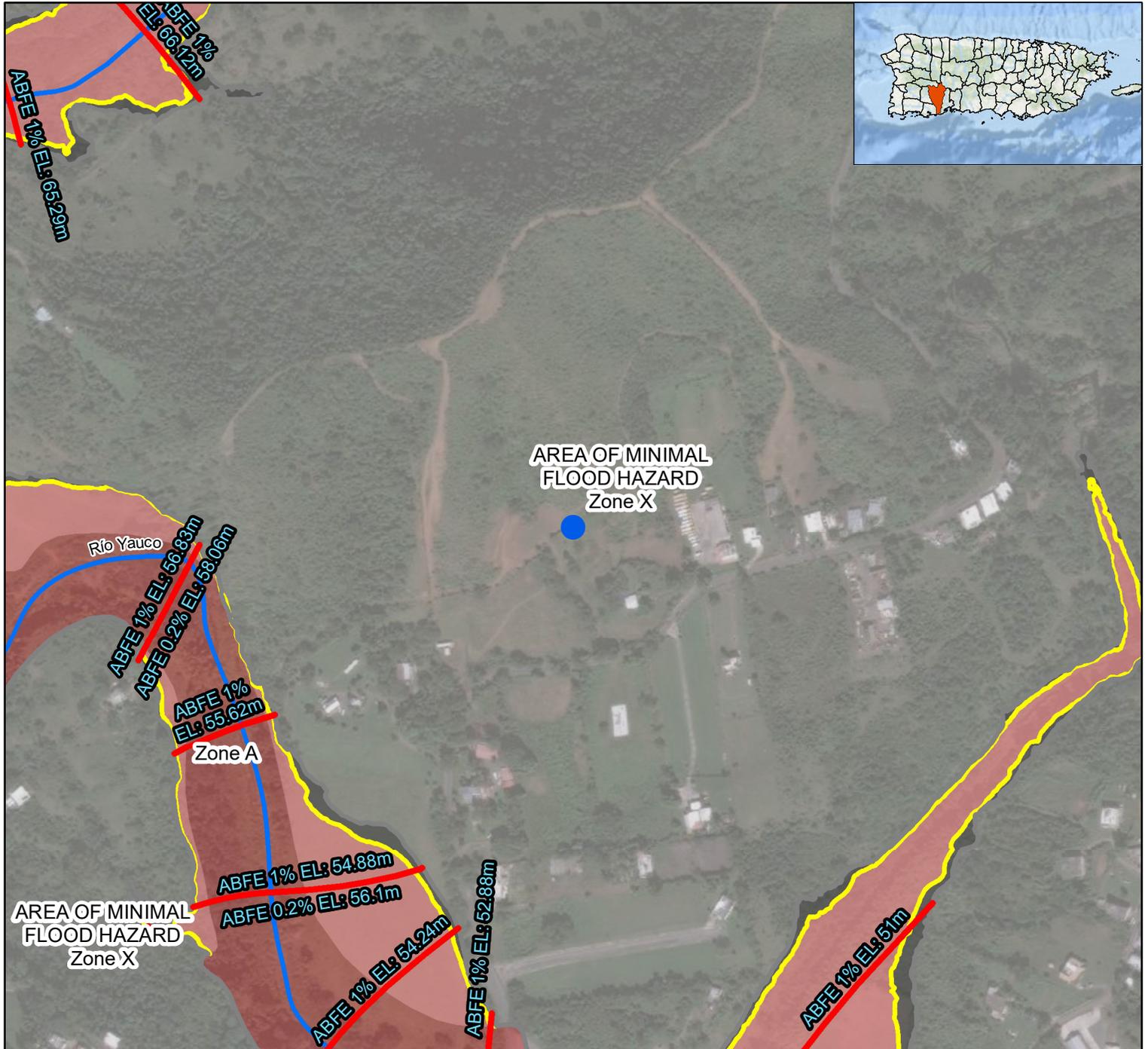
National Resources Conservation Service (NRCS)
 Gridded Soil Survey Geographic Database (gSSURGO)
<https://data.nal.usda.gov/dataset/soil-survey-geographic-database-ssurgo>



1:10,000

Figure 9: Advisory Base Flood Elevation

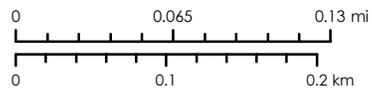
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Advisory Base Flood Elevations (ABFE)
- Hydrography
- 0.2-percent annual chance flood
- 1-percent annual chance flood

- Flood Zone**
- A
 - 0.2% Annual Chance Flood
 - Area of Minimal Flood Hazard Zone X



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



1:5,000

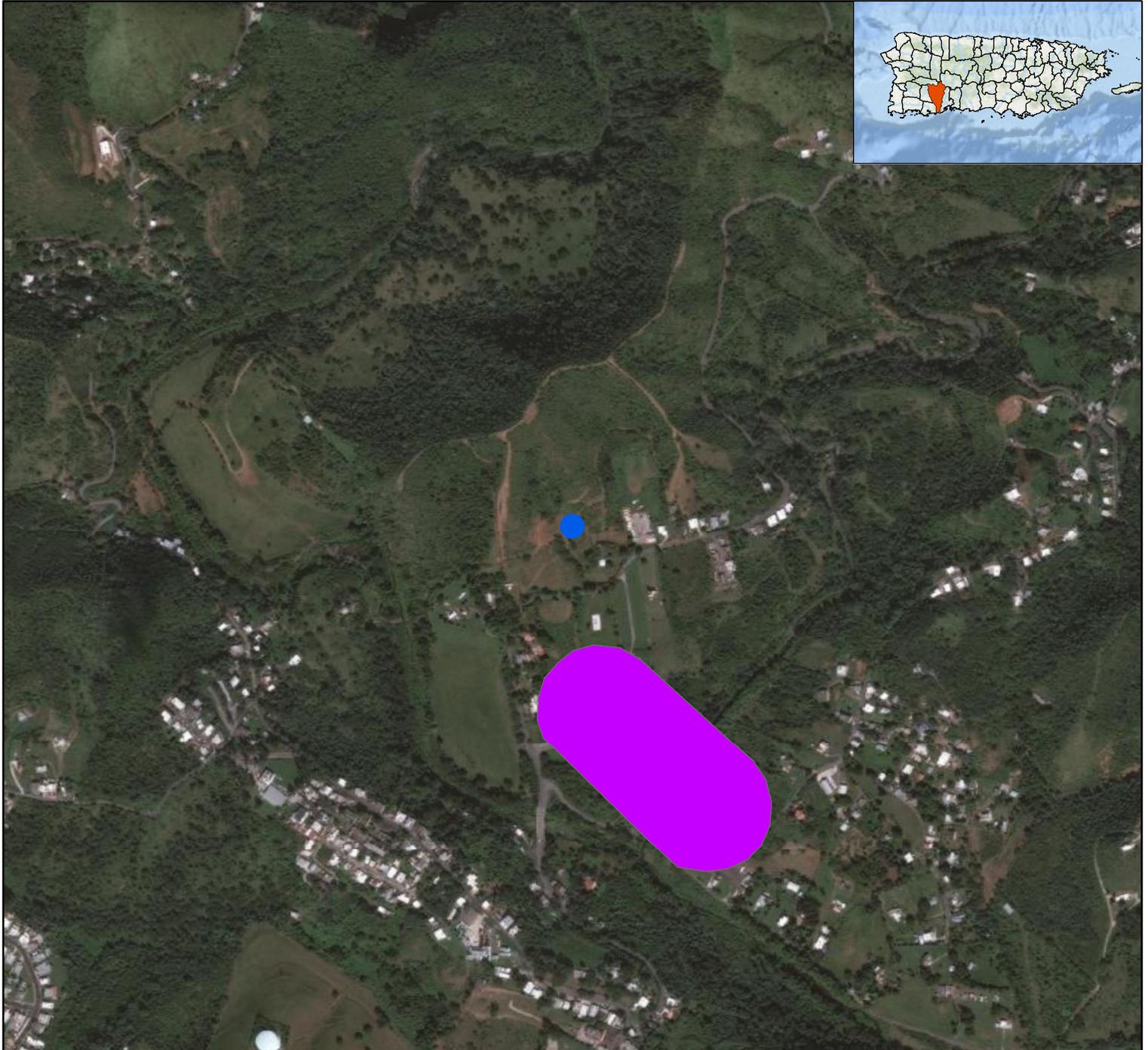
Source

Federal Emergency Management Agency (FEMA),
 Junta de Planificacion de Puerto Rico (JP),
 Mapas de Niveles de Inundacion Base Recomendados,
<https://maps.jp.pr.gov/>

Apiarios Experiences LLC
 Bo. Diego Hernandez,
 Carr 372 Km 1.2,
 Yauco, PR 00698
 Catastro: 361-004-115-15-000
 Lat:18.057812, Long:-66.852472

Figure 10: Historic Preservation Map

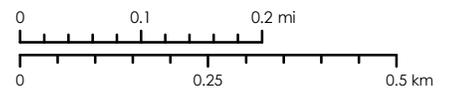
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Archaeological Resource Zones
- Traditional Urban Center
- Historic Communities

- P Cultural_Resources - Public Plaza
- Cultural_Resources - Registry ICP
- Cultural_Resources - Historic Places JP
- ▲ Cultural_Resources - Scenic Places
- Cultural_Resources - Cultural Value Places
- Cultural_Resources - Railway Vestiges



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
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Source

National Park Service (NPS) - National Register of Historic Places(NRHP)
<https://www.nps.gov/subjects/nationalregister/index.htm>
 State Historic Preservation Office (SHPO)
<https://oech.pr.gov/Pages/default.aspx>

1:10,000

Apiarios Experiences LLC
Bo. Diego Hernandez,
Carr 372 Km 1.2,
Yauco, PR 00698
Catastro: 361-004-115-15-000
Lat:18.057812, Long:-66.852472

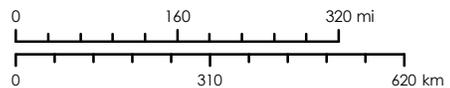
Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-03730
-  EPA Sole Source Aquifers



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



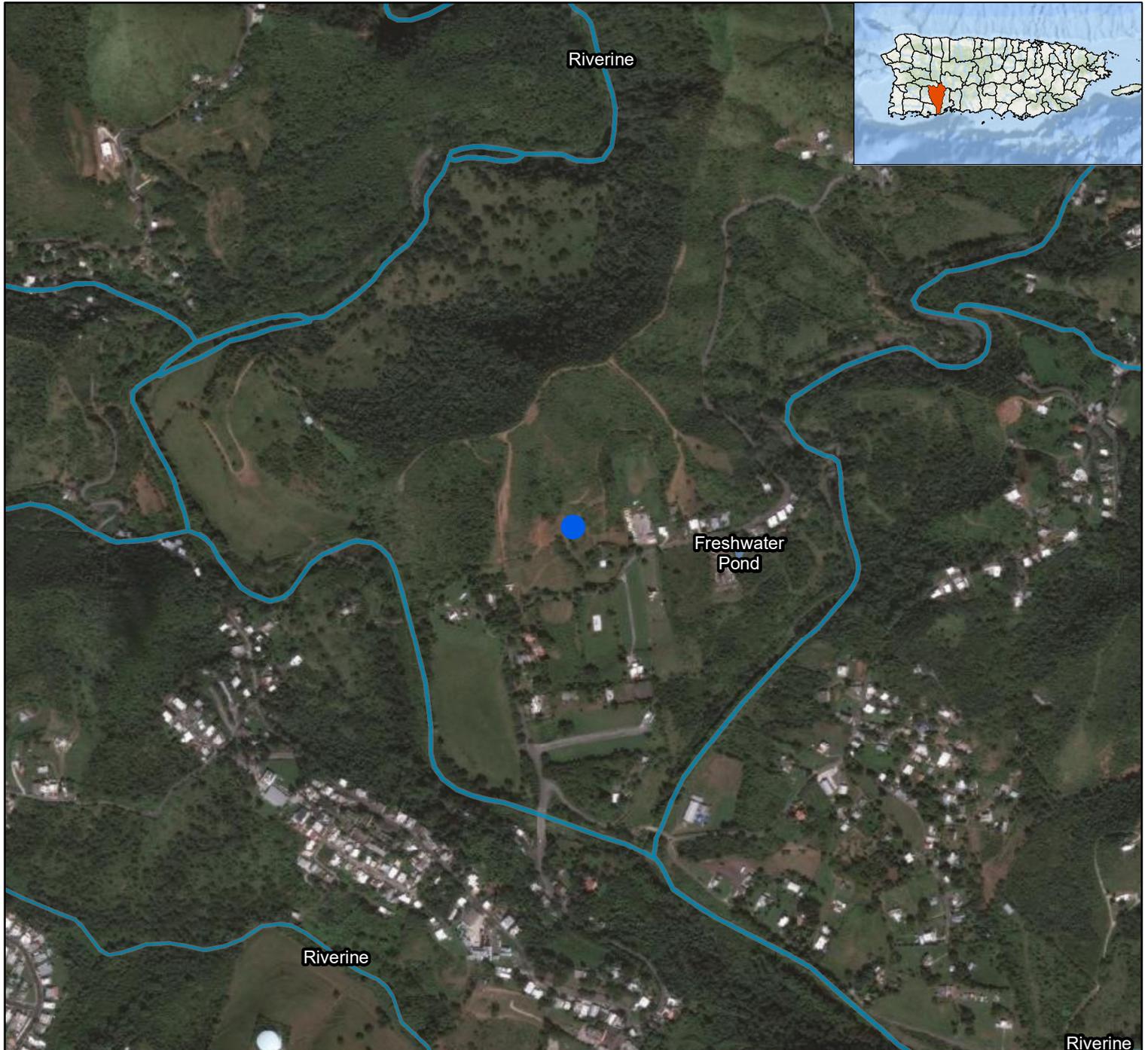
Source

U.S. Environmental Protection Agency
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

1:12,000,000

Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow



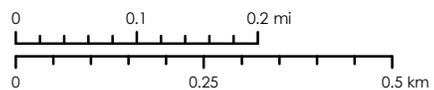
Legend:

 PR-RGRW-03730

National Wetlands Inventory

 Freshwater Pond

 Riverine



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

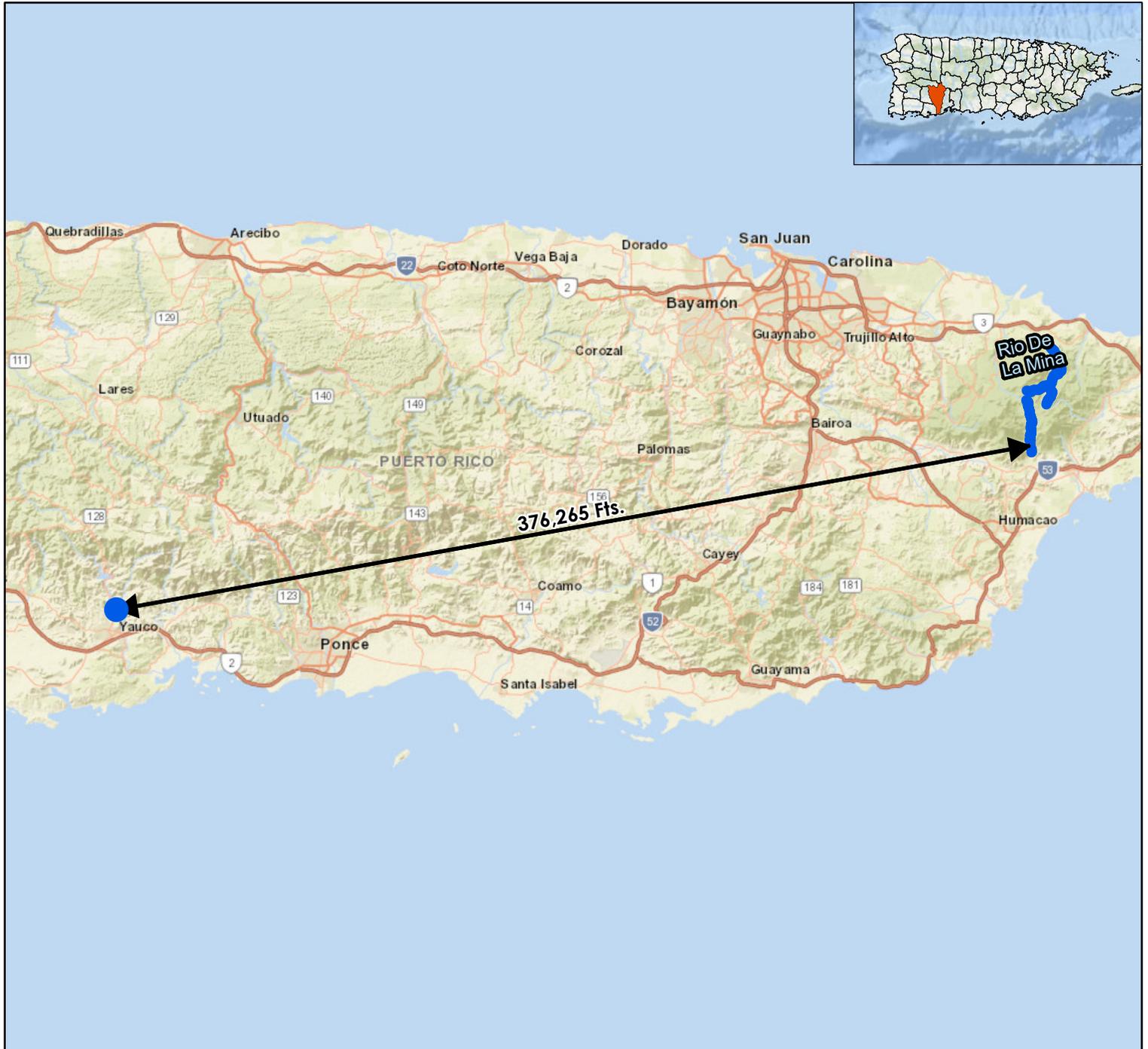
U.S. Fish and Wildlife Service - National Wetlands Inventory
<https://www.fws.gov/program/national-wetlands-inventory>



1:10,000

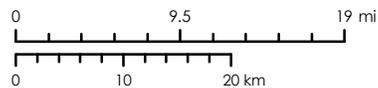
Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Wild and Scenic Rivers



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Source

FWS National Wild and Scenic Rivers System
<https://www.rivers.gov/mapping-gis.php>

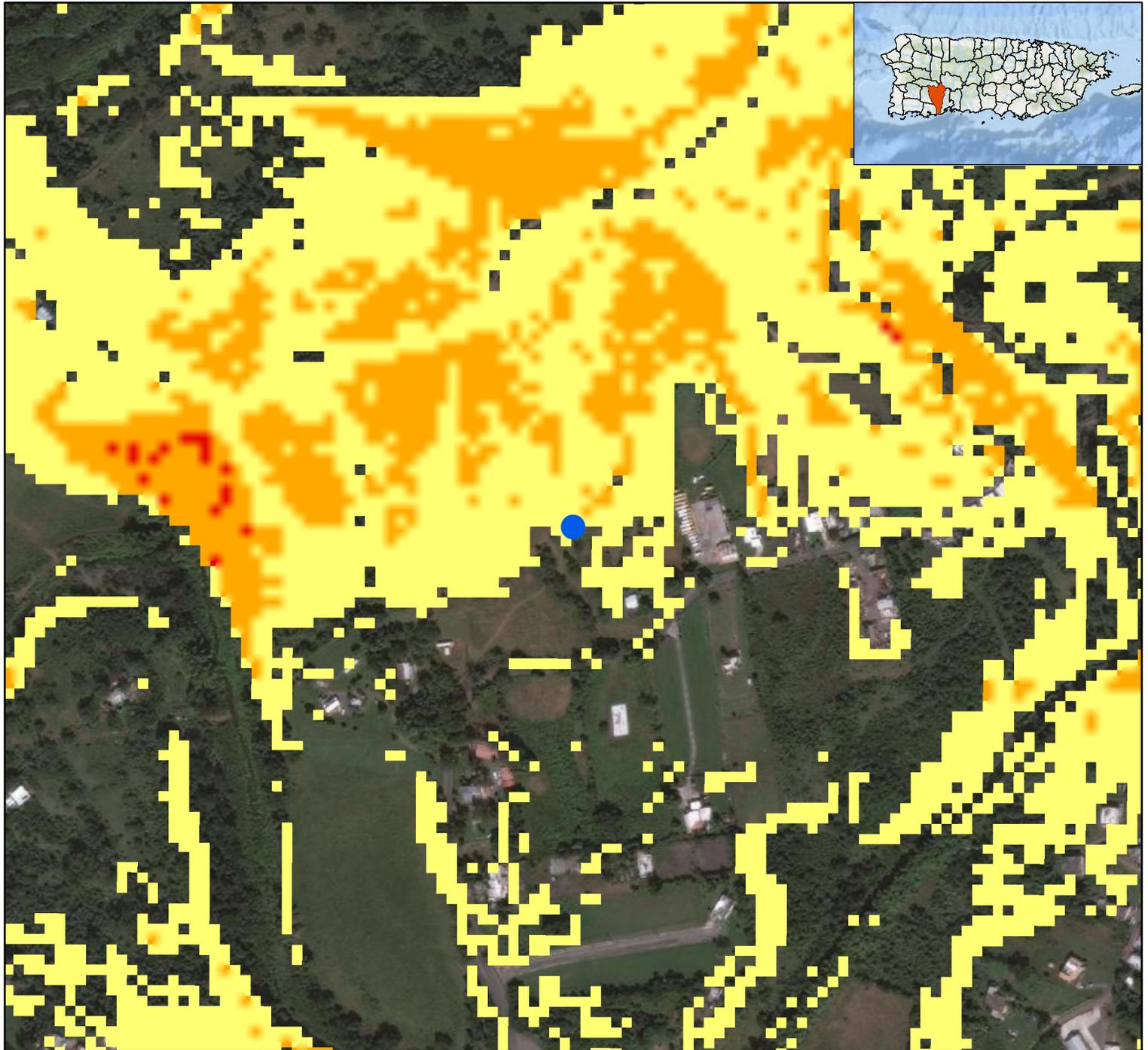


1:700,000

Apiarios Experiences LLC
 Bo. Diego Hernandez,
 Carr 372 Km 1.2,
 Yauco, PR 00698
 Catastro: 361-004-115-15-000
 Lat:18.057812, Long:-66.852472

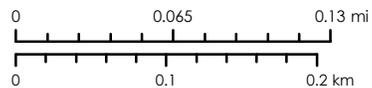
Figure 14: Landslide Susceptibility

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Low
- Moderate
- High
- Very High
- Extremely High



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 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



1:5,000

Source

U.S. Geological Survey (USGS)
<https://pubs.er.usgs.gov/publication/ofr20201022>

Appendix 1: SHPO Consultation Package

ENVIRONMENTAL MEMORANDUM

Date: 8/1/2024

To: Environmental Review Record (ERR) File

Subject: Explanation of Conflicting Information within the ERR

Applicant Name: Apiarios Experiences LLC

Application Number: PR-RGRW-03730

This memorandum serves to provide an explanation as to the presence of conflicting pieces of information within the Environmental Review Record (ERR) file.

Confliction Information: Coordinates Address Municipio Parcel ID/Cadaster Number
 Construction Date Applicant Name Other: Case ID on project description

Location(s) of Conflicting Information:	Project Description (Undertaking)
--------------------------------------------	-----------------------------------

Explanation:	The case ID in the project description of the SHPO package is incorrect. It states the case ID is PR-RGRW-04340, however the correct case ID is PR-RGRW-03730, which is reflected in the title of the SHPO package and on the SHPO submission letter and response letter.
--------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

Executive Director | Carlos A. Rubio Cancela | carubio@prshpo.pr.gov

Tuesday, April 2, 2024

Lauren B Poche

269 Avenida Ponce de Leon, San Juan, PR, 00917

SHPO-CF-03-26-24-01 PR-RGRW-03730 (Yauco), Apiarios Experiences LLC

Ms. Poche,

Our Office has received and reviewed the above referenced project in accordance with 54 USC 306108 (commonly known as Section 106 of the National Historic Preservation Act, as amended) and 36 CFR Part 800: Protection of Historic Properties from the Advisory Council on Historic Preservation. The State Historic Preservation Officer (SHPO) is to advise and assist federal agencies and other responsible entities when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce the project's effects.

Our records support your finding of no historic properties affected within the project's area of potential effects.

Please note that should the Agency discover other historic properties at any point during project implementation, you should notify the SHPO immediately. If you have any questions concerning our comments, do not hesitate to contact our Office.

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/OJR



Cuartel de Ballajá (Tercer Piso), Calle Norzagaray, Esq. Beneficencia, Viejo San Juan, PR 00901 | PO Box 9023935, San Juan, PR 00902-3935

March 26, 2024

Carlos A. Rubio Cancela
State Historic Preservation Officer
Puerto Rico State Historic Preservation Office
Cuartel de Ballajá (Tercer Piso)
San Juan, PR 00902-3935

Puerto Rico Disaster Recovery, CDBG-DR Re-Grow PR Urban-Rural Agricultural (Re-Grow PR) Program

Section 106 NHPA Effect Determination Submittal: PR-RGRW-03730 – Apiarios Experiences LLC – Bo. Diego Hernandez, Carr 372 Km 1.2, Yauco, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH). On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds was approved by the United States Department of Housing and Urban Development (HUD) under the Federal Register Volume 83, No. 28, 83 FR 5844, to assist the Commonwealth of Puerto Rico in meeting unmet needs in the wake of Hurricanes Irma and Maria. On August 14, 2018, an additional \$8.22 billion recovery allocation was allocated to Puerto Rico under the Federal Register Volume 83, No. 157, 83 FR 40314. With these funding allocations, the Puerto Rico Department of Housing (Housing) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents.

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Apiarios Experiences LLC located at Bo. Diego Hernandez, Carr 372 Km 1.2, in the municipality of Yauco. The undertaking for this project includes the purchase of a plow, water tank, electric generator, rotary cutter, tractor, digging bucket tractor attachment, and the purchase and construction of an open-air storage structure with a galvalume roof. The installation of the storage structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and will be buried 2' deep. No water or power connection will be necessary for this structure.

Based on the submitted documentation, the Program requests a concurrence that a finding of no historic properties affected is appropriate for this proposed project.

Please contact me by email at lauren.poche@horne.com or phone at 225-405-7676 with any questions or concerns.

Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager
LBP/JLE

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM		
REgROW PUERTO RICO PROGRAM		
Section 106 NHPA Effect Determination		
Applicant: Apiarios Experiences LLC		
Case ID: PR-RGRW-03730	City: Yauco	

Project Location: Bo. Diego Hernandez, Carr 372 Km 1.2, Yauco, PR 00698	
Project Coordinates: 18.057812 -66.852472	
TPID (Número de Catastro): 361-004-115-15-000	
Type of Undertaking:	
<input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): n/a	Property Size (acres): 39.3

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: March 14, 2024

In compliance with Section 106 of the National Historic Preservation Act (NHPA), the Program is responsible for identifying historic properties listed in the NRHP and any properties not listed that would be considered eligible for listing that are located within the geographic area of potential effects (APE) of the proposed project and assessing the potential effects of its undertakings on these historic properties.

Project Description (Undertaking)

The proposed activities for PR-RGRW-04340 consist of the purchase and construction of an open air storage structure with a galvalume roof. The installation of the structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and will be buried 2' deep. No water or power connection will be necessary for this structure. The project area is located at PR-372 Km. 1.2 within the Municipality of Yauco. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years.

Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the roof structure plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

Identification of Historic Properties - Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Apiarios Experiences LLC		
Case ID: PR-RGRW-03730		City: Yauco

of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are two (2) Pre-Columbian archaeological sites reported within 0.50 miles of the project location: Duey o Diego Hernández (SHPO: YU0100002) located 0.21 miles southeast and La Fraternidad (SHPO: YU0100012) located 0.34 miles southeast (see table). The proposed project is located in mountainous area at an elevation of 80 feet (24 meters) above modern sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Malaya clay. The project area APE is in McF. The closest freshwater sources are Yauco River, located 0.21 miles southwest and Duey River located 0.26 miles northeast of the project area. The south coast is approximately 6.96 miles (11.20 km) from the project area.

Within the 0.50 miles radius we have eight (8) archaeological studies, five (5) with positive results. Questell (1997, 1998) and González (2013) conducted archaeological studies where they reported the Pre-Columbian site Diego Hernández (YU0100002) located 0.21 miles southeast. Edgardo Maíz, Questell and Murray (1984) conducted an archaeological survey where they reported the sites Diego Hernández (YU0100002) and La Fraternidad (YU0100012), located 0.21 miles southeast and 0.34 miles southeast respectively. Principe (1986) conducted an archaeological study where he reported an archaeological site located more than 0.50 miles from the project area.

The project area is located in the mountainous area of Yauco with irregular topography. The soil in the project area has been classified as Malaya clay, 20 to 60 percent slopes (McF). This soil is on strongly dissected side slopes and narrow ridgetops of the volcanic uplands that have been somehow influenced by limestone. Runoff is rapid, and erosion is a hazard. This soil is not suitable for cultivation.

Visual inspection of the APE and its surroundings found no evidence of cultural materials.

Determination

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that no previously identified historic properties are located within the Area of Potential Effect. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within or adjacent of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-03730 is located. The closest freshwater body is approximately 0.21 miles southwest of the project area. The construction

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	
Applicant: Apiarios Experiences LLC	
Case ID: PR-RGRW-03730	City: Yauco

of public roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Apiarios Experiences LLC		
Case ID: PR-RGRW-03730		City: Yauco

Recommendation (Please keep on same page as SHPO Staff Section)

The Puerto Rico Department of Housing requests that the Puerto Rico SHPO concur that the following determination is appropriate for the undertaking (Choose One):

- No Historic Properties Affected
- No Adverse Effect
Condition (if applicable):
- Adverse Effect
Proposed Resolution (if applicable)

This Section is to be Completed by SHPO Staff Only

The Puerto Rico State Historic Preservation Office has reviewed the above information and:	
<input type="checkbox"/> Concurs with the information provided. <input type="checkbox"/> Does not concur with the information provided.	
Comments: 	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Apiarios Experiences LLC		
Case ID: PR-RGRW-03730	City: Yauco	

Case ID: PR-RGRW-03730

Project Coordinates: 18.057812 -66.852472

Table of archaeological sites, historic properties and historic districts located within the project area or within a 0.50-miles radius

Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
Duey o Diego Hernández	YU0100002	YA-2	0.21 mi SE	Pre-Columbian ceramic Cuevas, Ostionoides/ Chicoide, Igneri/Pre-Taíno styles	No data
La Fraternidad	YU0100012	YA-12	0.34 mi SE	Pre-columbian site Pre-Columbian ceramic Cuevas style	No data

Table of cultural resources surveys conducted within the project area or within a 0.50-miles radius.

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/Direction
Eduardo Questell	IB/ Segregación de doce (12) parcelas PR-372, Km 0.7	2015	YA-15-12-05	Negative	0.08 mi W
Eduardo Questell	IA-IB/ Segregación de doce (12) parcelas PR-372, Km 0.7	2015	YA-15-12-04	Negative	0.08 mi W
Eduardo Questell	II/ Diez Solares Residenciales Carretera PR-372 Km 0.6	1998	YA-98-06-01	Positive Pre-Columbian site YU0100002	0.21 mi S
Eduardo Questell	IA-IB/ Diez Solares Residenciales Carretera PR-372 Km 0.6	1997	YA-97-05-04	Positive Pre-Columbian site YU0100002	0.21 mi S
Juan González	III/ Sitio Diego Hernández Y-2 Diez solares residenciales	2013	YA-13-11-05	Positive YU0100002	0.20 mi SE

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	
Applicant: Apiarios Experiences LLC	
Case ID: PR-RGRW-03730	City: Yauco

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/ Direction
Andrés M. Príncipe	I/ Archaeological survey for the Improvement of the Aqueduct System of Almacigo Alto and Bajo	1986	SHPO: 06-17-85-02	Positive. Archaeological site located more than 0.50 miles away	0.37 mi SW
Norma Medina, Therese López Raquel Camacho	IA/ Mejoras al Sistema de Agua Potable	2000	SHPO: 02-23-01-01	Negative	0.37 mi SW
Edgardo Maíz, Eduardo Questell, Néstor Murray	I/ Reconocimiento Arqueológico Preliminar de la Cuenca Hidrográfica del Río Yauco	1984	HPF OECH 1983-1984	Positive Archaeological sites YU0100002 YU0100012	0.14 mi S

Applicant: Apiarios Experiences LLC

Case ID: PR-RGRW-03730

City: Yauco

Project (PR-RGRW-03730) Location – Area of Potential Effect Map (Aerial)

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Ciudad, Ibañeta 1 Suite 2-0, Calle Perseco 554, Atrium, San Juan, PR, 00920 Tel:787/763-0290

Application ID: PR-RGRW-03730

Apiarios Experiences LLC
Bo. Diego Hernandez,
Car 372 Km 1.2,
Yauco, PR 00698
Catastro: 361-004-115-15-000
Lat:18.057812, Long:-66.852472

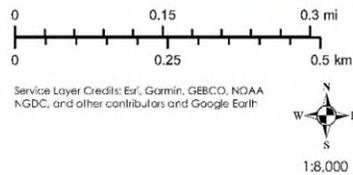
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend:

- Area of Potential Effect (15 Mts.)
- Roof_Structure-03730
- Parcel-03730
- CRIM_PARCELS



Source
Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crimpr.net/cdprpc/>



Applicant: Apiarios Experiences LLC

Case ID: PR-RGRW-03730

City: Yauco

Project (PR-RGRW-03730) Location - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS

CORPO. IDONE 1 Suito J-3, Calle Ponce 564, Arecibo, San Juan, PR, 00920 Tel: (787) 753-0290

Application ID: PR-RGRW-03730

Apiarios Experiences LLC

Bo. Diego Hernandez,

Carr 372 Km 1.2,

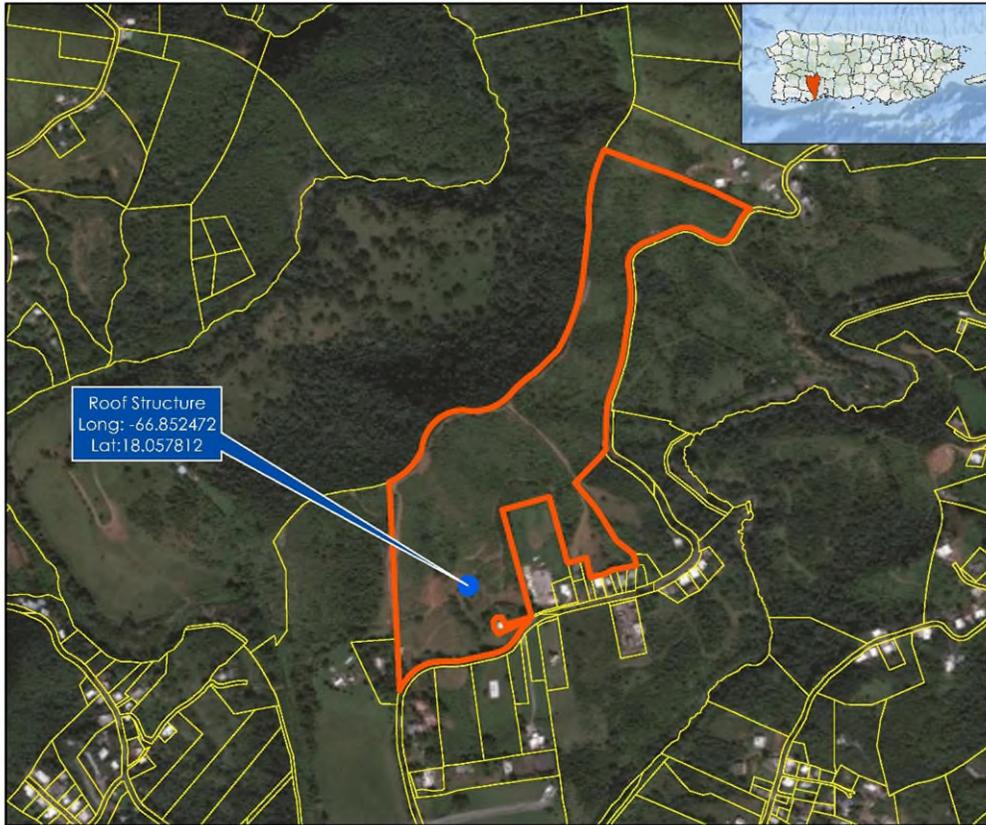
Yauco, PR 00698

Catastro: 361-004-115-15-000

Lat:18.057812, Long:-66.852472

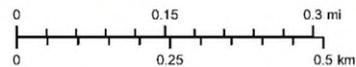
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Parcel-03730
- CRIM_PARCELS



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth



1:8,000

Source

Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crim.net/cadprpc/>

Project (PR-RGRW-03730) Location - USGS Topographic Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
CIENFUEGOS 1 TORRE J-3, CARRILLO PEREZ 55A, ARRIAS, SAN JUAN, PR, 00923 TEL: (787) 578-0290

Application ID: PR-RGRW-03730

Apiarios Experiences LLC
Bo. Diego Hernandez,
Car 372 Km 1.2,
Yauco, PR 00698
Catastro: 361-004-115-15-000
Lat:18.057812, Long:-66.852472

Location: USGS Topographic Map

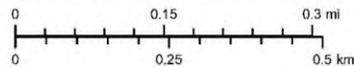
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Parcel-03730
- Contour Interval 20 Feet

Quadrangle: Yauco



Service Layer Credits: Esri, Garmin, GEBCO, NOAA
NGDC, and other contributors and Google Earth



1:8,000

Source

United States Geological Survey (USGS)
National Geographic Map Database
http://ngmdb.usgs.gov/ngmdb/ngmdb_home.html

Project (PR-RGRW-03730) Location – Soils Map

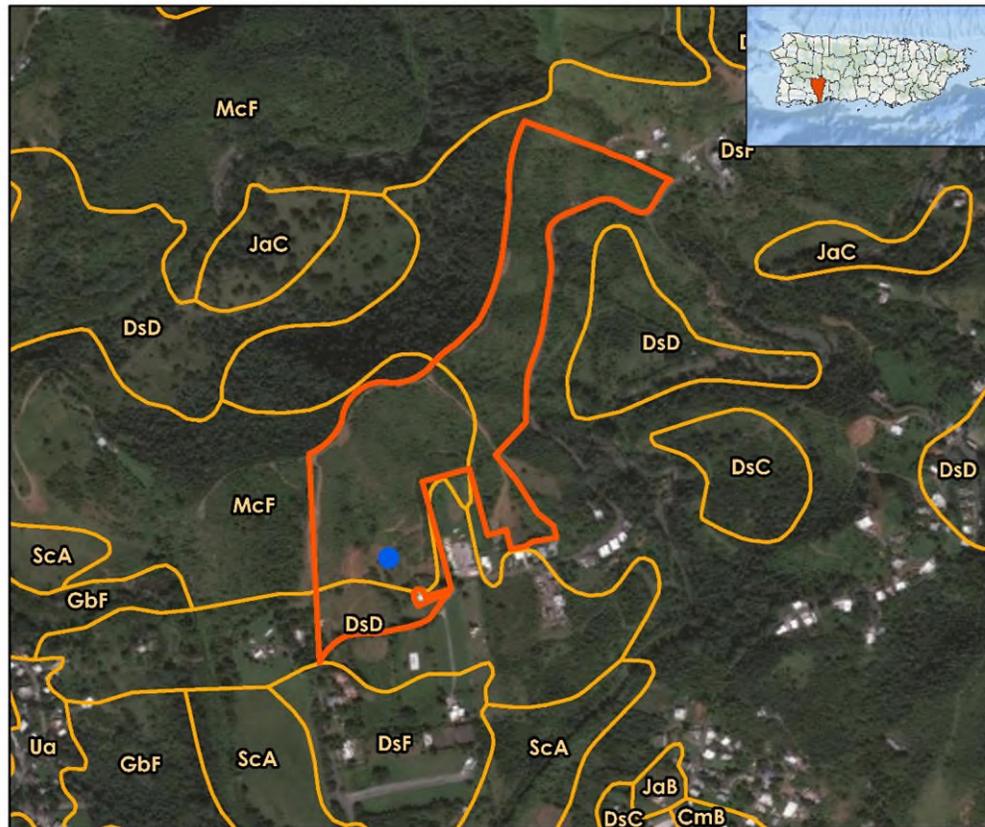
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Oficina: Avenida T. Solafo 3-0, Calle Pinarillo 55A, Altamirillo, San Juan, PR, 00523 Tel: (787) 763-0290

Application ID: PR-RGRW-03730

Apiarios Experiences LLC
Bo. Diego Hernandez,
Car 372 Km 1.2,
Yauco, PR 00698
Catastro: 361-004-115-15-000
Lat:18.057812, Long:-66.852472

Soils Map

Puerto Rico Department of Housing ReGrow

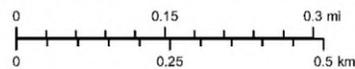


Legend:

- PR-RGRW-03730
- Parcel-03730
- Soil Map Unit Symbol

Soil Map Unit Symbol

- DsC - Descalabrado clay, 2 to 12 percent slopes
- DsD - Descalabrado clay, 12 to 20 percent slopes
- DsF - Descalabrado clay, 20 to 60 percent slopes
- GbF - Guayabota-Yunque complex, 20 to 60 percent slopes
- JaC - Jacana clay, 5 to 12 percent slopes
- McF - Malaya clay, 20 to 60 percent slopes
- ScA - San Anton clay loam, 0 to 2 percent slopes, occasionally flooded



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA nGDC, and other contributors and Google Earth



Source

Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crim.pr.net/cdppcr/>

Project (PR-RGRW-03730) Location with Previous Investigations - Aerial Map

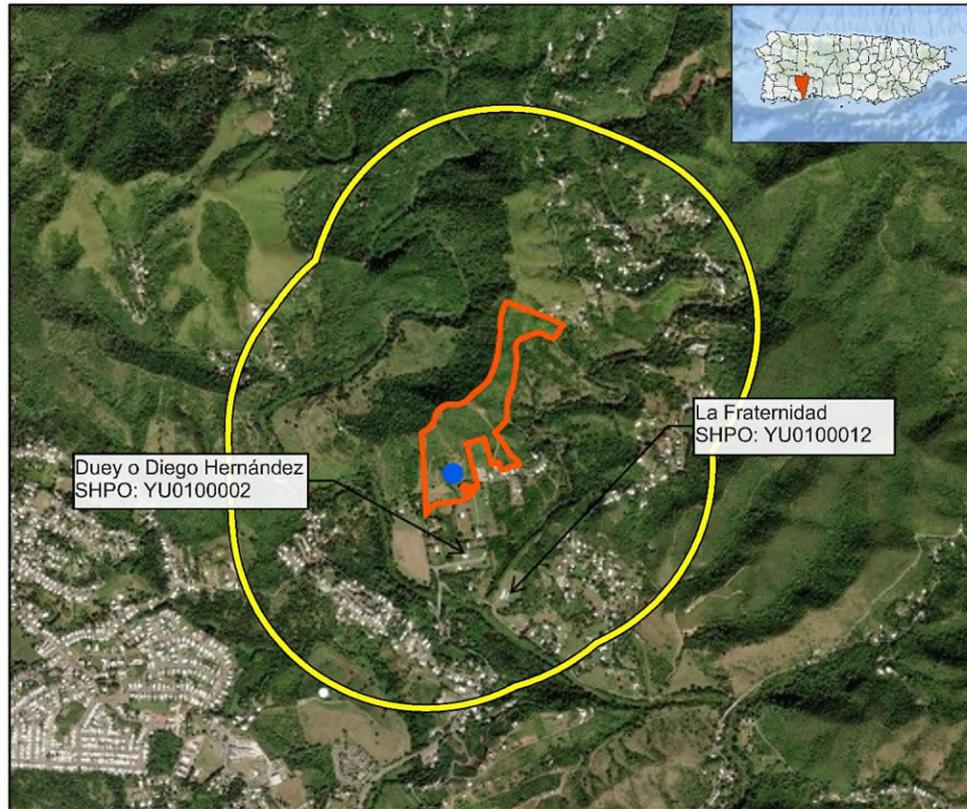
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Carretera Interamericana, P.O. Box 10000, San Juan, PR 00923 TEL: (787) 753-0290

Application ID: PR-RGRW-03730

Apiarios Experiences LLC
Bo. Diego Hernandez,
Carr 372 Km 1.2,
Yauco, PR 00698
Catastro: 361-004-115-15-000
Lat:18.057812. Long:-66.852472

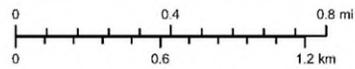
Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- 0.5 Mile (0.8Km) Buffer
- Parcel-03730



Service Layer Credit: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth



Source

Centro de Recaudación de Ingresos Municipales (CRIM)
<http://catastro.crimpr.net/cdpppc/>



Project (PR-RGRW-03730) Location with Previously Investigation USGS Topographic Map

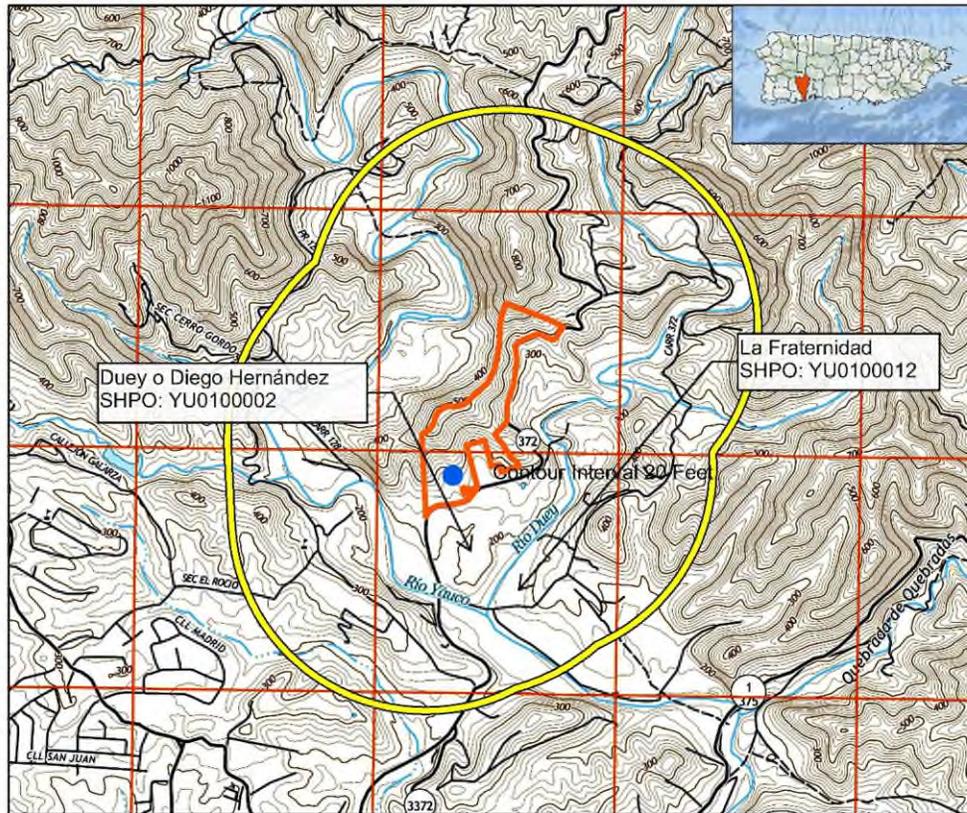
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS

Application ID: PR-RGRW-03730

Apicarios Experiences LLC
Bo. Diego Hernandez,
Carr 372 Km 1.2,
Yauco, PR 00698
Catastro: 361-004-115-15-000
Lat:18.057812, Long:-66.852472

Previous Investigations: USGS Topographic Map

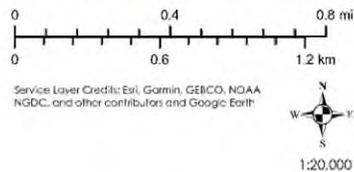
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- 0.5 Mile (0.8Km) Buffer
- Parcel-03730
- Contour Interval 20 Feet

Quadrangle: Yauco



Source

United States Geological Survey (USGS)
National Geographic Map Database
http://ngmdb.usgs.gov/ngmdb/ngmdb_home.htm

Photograph Key

BYA BEHAR YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
One, Calle 1 Suite 215, Calle Puerto 334, Hato Rey, San Juan, PR 00926 Tel:787-763-6200

Application ID: PR-RGRW-03730

Apiarios Experiences LLC

Bd. Diego Hernandez,

Carr 372 Km 1.2,

Yauco, PR 00698

Catastro: 361-004-115-15-000

Lat:18.057812, Long:-66.852472

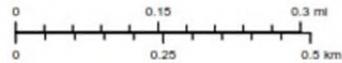
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend:

- Area of Potential Effect (15 Mts.)
- Roof_Structure-03730
- Parcel-03730



Service Layer Credits: Esri, Garmin, GEBCO, NOAA, NGDC, and other contributors and Google Earth.



1:8,000



Applicant: Apiarios Experiences LLC

Case ID: PR-RGRW-03730

City: Yauco



Photo #:1

Description (include direction): Area where the roof structure will be installed, looking southwest.

Date: March 8, 2024



Photo #:2

Description (include direction): Area where the roof structure will be installed, looking northeast.

Date: March 8, 2024



October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

The U.S. Department of Housing (HUD) approved the allocations of Community Development Block Grant (CDBG-DR) funds on February 9, 2018. It also approved the allocation of Community Development Block Grant Mitigation (CDBG-MIT) funds on January 27, 2020. The purpose of these allocations is to address unsatisfied needs as a result of Hurricanes Irma and Maria in September 2017; and to carry out strategic and high-impact activities to mitigate disaster risks and reduce future losses.

To comply with the environmental requirements established by HUD, the Department of Housing of Puerto Rico (PRDOH) contracted Horne Federal LLC to provide environmental registry review services, among others, that will support the objectives of the agenda for both CDBG-DR and CDBG -MIT Programs.

In line to expedite the processes, Horne Federal LLC, is authorized to submit to the State Historic Preservation Officer, documentation of projects related to both the CDBG-DR and CDBG-MIT on behalf of PRDOH.

Cordially,

A handwritten signature in blue ink, appearing to be 'JB', is written over the typed name.

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT

Appendix 2: Puerto Rico Nonattainment/ Maintenance Status for each count by year for all pollutants



You are here: EPA Home > Green Book > >National Area and County-Level Multi-Pollutant Information >Puerto Rico Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Puerto Rico Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of March 31, 2023

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

Important Notes

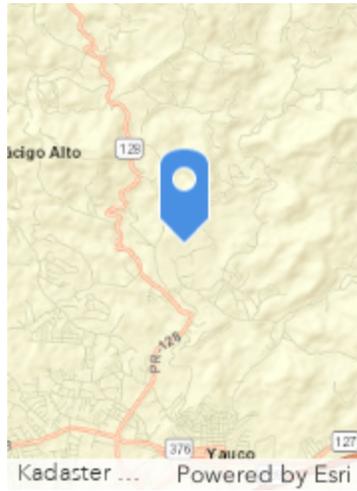
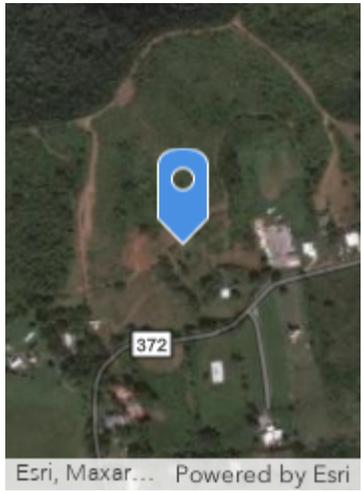
Download National Dataset: [dbf](#) | [xls](#) | [Data dictionary \(PDF\)](#)

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or Part County	Population (2010)	State/County FIPS Codes
PUERTO RICO								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11121314151617181920212223	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	181920212223	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	52,441	72/137

Important Notes

Appendix 3: Site Inspection Report, EJScreen Community Report and ECHO Reports

APPLICANT/LOCATION INFORMATION	
Applicant ID:	PR-RGRW-03730
Name:	Apiarios Experiences LLC
Parcel ID:	361-004-115-15-000
Latitude:	18.057812
Longitude:	-66.852472
Elevation:	85.4213670229374
Development	
Street Address:	Bo. Diego Hernandez, Carr 372 Km 1.2,
Municipio:	Yauco, PR
Zip Code:	00698
Site Inspector:	Patricia Carmenatty
Date of Visit:	March 1, 2024
Time of Visit:	12:09

FIELD OBSERVATIONS		
Question	Answer	Notes
A. Is the structure in use?	No	
B. Is the structure a greenhouse?	No	
C. Is Electricity connected? (Utilities or Well)	No	
D. Is water connected? (Utilities or Well)	No	
1. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, strom debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	No	
2. Are there any 55-gallon drums visible on site? If yes, are they leaking?	No	
3. Are there any (or signs of any) underground storage tanks on the property?	No	
4. Are there signs of AST on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	No	
5. Is there any stained soil or pavement on the parcel?	No	
6. Is a water drainage system in use?	No	
7. Is a warehouse in use for storage of Fertilizer or Pesticides?	No	
8. Are there any groundwater monitoring wells on the site or adjacent parcel?	No	
9. Is there evidence of a faulty septic system?	No	
10. Is there distressed vegetation on the parcel?	No	
11. Is there any visible indication of mold?	No	
12. Is there any visible evidence of asbestos, chipping, and flaking or peeling paint, or hazardous materials present in or on the structure?	No	
13. Are any additional site hazards observed?	No	
14. Is there any permanent standing water, such as a pond or stream, located on the site(do not include ponding from recent rain / weather events)?	No	
15. Does the subject property have water frontage?	No	
16. Is there any indication of the presence of wetlands?	No	
17. Are there any obvious signs of animals or birds nesting on or near the site?	No	
18. Is the applicant aware of any significant historical event or persons associated with the structure, or of it being located in a historic district/ area?	No	
19. Is a historic marker present?	No	

Front of Structure

Photo Direction: East

Comments:



Photo Direction: Northeast

Comments: Techo 60 x 25



Photo Direction: East

Comments: Techo galvalume y 6 vigas acero (1 viga cada 20 pies)



Photo Direction: East

Comments: Suelo



Right Side of Structure

Photo Direction: South

Comments:



Left Side of Structure

Photo Direction: North

Comments:





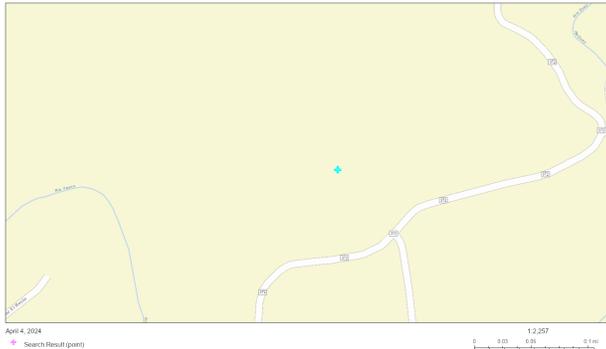
EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

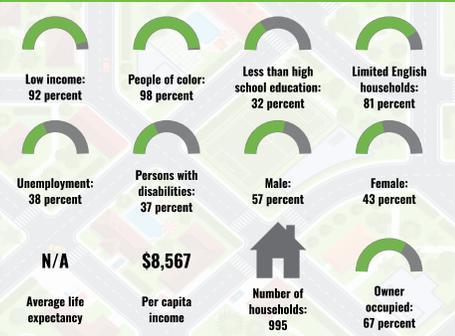
Yauco Municipio, PR

1 mile Ring Centered at 18.057814,-66.852472
 Population: 2,950
 Area in square miles: 3.14

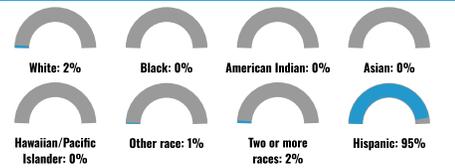
A3 Landscape



COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	4%
Spanish	96%
Total Non-English	96%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

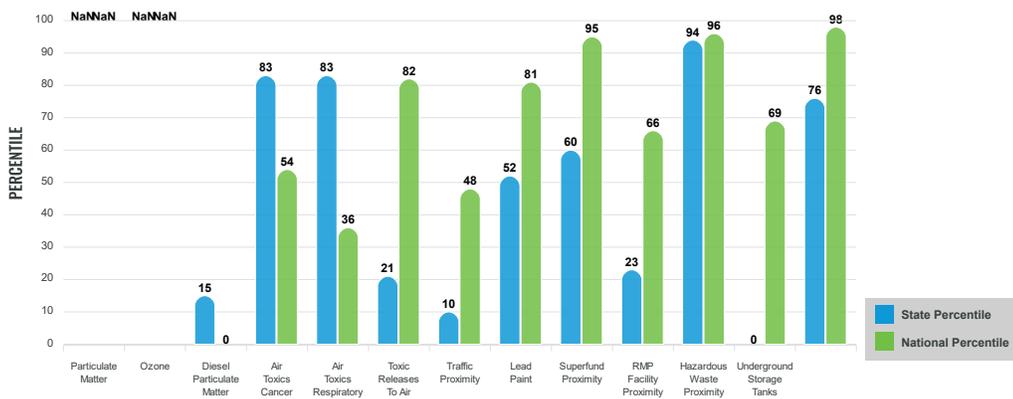
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

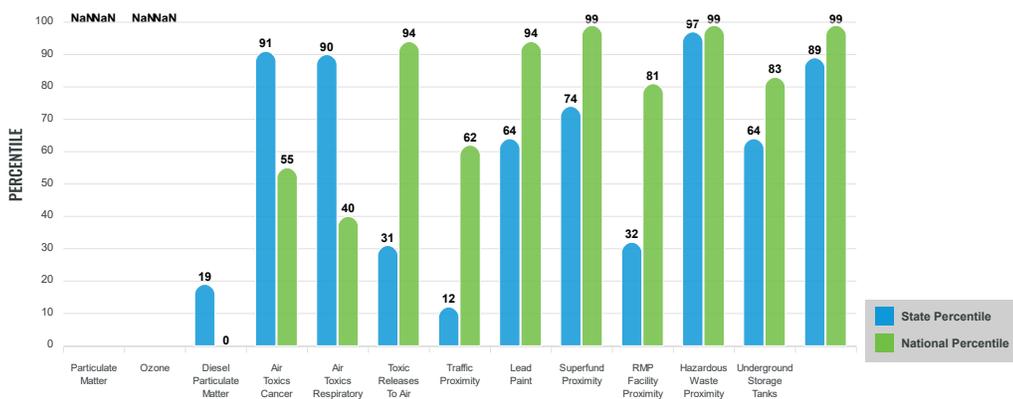
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for 1 mile Ring Centered at 18.057814,-66.852472

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m³)	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter (µg/m³)	0.0161	0.0667	13	0.261	0
Air Toxics Cancer Risk* (lifetime risk per million)	20	20	15	25	5
Air Toxics Respiratory HI*	0.2	0.19	17	0.31	4
Toxic Releases to Air	260	4,300	19	4,600	36
Traffic Proximity (daily traffic count/distance to road)	7.4	180	10	210	14
Lead Paint (% Pre-1960 Housing)	0.12	0.16	58	0.3	38
Superfund Proximity (site count/km distance)	0.089	0.15	55	0.13	62
RMP Facility Proximity (facility count/km distance)	0.081	0.47	21	0.43	22
Hazardous Waste Proximity (facility count/km distance)	1.5	0.76	84	1.9	69
Underground Storage Tanks (count/km²)	0.42	1.7	61	3.9	37
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.038	2.3	67	22	77
SOCIOECONOMIC INDICATORS					
Demographic Index	95%	83%	82	35%	99
Supplemental Demographic Index	60%	43%	92	14%	99
People of Color	98%	96%	15	39%	95
Low Income	92%	70%	86	31%	99
Unemployment Rate	38%	15%	92	6%	99
Limited English Speaking Households	81%	67%	76	5%	99
Less Than High School Education	32%	21%	78	12%	92
Under Age 5	5%	4%	72	6%	51
Over Age 64	23%	22%	54	17%	75
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	2
Water Dischargers	1
Air Pollution	1
Brownfields	0
Toxic Release Inventory	1

Other community features within defined area:

Schools	0
Hospitals	0
Places of Worship	0

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for 1 mile Ring Centered at 18.057814,-66.852472

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	N/A	N/A	N/A	20%	N/A
Heart Disease	N/A	N/A	N/A	6.1	N/A
Asthma	N/A	N/A	N/A	10	N/A
Cancer	N/A	N/A	N/A	6.1	N/A
Persons with Disabilities	38.1%	21.6%	97	13.4%	99

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	N/A	N/A	N/A	12%	N/A
Wildfire Risk	N/A	N/A	N/A	14%	N/A

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	67%	32%	95	14%	99
Lack of Health Insurance	4%	7%	25	9%	31
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for 1 mile Ring Centered at 18.057814, -66.852472

Facility Summary
PRASA YAUCO WTP

PR-128 KM 2.6, YAUCO, PR 00698

FRS (Facility Registry Service) ID: 110013722748

EPA Region: 02

Latitude: 18.051081

Longitude: -66.853974

Locational Data Source: FRS

Industries: Utilities

Indian Country: N

Enforcement and Compliance Summary

Statute	CAA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	--
Qtrs in Noncompliance (of 12)	--
Qtrs with Significant Violation	--
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--
Statute	CWA
Compliance Monitoring Activities (5 years)	1
Date of Last Compliance Monitoring Activity	08/22/2019
Compliance Status	Violation Identified
Qtrs in Noncompliance (of 12)	2
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	1
Penalties from Formal Enforcement Actions (5 years)	\$0
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--
Statute	RCRA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Statute	SDWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	3
Formal Enforcement Actions (5 years)	2
Penalties from Formal Enforcement Actions (5 years)	50
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): Non-Major, Permit Effective (PR0022675)

Resource Conservation and Recovery Act (RCRA): Inactive Other, (PRD987375029), Inactive Other, (PR0000049361)

Safe Drinking Water Act (SDWA): OWNER: Local government, PRIMARY SERVICE AREA DESCRIPTION: Residential Area, SOURCE: Surface water, TYPE: Community water system Permit Active (PR0004314)

Go To Enforcement/Compliance Details

Known Data Problems <<https://epa.gov/resources/echo-data/known-data-problems>>

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information

Greenhouse Gas Emissions (eGGR): No Information

Toxic Releases (TRI): No Information

Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110013722748					N	18.051081	-66.853974
ICIS		2657028					N	18.032147	-66.859337
ICIS		40513					N	18.051139	-66.853361
ICIS		2658325					N	18.032147	-66.859337
ICIS		32225					N	18.051139	-66.853361
ICIS		2658674					N	18.051139	-66.853361
RMP	CAA	100000171798		INACTIVE			N	18.051139	-66.853361
ICIS-NPDES	CWA	PR0022675	Non-Major: NPDES Individual Permit	Effective		08/31/2028	N	18.041389	-66.854722
RCRAInfo	RCRA	PRD987375029	Other	Inactive ()			N	18.026994	-66.856499
RCRAInfo	RCRA	PR0000049361	Other	Inactive ()			N		
SDWIS	SDWA	PR0004314	OWNER: Local government, PRIMARY SERVICE AREA DESCRIPTION: Residential Area, SOURCE: Surface water, TYPE: Community water system	Active	Population Served: 39262		N		

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110013722748	PRASA YAUCO WTP	PR-128 KM 2.6, YAUCO, PR 00698	Yauco Municipio
ICIS		2657028	PRASA YAUCO WTP	PR- 128, KM. 6, YAUCO, PR 00698	Yauco Municipio
ICIS		40513	PRASA WTP YAUCO	ROAD 128, KM 2 HM 6, YAUCO, PR 00698	Yauco Municipio
ICIS		2658325	PRASA YAUCO WTP	PR-128, KM. 6, YAUCO, PR 00698	Yauco Municipio
ICIS		32225	PRASA YAUCO	CARRETERA 128 KM. 2.6, YAUCO, PR 00698	Yauco Municipio
ICIS		2658674	PRASA YAUCO	CARRETERA 128 KM. 2.6, YAUCO, PR 00698	Yauco Municipio
RMP	CAA	100000171798	YAUCO FILTRATION PLANT	CARR. 128 KM 2.6, YAUCO, PR 00698	Yauco Municipio
ICIS-NPDES	CWA	PR0022675	PRASA YAUCO WTP	ROAD 128, KM 2 HM 6, YAUCO, PR 00698	Yauco Municipio
RCRAInfo	RCRA	PRD987375029	YAUCO WTP	128 ST KM 2.6, YAUCO, PR 00698	Yauco Municipio
RCRAInfo	RCRA	PR0000049361	PRASA YAUCO FILTER PLANT	CARR 128 KM 2.6, YAUCO, PR 00698	Yauco Municipio
SDWIS	SDWA	PR0004314	YAUCO	PR	

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	PR0022675	4941	Water Supply

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
RMP	100000171798	22131	Water Supply and Irrigation Systems

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
PR0022675	000	No Applicable Effluent Guidelines

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
CWA	PR0022675	ICIS-NPDES	Offsite Record Review	Base Program - Desk Audit	EPA	05/19/2021	
CWA	PR0022675	ICIS-NPDES	Inspection/Evaluation	Base Program - Evaluation	EPA	08/22/2019	

Entries in italics are not included in ECHO's Compliance Monitoring Activity counts because they are not compliance monitoring strategy <<https://www.epa.gov/compliance/compliance-monitoring-programs>> activities or because they are not counted as inspections within EPA's Annual Results <<https://www.epa.gov/enforcement/enforcement-data-and-results>>.

SDWA (Safe Drinking Water Act) Sanitary Survey Results (5 Years)

Source ID	Date	Type	Agency	Data Verification	Distribution	Management Operation	Finished Water Storage	Operator Compliance	Other Evaluation	Pumps	Security	Source	Financial	Treatment
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Sanitary survey result codes:

S = Significant Deficiencies
M = Minor Deficiencies

No data records returned
R = Recommendations Made
N = No Deficiencies or Recommendations

X = Not Evaluated
Z = Not Applicable

D = Sanitary Defect
-- = Not Reported to EPA

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	PR0022675	No	03/31/2024	2	07/26/2024
RCRA	PRD987375029	No	07/27/2024	0	07/26/2024
RCRA	PR000049361	No	07/27/2024	0	07/26/2024
SDWA	PR0004314	No	03/31/2024	0	07/12/2024

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA (Source ID: PR0022675)														
Facility-Level Status		No Violation Identified	Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	Violation Identified					
Quarterly Noncompliance Report History		Resolved - Pending	Reportable Noncompliance	Resolved - Pending										
	Pollutant	Disch Point	Mon Loc	Freq										
CWA	BOD, 5-day, 20 deg. C <effluent-charts#pr0022675/00310>	001 - A	Effluent Gross	NMth	111%					52%			40%	113%
CWA	Oxygen, dissolved [DO] <effluent-charts#pr0022675/00300>	001 - A	Effluent Gross	Neither		82%								
CWA	Turbidity <effluent-charts#pr0022675/00070>	001 - A	Effluent Gross	NMth										LIMIT VIOLATION
CWA	pH <effluent-charts#pr0022675/00400>	001 - A	Effluent Gross	NMth				LIMIT VIOLATION						
Late or Missing Discharge Monitoring Report (DMR) Measurements														
Counts of Late DMR Measurements														
								9						

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
RCRA (Source ID: PR000049361)		10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24	04/01-06/30/24	07/01-09/30/24
Facility-Level Status		No Violation Identified											
Violation Agency													
RCRA (Source ID: PRD987375029)		10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24	04/01-06/30/24	07/01-09/30/24
Facility-Level Status		No Violation Identified											
Violation Agency													

Statute	Violation Type/Category	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
SDWA (Source ID: PR0004314)		04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24	04/01-06/30/24
Facility-Level Status		No Violation	In Progress											
Category Violation Type														

*Quarter 13 data is voluntarily entered and/or incomplete, and may not form a complete picture for that quarter. Read more <<https://epa.gov/help/reports/df-r-data-dictionary#sdwacomp>>

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
SDWA	SDWIS	PR0004314	State Formal Notice of Violation issued	State	12/05/2019
SDWA	SDWIS	PR0004314	State Formal Notice of Violation issued	State	10/18/2019
SDWA	SDWIS	PR0004314	State Formal Notice of Violation issued	State	07/10/2019

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/ Filed Date	Settlements/ Actions	Settlement/ Action Date	Federal Penalty Assessed	State/ Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
CWA	ICIS-NPDES	301	NPDES/PR0022675	Judicial	02-2011-0007	EPA	PRASA - Puerto Nuevo Regional WWTP et al.	09/15/2015	2	05/23/2016 03/22/2024	\$0 \$0	-- --	-- --	-- --	\$700,000,000 \$530,000,000
SDWA	SDWIS	--	SFDW/PR0004314	State Civil Case filed in State court	--	State	--	--	1	02/10/2020	--	--	--	--	--
SDWA	SDWIS	--	SFDW/PR0004314	State Civil Case filed in State court	--	State	--	--	1	07/23/2019	--	--	--	--	--

SDWA (Safe Drinking Water Act) Violations and Enforcement Actions (5 Years)

Source ID	Noncompliance Period	Violation ID	Federal Rule	Contaminant	Category	Description	Measured Value	State MCL (Maximum Contaminant Level)	Federal MCL (Maximum Contaminant Level)	Enforcement Actions				
										Status	Date	Category	Description	Agency
PR0004314	07/01/2020 - 08/10/2020	7001813	Consumer Confidence Rule	Consumer Confidence Rule	Other	Other Violation	--	--	--	Resolved	08/10/2020	Resolving	State Compliance achieved	State
PR0004314	04/01/2020 - 06/30/2020	7001831	Stage 2 Disinfectants and Disinfection Byproducts Rule	TTHM	MCL	Maximum Contaminant Level Violation	.083 MG/L	.08 MG/L	0.080 mg/L	Resolved	09/30/2020	Resolving	State Compliance achieved	State
										Resolved	06/30/2020	Resolving	State Compliance achieved	State
PR0004314	01/01/2020 - 03/31/2020	7001832	Stage 2 Disinfectants and Disinfection Byproducts Rule	TTHM	MCL	Maximum Contaminant Level Violation	.095 MG/L	.08 MG/L	0.080 mg/L	Resolved	09/30/2020	Resolving	State Compliance achieved	State
										Resolved	06/30/2020	Resolving	State Compliance achieved	State
PR0004314	10/10/2019 - 01/03/2020	7001811	Public Notice Rule and Revised PN Rule	Public Notice	Other	Other Violation	--	--	--	Resolved	01/03/2020	Resolving	State Compliance achieved	State
										Resolved	01/03/2020	Resolving	State Compliance achieved	State
										Resolved	12/05/2019	Informal	State Formal Notice of Violation issued	State
PR0004314	10/01/2019 - 12/31/2019	7001812	Stage 2 Disinfectants and Disinfection Byproducts Rule	TTHM	MCL	Maximum Contaminant Level Violation	.093 MG/L	.08 MG/L	0.080 mg/L	Resolved	09/30/2020	Resolving	State Compliance achieved	State
										Resolved	06/30/2020	Resolving	State Compliance achieved	State
										Resolved	02/10/2020	Formal	State Civil Case filed in State court	State
PR0004314	08/01/2019 - 08/31/2019	7001810	Long Term 2 Enhanced Surface Water Treatment Rule	E. COLI	MR	Monitoring and Reporting	--	--	--	Resolved	10/18/2019	Informal	State Formal Notice of Violation issued	State
										Resolved	10/18/2019	Resolving	State Compliance achieved	State
										Resolved	09/30/2019	Resolving	State Compliance achieved	State
PR0004314	08/01/2019 - 08/31/2019	7001809	Long Term 2 Enhanced Surface Water Treatment Rule	Cryptosporidium	MR	Monitoring and Reporting	--	--	--	Resolved	10/18/2019	Informal	State Formal Notice of Violation issued	State
										Resolved	10/18/2019	Resolving	State Compliance achieved	State
										Resolved	09/30/2019	Resolving	State Compliance achieved	State
PR0004314	08/01/2019 - 08/31/2019	7001808	Long Term 2 Enhanced Surface Water Treatment Rule	Turbidity	MR	Monitoring and Reporting	--	--	--	Resolved	10/18/2019	Informal	State Formal Notice of Violation issued	State
										Resolved	10/18/2019	Resolving	State Compliance achieved	State
										Resolved	09/30/2019	Resolving	State Compliance achieved	State
PR0004314	07/01/2019 - 09/30/2019	7001807	Stage 2 Disinfectants and Disinfection Byproducts Rule	TTHM	MCL	Maximum Contaminant Level Violation	.094 MG/L	.08 MG/L	0.080 mg/L	Resolved	09/30/2020	Resolving	State Compliance achieved	State
										Resolved	06/30/2020	Resolving	State Compliance achieved	State
										Resolved	07/23/2019	Formal	State Civil Case filed in State court	State
PR0004314	04/01/2019 - 06/30/2019	7001805	Stage 2 Disinfectants and Disinfection Byproducts Rule	TTHM	MCL	Maximum Contaminant Level Violation	.085 MG/L	.08 MG/L	0.080 mg/L	Resolved	09/30/2020	Resolving	State Compliance achieved	State
										Resolved	06/30/2020	Resolving	State Compliance achieved	State
										Resolved	07/23/2019	Formal	State Civil Case filed in State court	State
PR0004314	10/01/2018 - 08/13/2019	7001806	Consumer Confidence Rule	Consumer Confidence Rule	Other	Other Violation	--	--	--	Resolved	08/13/2019	Resolving	State Compliance achieved	State
										Resolved	07/10/2019	Informal	State Formal Notice of Violation issued	State
PR0004314	--	--	--	--	--	--	--	--	--	--	07/31/2020	Resolving	State Compliance achieved	State
PR0004314	--	--	--	--	--	--	--	--	--	--	08/11/2014	Informal	State Formal Notice of Violation issued	State
PR0004314	--	--	--	--	--	--	--	--	--	--	03/03/1997	Informal	State Public Notification received	EPA
PR0004314	--	--	--	--	--	--	--	--	--	--	11/06/1996	Informal	State Public Notification requested	State
PR0004314	--	--	--	--	--	--	--	--	--	--	09/30/1988	Informal	State Public Notification received	State
PR0004314	--	--	--	--	--	--	--	--	--	--	09/30/1986	Informal	State Public Notification received	State
PR0004314	--	--	--	--	--	--	--	--	--	--	12/17/1993	Informal	Federal Proposed Administrative Order Issued	EPA

Violations										Enforcement Actions				
Source ID	Noncompliance Period	Violation ID	Federal Rule	Contaminant	Category	Description	Measured Value	State MCL (Maximum Contaminant Level)	Federal MCL (Maximum Contaminant Level)	Status	Date	Category	Description	Agency
PR0004314	--	--	--	--	--	--	--	--	--	--	09/30/1988	Informal	State Violation/Reminder Notice	State
PR0004314	--	--	--	--	--	--	--	--	--	--	09/30/1986	Informal	State Violation/Reminder Notice	State

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
210100040202	Rio Yauco at mouth	YAUCO RIVER	No	No	Ammonia & ammonium- total BOD, 5-day, 20 deg. C Oxygen, dissolved (DO)	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
PR	2022	PRS68A1	RIO YAUCO	Impaired - 303(d) Listed - With Restoration Plan	NUTRIENTS ORGANIC ENRICHMENT/OXYGEN DEPLETION PATHOGENS	Not Supporting	Not Supporting	--	Not Supporting	--

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
-----------	-----------------------------------	---------------------------------------------	---------------------------------	-------------------------------------------

No data records returned

Pollutants

Toxics Release Inventory History of Reported Chemicals Released or Transferred in Pounds per Year at Site

TRI Facility ID	Year	Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Disposal to Land	Total On-Site Releases	Total Off-Site Transfers
-----------------	------	---------------	--------------------------	--------------------------------------------------------------	------------------------	------------------	------------------------	--------------------------

No data records returned

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

DMR and TRI Multi-Year Loading Report

NPDES ID	Description	2019	2020	2021	2022	2023
PR0022675	DMR Pollutant Loadings (lb/year)	37,451	20,302	376,372	5,681	1,023
PR0022675	DMR Pollutant Loadings - Load Over Limit (lb/year)	6,008	440	575	0	0
PR0022675	DMR Conventional Loadings (lb/year)	--	--	--	2,450	--
PR0022675	DMR Conventional Loadings - Load Over Limit (lb/year)	--	--	--	0	--
PR0022675	DMR Toxic-Weighted Loadings (lb-eq/year)	86.16	261	6.58	6.62	0.5430
PR0022675	DMR Toxic-Weighted Loadings - Load Over Limit (lb-eq/year)	70.50	220	0	0	0

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

Potential Environmental Justice Concerns

- US Territory
- Supplemental/EJ index percentiles >= 90 (Census block group)
- Supplemental/EJ index percentiles >= 90 (1-mile average)

EJScreen Indexes Shown

Index Type

Related Reports

[EJScreen Community Report](#)

Download Data

Census Block Group ID: 721537502022	US (Percentile)			State (Percentile)		
	Facility Census Block Group	1-mile Avg	1-mile Max	Facility Census Block Group	1-mile Avg	1-mile Max
Count of Indexes At or Above 90th Percentile	5	4	6	1	1	5
Particulate Matter 2.5	--	N/A	--	--	N/A	--
Ozone	--	N/A	--	--	N/A	--
Diesel Particulate Matter	0	0	5	18	23	34
Air Toxics Cancer Risk	55	54	56	85	77	94
Air Toxics Respiratory Hazard Index	38	37	42	85	77	94
Toxic Releases to Air	97	88	97	40	20	40
Traffic Proximity	66	88	99	16	37	85
Lead Paint	75	85	99	31	48	96
Risk Management Plan (RMP) Facility Proximity	78	78	86	27	28	40
Hazardous Waste Proximity	99	99	99	96	91	98
Superfund Proximity	99	99	99	73	70	83
Underground Storage Tanks (UST)	95	94	99	83	73	94
Wastewater Discharge	99	99	99	88	81	93

Map Display Based on: US State

Display Map Layer

Facility 1-mile Radius Facility Census Block Group



Demographic Profile of Surrounding Area (1-Mile Radius)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. Census boundaries and demographic data for U.S. Territories are based on the "2020 Island Areas Demographic Profiles" from the U.S. Census Bureau. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary <https://epa.gov/help/reports/dfr-data-dictionary#demographic>.

General Statistics (U.S. Census)	
Total Persons	6,397
Population Density	2,063/sq.mi.
Housing Units in Area	2,923
General Statistics (ACS (American Community Survey))	
Total Persons	3,882
Percent People of Color	99%
Households in Area	1,402
Households on Public Assistance	184
Persons With Low Income	3,118
Percent With Low Income	81%
Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.051081
Center Longitude	-66.853974
Land Area	100%
Water Area	0%
Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	701 (50.04%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	374 (6%)
Minors 17 years and younger	1,524 (24%)
Adults 18 years and older	4,872 (76%)
Seniors 65 years and older	1,074 (17%)
Race Breakdown (U.S. Census) - Persons (%)	
White	5,223 (82%)
African-American	378 (6%)
Hispanic-Origin	6,352 (99%)
Asian/Pacific Islander	11 (0%)
American Indian	16 (0%)
Other/Multiracial	769 (12%)
Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	506 (16.92%)
9th through 12th Grade	233 (7.79%)
High School Diploma	1,120 (37.46%)
Some College/2-year	227 (7.59%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	720 (24.08%)

Income Breakdown (ACS (American Community Survey)) - Households (%)	
\$15,000 - \$25,000	216 (15.42%)
\$25,000 - \$50,000	329 (23.48%)
\$50,000 - \$75,000	125 (8.92%)
Greater than \$75,000	30 (2.14%)

Appendix 4: USFWS Informal Consultation Package and supporting documentation

From: [Roman, Damaris](#)
To: [environmentcdbg](#)
Cc: [Ninotchka Rodriguez-Camacho](#)
Subject: Re: [EXTERNAL] RE: CDBG-DR PR-RGRW-03730 Apiarios Experiences, LLC., Yauco
Date: Tuesday, July 23, 2024 1:50:26 PM
Attachments: [image001.png](#)

Good Afternoon

This email is to acknowledge receipt of PRDOH letter confirming the acceptance implementation of the conservation measures provided by the Service on May 29, 2024 for the PRDOH consultation of April 18, 2024. Keep this email for your records.

Thanks

**** If you need assistance, please contact me at emails or mobile below. If you are sending a request for technical assistance or Section 7 consultation, please contact us at Caribbean_es@fws.gov****

Need a project evaluation? Please visit our [Consultation Guidelines](#) website.

Cordially,

Damaris Román Ruíz

*Biological Science Technician
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Caribbean Ecological Service Field Office
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Facebook: <https://www.facebook.com/USFWSCaribbean?ref=hl>
Flicker: <https://www.flickr.com/photos/usfwssoutheast/sets/72157626859158391/>*

From: environmentcdbg <environmentcdbg@vivienda.pr.gov>
Sent: Tuesday, July 23, 2024 10:59 AM
To: Caribbean ES, FW4 <Caribbean_ES@fws.gov>
Cc: Roman, Damaris <damaris_roman@fws.gov>
Subject: [EXTERNAL] RE: CDBG-DR PR-RGRW-03730 Apiarios Experiences, LLC., Yauco

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To whom it may concern:

In order to complete the environmental review process, attached please find a letter of acceptance by PRDOH regarding the case PR-RGRW-03730 for the CDBG-DR Re-Grow PR Urban-Rural Agriculture Program. This document contains the confirmation of the implementation of the conservation measures regarding this case.

Should you need additional information, do not hesitate to contact our office.

Cordially,

Permits and Environmental Compliance Division

Disaster Recovery Office

environmentcdbg@vivienda.pr.gov | 787.274.2527

Visit us: recuperacion.pr.gov

Contact us: infocdbg@vivienda.pr.gov

DEPARTAMENTO DE LA
VIVIENDA



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From: Roman, Damaris <damaris_roman@fws.gov>
Sent: Thursday, May 30, 2024 10:16 AM
To: Juan C. Perez-Bofill <jcperez@vivienda.pr.gov>

Cc: environmentcdbg <environmentcdbg@vivienda.pr.gov>; allison.cullet@horne.com

Subject: CDBG-DR PR-RGRW-03730 Apiarios Experiences, LLC., Yauco

Mr. Pérez

See attached file regarding the referenced project. Should you have any questions, contact us at caribbean_es@fws.gov

Thanks

**** If you need assistance, please contact me at emails or mobile below. If you are sending a request for technical assistance or Section 7 consultation, please contact us at Caribbean_es@fws.gov****

Need a project evaluation? Please visit our [Consultation Guidelines](#) website.

Cordially,

Damaris Román Ruíz

Biological Science Technician
US Fish and Wildlife Service
Caribbean Ecological Service Field Office
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July 22, 2024

Caribbean Ecological Services Field Office
U.S. Fish and Wildlife Service
P.O. Box 491
Boquerón, Puerto Rico 00622
Email: caribbean@es@fws.gov

**Re: Puerto Rico Department of Housing / Re-Grow Program
Apiarios Experiences LLC | PRGRW-03730
Effect Determination Acceptance**

To whom it may concern:

The Puerto Rico Department of Housing (PRDOH) acknowledges receipt of the U.S. Fish and Wildlife Service correspondence dated on April 18, 2024 for the project PRGRW-03730 According to Section 7(a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), PRDOH confirms the implementation of the pertinent conservation measures for the Puerto Rican Harlequin Butterfly.

As it is stated, with this communication, the PRDOH completes its responsibility under Section 7 of the Endangered Species Act with the Services' requirements for concurrence.

Should you need additional information, do not hesitate to contact our office.

Sincerely,

Permits and Environmental Compliance Division
Disaster recovery Office
environmentcdbg@vivienda.pr.gov | (787)274-2527 ext. 4320



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Caribbean Ecological Services Field Office
Bayamón | Mayagüez | Maricao | Río Grande | St Croix
P.O. Box 491
Boquerón, Puerto Rico 00622



In Reply Refer to:
FWS/R4/CESFO/72153-Gen

Submitted Via Electronic Mail: jcperez@vivienda.pr.gov

Juan Carlos Pérez-Bofill, PE, MEng.
Director – Disaster Recovery CDBG-DR Program
Puerto Rico Department of Housing
P.O. Box 21365
San Juan, P.R 00928-1365

Re: CDBG-DR PR-RGRW-03730 Apiarios
Experiences, LLC., Yauco, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated April 18, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the purchase and construction of a roof (1,452 square feet) with farming infrastructure. The installation of the roof structure will require ground disturbance since it will be installed on six 10 inches wide steel beams and will be buried 2 feet deep. The proposed project will be located at State Road PR-372, Km. 1.2, Bo. Diego Hernández (18°03'28.1"N 66°51'08.9"W) in the municipality of Yauco.

Using the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0064364). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa which determined that the proposed actions for this project may affect, but is not likely to adversely affect (NLAA) this species. Puerto Rican boa conservation measures will be implemented. The Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican boa with the implementation of the conservation measures.

Mr. Pérez-Bofill

Based on the nature of the project, scope of work, information available and existing habitat, the PRDOH has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican harlequin butterfly since the project location is 10,218 feet from its critical habitat and the project area has been used for agricultural purposes for the past 20 years.

We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed actions may affect but is not likely to adversely affect the Puerto Rican harlequin butterfly if PRDOH agrees to implement the following conservation measures for this species:

1. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly or its occupied host plant "prickly bush" (*Oplonia spinosa*) in the project areas. A pre-work meeting should inform all project personnel about the need to avoid harming this butterfly and its occupied host plant. Educational material (e.g., posters, flyers or signs with photos or illustrations of all the life stages of the Puerto Rican harlequin butterfly (i.e., eggs, caterpillar, chrysalids and adult, and its host plant) should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the contractor must clearly delineate the boundaries of the working area in the field to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the Puerto Rican harlequin butterfly (all life stages) and the "prickly bush" must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the Puerto Rican harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the "prickly bush" is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalids are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the Puerto Rican harlequin butterfly is observed flying in that same area. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the Puerto Rican harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of any eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to caribbean_es@fws.gov after the 36-hour search is concluded.

Mr. Pérez-Bofill

7. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions:
 - Clearly mark the host plant with flagging tape.
 - Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
 - Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
 - Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.
8. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office at caribbean_es@fws.gov.
9. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are:

José Cruz-Burgos, Endangered Species Coordinator:

- Mobile: 305-304-1386
- Office phone: 786-244-0081
- Office Direct Line: 939-320-3120
- Email: jose_cruz-burgos@fws.gov

This consultation will be completed once we receive PRHOD's confirmation of the implementation of the above mentioned conservation measures for the Puerto Rican harlequin butterfly.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us via email at caribbean_es@fws.gov or by phone at (786) 244-0081.

Sincerely,

Robert Tawes
Acting Field Supervisor

drr

cc:
Allison Cullet, allison.cullet@horne.com

April 18, 2024

Robert Tawes
Division Supervisor, Environmental Review
U.S. Fish and Wildlife Service
Southeast Regional Office
1875 Century Boulevard
Atlanta, GA 30345
email: robert_tawes@fws.gov

RE: Informal Consultation for Case PR-RGRW-03730 at Bo. Diego Hernandez, Carr 372 Km 1.2, Yauco, PR 00698.

Dear Mr. Tawes:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-03730, located at coordinates for a farm infrastructure: latitude 18.057812, longitude -66.852472; on Bo. Diego Hernandez, Carr 372 Km 1.2, Yauco, PR 00698, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-03730 consist of the purchase and construction of a roof with farming infrastructure. The installation of the roof structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and will be buried 2' deep. No water or power connection will be necessary for this structure. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years. The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the construction of the farm infrastructure, see Figure 3: Area of Potential Effect.

Existing Conditions and Trends:

For the proposed project parcel 361-004-115-15-000, the area is designated as not prime farmland. The proposed project is located in a mountainous area of Yauco. The area for the proposed roof structure has a flat topography, covered in grass and gravel, refer to Photo 1 and Photo 2. The soil in the project area has been classified as Malaya clay, 20 to 60 percent slopes (McF). This soil is on strongly dissected side slopes and narrow ridgetops of the volcanic uplands that have been somehow influenced by limestone. The land has been used for agricultural uses for the past 20 years and the proposed project will not change the land use associated with these placements. The closer Final Critical Habitat is located 10,218 feet from the project location, see Figure 5: Critical Habitats Map. There are no wetlands located on or near the project activity area, see Figure 6: Wetlands Map.

Using the Information for Planning and Consultation (IPaC) system (See Exhibit B), we have determined that the proposed project lies within the range of the following federally listed species and critical habitats:

Name of species	Threatened/Endangered/Candidate
Reptiles	
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	Endangered
Insects	
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	Threatened
Critical Habitat	
There are no critical habitats within the project area.	

The nature of the project, scope of work, information available, a careful analysis of the IPaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated April 11, 2024, in the US Fish and Wildlife Service’s online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have “May Affect, but is Not Likely to Adversely Affect” (NLAA) determination on the Puerto Rican Boa, see Exhibit B. Based on the provided information and the observations in the filed visit it was determined that can be also a "NLAA" for the Puerto Rican Harlequin Butterfly, since it is 10,218 feet from the Critical habitat for this species.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	USFWS Boa Conservation measures (Revised: January 2024)
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	No conservation measures
Critical Habitats		
There are no critical habitats within the project area.		

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination for the Puerto Rican Boa and Puerto Rican Harlequin Butterfly. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. Should you require any additional information, please contact Allison Cullett at allison.cullett@horne.com.

References:

Puerto Rican boa (*Chilabothrus inornatus*)

Species Profile: <https://ecos.fws.gov/ecp/species/6628>

USFWS Puerto Rican boa Conservation Measures

<https://ipac.ecosphere.fws.gov/project/DL2ACOXYA5ED5AXUNEIT4UZOTA/documents/generated/7159.pdf>

Puerto Rican Harlequin Butterfly (*Atlantea tulita*)

Species profile: <https://ecos.fws.gov/ecp/species/9005>

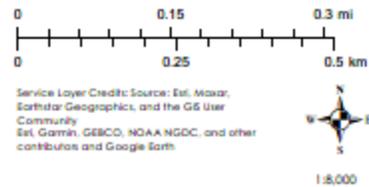
Exhibit A: Figures

Location: Aerial Map

Puerto Rico Department of Housing ReGrow



- Legend:**
- PR-RGRW-03730
 - ▭ Parcel-03730
 - ▭ CRIM_PARCELS



Service Layer Credit: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth

Source
Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crimpr.net/cdppcc/>

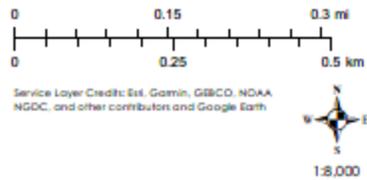
Figure 1: PR-RGRW-03730 Location Map

Location: USGS Topographic Map
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Parcel-03730
- Contour Interval 20 Feet



Source

United States Geological Survey (USGS)
National Geologic Map Database
https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html

Quadrangle: Yauco

Figure 2: PR-RGRW-03730 Topographic Map

Area of Potential Effect

Puerto Rico Department of Housing ReGrow

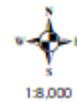


Legend:

-  Area of Potential Effect (15 Mts.)
-  Roof_Structure-03730
-  Parcel-03730
-  CRIM_PARCELS



Service Layer Credits: Esri, Garmin, GEBCO, NOAA, NGDC, and other contributors and Google Earth



Source

Centro de Recaudación de Ingresos Municipales (CRM)
<https://catastro.crimpr.net/cdipepr/>

Figure 3: PR-RGRW-03730 Area of Potential Effect Map

Farmland Protection

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-03730

Farm Class

■ Farmland of statewide importance

■ Not prime farmland

■ Prime farmland if irrigated

0 0.1 0.2 mi

0 0.25 0.5 km

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

National Resources Conservation Service (NRCS)
Gridded Soil Survey Geographic Database (gSSURGO)
<https://data.nrcs.usda.gov/dataset/nrcs-soil-survey-geographic-database-gsurg>

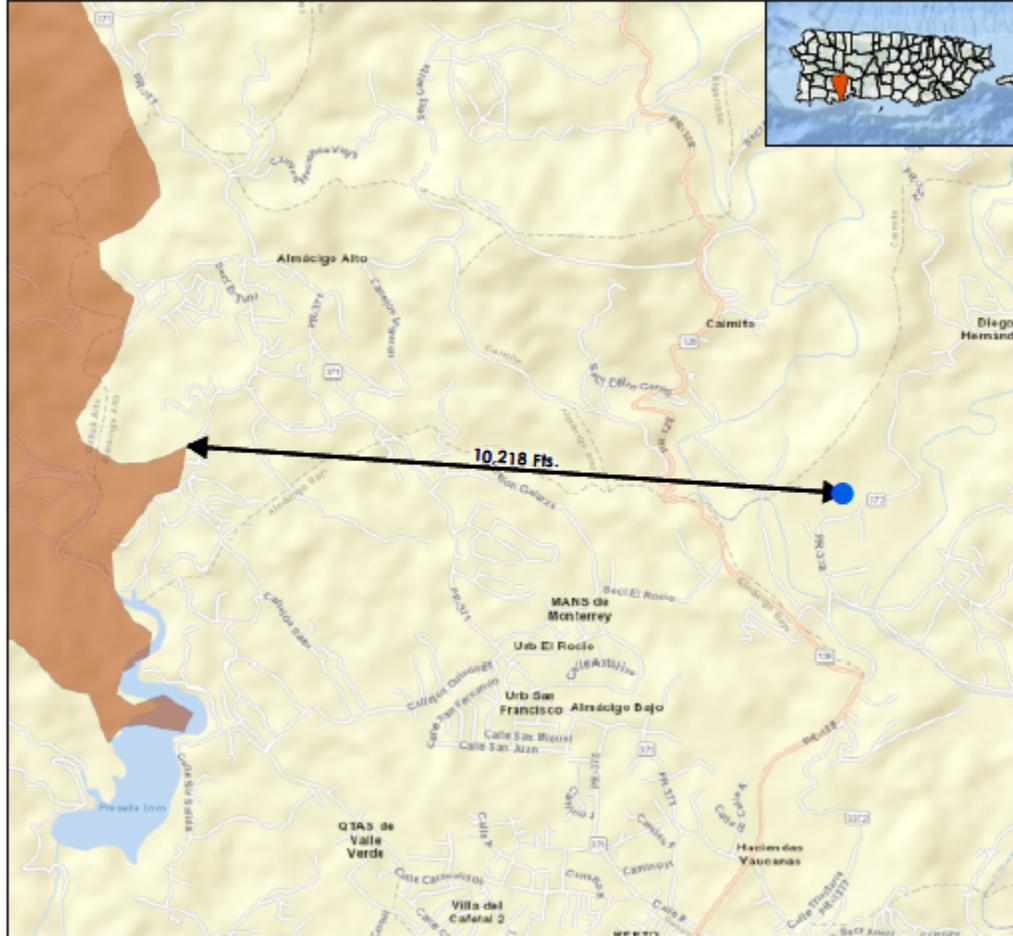


1:10,000

Figure 4: PR-RGRW-03730 Farmland Protection Map

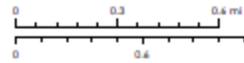
Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-03730
- Critical Habitat



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Swi (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

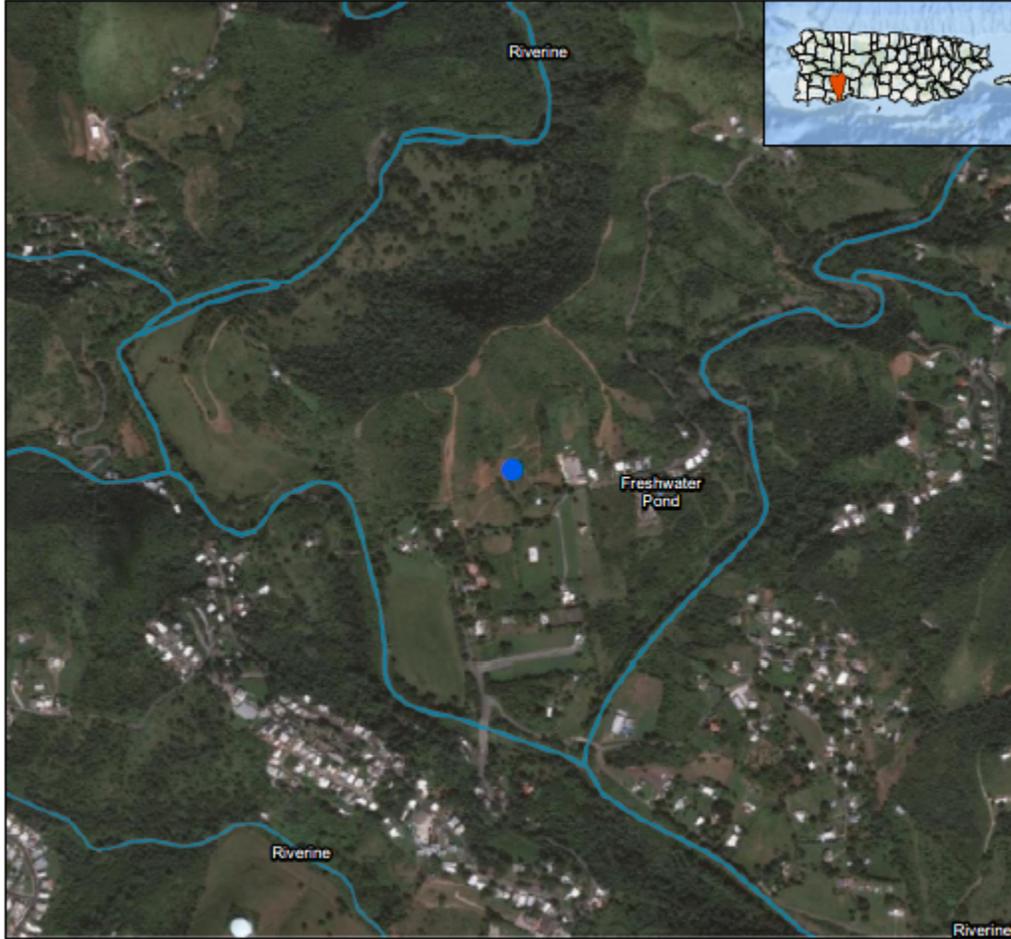
NOAA Office of Response and Restoration
<https://response.restoration.noaa.gov/>



Figure 5: PR-RGRW-03730 Critical Habitats Map

Wetlands Map

Puerto Rico Department of HousingReGrow



Legend:

● PR-RGRW-03730

National Wetlands Inventory

■ Freshwater Pond

■ Riverine

0 0.1 0.2 mi

0 0.25 0.5 km

Service Layer Credits: Source: Esri, Maxar, Earthstar
Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

U.S. Fish and Wildlife Service - National Wetlands Inventory
<https://www.fws.gov/program/national-wetlands-inventory>



1:10,000

Figure 6: PR-RGRW-03730 Wetlands Map

Exhibit B: Information for Planning and Consultation (IPaC)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Caribbean Ecological Services Field Office
Post Office Box 491
Boqueron, PR 00622-0491
Phone: (939) 320-3135 Fax: (787) 851-7440
Email Address: CARIBBEAN_ES@FWS.GOV

In Reply Refer To:

03/18/2024 19:00:12 UTC

Project Code: 2024-0064364

Project Name: PR-RGRW-03730

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0064364

Project Name: PR-RGRW-03730

Project Type: New Constr - Above Ground

Project Description: The proposed activities for PR-RGRW-03730 consist of the purchase and construction of a roof with farming infrastructure. The installation of the roof structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and will be buried 2' deep. No water or power connection will be necessary for this structure. The project area is located at PR-372 Km. 1.2 within the Municipality of Yauco. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.0603181,-66.85159148599439,14z>



Counties: Yauco County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/DL2ACOXYA5ED5AXUNEIT4UZOTA/documents/generated/7159.pdf	Endangered

INSECTS

NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9005 General project design guidelines: https://ipac.ecosphere.fws.gov/project/DL2ACOXYA5ED5AXUNEIT4UZOTA/documents/generated/7168.pdf	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Caribbean Ecological Services Field Office
Post Office Box 491
Boqueron, PR 00622-0491
Phone: (939) 320-3135 Fax: (787) 851-7440
Email Address: CARIBBEAN_ES@FWS.GOV

In Reply Refer To:
Project code: 2024-0064364
Project Name: PR-RGRW-03730

04/11/2024 16:43:22 UTC

Subject: Consistency letter for the project named 'PR-RGRW-03730' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On April 11, 2024, Egon Gonzalez used the Caribbean DKey; dated January 19, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-03730'. The project is located in Yauco County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.0603181,-66.85159148599439,14z>



The following description was provided for the project 'PR-RGRW-03730':

The proposed activities for PR-RGRW-03730 consist of the purchase and construction of a roof with farming infrastructure. The installation of the roof structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and will be buried 2' deep. No water or power connection will be necessary for this structure. The project area is located at PR-372 Km. 1.2 within the Municipality of Yauco. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years.

Based on your answers and the assistance of the Service's Caribbean DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered	NLAA

Consultation with the Service is not complete. The above effect determination(s) becomes applicable when the lead federal action agency or designated non-federal representative submits them as a request to the Service to rely on the Caribbean DKey in order to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **775-140275758**

Note: Projects located within the range of the Puerto Rican boa or the Virgin Islands tree boa might encounter these species during project activities. **This letter does not provide take to handle or move these species.** If relocation of the species is needed, please contact either the Puerto Rico Department of Natural Resources (DNER) at 787-724-5700, 787-230-5550, or 787-771-1124 for projects in Puerto Rico, or the Virgin Islands Department of Planning and Natural Resources, Division of Fish and Wildlife (DFW) at 340-775-6762 for projects in the Virgin Islands. Otherwise, contact the Caribbean Ecological Services Field Office (caribbean_es@fws.gov) to determine whether the consultation needs to be reinitiated.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion. Effects to the other federally listed species or critical habitat as listed below should be considered as part of your ESA review for the project.

- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened

If the proposed project is located within species range where a DKey has not been developed for those species, please follow the established guidance for initiating section 7 consultation Caribbean Ecological Services Field Office.

We appreciate your interest in protecting endangered species and their habitats. It is the Service's mission to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of our people. If you have any questions or require additional information, please contact our office at Caribbean_es@fws.gov.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

PR-RGRW-03730

2. Description

The following description was provided for the project 'PR-RGRW-03730':

The proposed activities for PR-RGRW-03730 consist of the purchase and construction of a roof with farming infrastructure. The installation of the roof structure will require ground disturbance. The roof will be made of steel and galvalume with a measurement of 1,452 square feet. The roof will be installed on six 10" wide steel beams and will be buried 2' deep. No water or power connection will be necessary for this structure. The project area is located at PR-372 Km. 1.2 within the Municipality of Yauco. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.0603181,-66.85159148599439,14z>



QUALIFICATION INTERVIEW

1. Is the proposed project an EPA Multi-Sector General Permit (MSGP) renewal for an existing project? ([MSGP Fact Sheet](#))

No

2. Is the proposed project within an urban developed area? (i.e., cities, downtowns, shopping malls etc.)

Note: Urban and developed areas has one or more of the following characteristics: Presence of existing buildings, residential areas, and commercial establishments. Well-established infrastructure including roads, utilities, and urban facilities. High population density. Established neighborhoods and urban amenities ("urbanizaciones"). Developed landscape with paved surfaces, parking lots, and industrial areas. Signs of human activity and urbanization, such as shopping centers and recreational facilities. Location within the boundaries of a city or town ("casco urbano"). High concentration of built-up structures and limited open spaces. Aerial imagery might be requested to the applicant. .

No

3. Does the proposed project consist of rehabilitation or demolition of existing single-family homes and buildings?

No

4. Does the proposed project consist of improvements to existing facilities?

Note: Examples of facilities are occupied single family homes, and buildings; existing recreational facilities, including the installation of roofs to existing basketball courts, etc.

No

5. Does the proposed project consist of repavement or repair of existing roads and installing transit signage or guardrails?

No

6. Does the proposed project consist of the construction of gutters and/or sidewalks along existing roads, and developments?

No

7. Does the proposed project consist of replacement or repair of existing bridges which include cutting vegetation or earth movement?

No

8. Does the proposed project consist of activities within existing Right of Ways (ROWs) along roads which include cutting vegetation or earth movement?

No

9. Is the proposed project located within a rural area covered by grassland (pasture lands "pastos")?

No

10. Is the proposed project adjacent or within a forested area?

Note: Examples of immediately adjacent to forested areas are rock walls and haystack hills (“mogotes”), wet montane forest, lowland wet forest, remnant coastal, mangrove forest, damp and dry limestone karst forests, pastureland with patches of exotic trees.

No

11. Is the proposed project an existing facility or the expansion of an existing facility within the footprint of the already developed area?

No

12. Is the proposed project a new facility which would require earth moving, vegetation clearing, or debris removal using heavy machinery, the use of staging areas, construction of temporary access roads?

Yes

13. [Hidden Semantic] Does the proposed project intersect the Puerto Rican boa area of influence?

Automatically answered

Yes

14. Will the proposed project implement the U.S. Fish and Wildlife [Puerto Rican boa Conservation Measures](#)?

Yes

Exhibit C: Field Visit Photos



Photo #:1

Description (include direction): Area where the roof structure will be installed, looking southwest.

Date: March 8, 2024



Photo #:2

Description (include direction): Area where the roof structure will be installed, looking northeast.

Date: March 8, 2024



Transmittal Letter

July 23, 2024

To: José Luis Rivera Rivera
Deputy Director for Economic Recovery Grant Management
Re-Grow PR Urban Rural Agriculture Program

Re: Endangered Species Concurrence - Conservation Measures Implementation
Apiarios Experiences LLC | PR-RGRW-03730

Dear Mr. Rivera:

This memorandum is to notify the Re-Grow PR Urban-Rural Agriculture Program (Re-Grow Program) that on April 18, 2024, for the case **PR-RGRW-03730**, the CDBG-DR/MIT Permits and Environmental Compliance Division submitted an informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project of the construction of a roof and beams for Apiarios Experiences LLC, an agricultural business, located at Bo. Diego Hernández, carretera 372 km 1.2, Yauco PR 00698; coordinates 18.057812, -66.852472.

Using the Information for Planning and Consultation (IPaC) system, the proponent has determined that the proposed project lies within the range of the following federally listed species:

Name of Species	Status
Puerto Rican boa (Chilabothrus inornatus)	Endangered
Puerto Rican Harlequin Butterfly (Atlantea tulita)	Threatened

There were no Critical Habitats noted within the project area.

The United States Fish and Wildlife Service (USFWS) Caribbean Ecological Services Field Office reviewed the information provided and their files, and on May 29, 2024 concurred with the determination that the proposed project actions **May Affect, but is Not Likely to Adversely Affect (NLAA)** the Puerto Rican Boa and Puerto Rican Harlequin Butterfly.

The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024 and (2) if a Puerto Rican Harlequin Butterfly is encountered in the site, the Conservation Measures will be in accordance with the USFWS Puerto Rican Harlequin Butterfly Conservation Measures.

Obligations under section 7 of the Act must 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 determined that may be affected by the identified action.

In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, **the applicant must be informed about the conditions of the determination of concurrence and implement them as described.**

In order to facilitate the species identification, please, find attached the Caribbean Endangered and Threatened Animals Fact Sheets for: Puerto Rican Boa and Puerto Rican Harlequin Butterfly.

USFWS Caribbean Ecological Services Field Office key contact information:

- José Cruz-Burgos, Endangered Species Coordinator
Office phone (786) 244-0081 or mobile (305) 304-1386
Email: jose_cruz-burgos@fws.gov

Sincerely,

Permits and Environmental Compliance Division
Disaster Recovery Office
environmentcdbg@vivienda.pr.gov
(787)274-2527 | ext. 4320

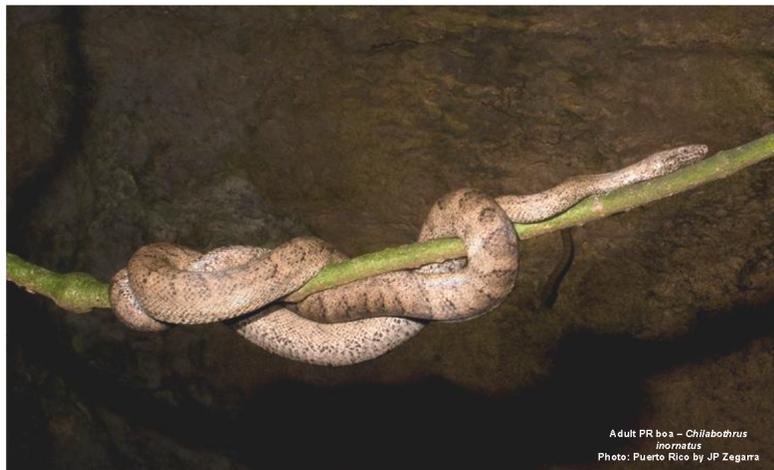


U.S. FISH AND WILDLIFE SERVICE CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE

Conservation Measures for the Puerto Rican boa (*Chilabothrus inornatus*)

Section 7 (a)(1) of the Endangered Species Act (ESA) charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect federally listed species, such as Federal approval of private activities through the issuance of Federal funding, permits, licenses, or other actions. Any person that injures, captures, or kills a Puerto Rico boa is subject to penalties under the ESA. If Federal funds or permits are needed, the funding or permitting agency should initiate Section 7 consultation with the Service. To initiate a consultation under the Section 7 of the ESA, you must submit a project package with the established minimum requirements. These conservation measures should be incorporated into the project plans to minimize possible impacts to the species.

The endangered Puerto Rican (PR) boa (*Chilabothrus inornatus*, formerly *Epicrates inornatus*) is the largest endemic snake species that inhabits Puerto Rico. The PR boa is non-venomous and does not pose any life threatening danger to humans, but some individuals may try to bite if disturbed or during capture or handling. Its body color ranges from tan to dark brown with irregular diffuse marking on the dorsum, but some individuals lack marking and are uniformly dark. Juveniles may have a reddish color with more pronounced markings. In general, as they mature, their body color tends to darken.



Last Revised: January 2024

The PR boa was federally listed in 1970. Currently, the species has an island-wide distribution and occurs in a wide variety of habitat types, ranging from wet montane to subtropical dry forest and can be found from mature forest to areas with different degrees of human disturbance such as roadsides or houses, especially if near their habitat in rural areas. The PR boa is considered mostly nocturnal, remaining less active, concealed or basking under the sun during the day.

The Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PR boa and its habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional conservation measures can be implemented besides the ones presented in this document.

Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: (787) 724-5700, (787) 230-5550, (787) 771-1124). **If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own.** Activities at other work sites, where no boas have been found after surveying the area, may continue.
5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.
7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.
8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
9. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

If you have any questions regarding the above conservation measures, please contact the Service:

- José Cruz-Burgos, Endangered Species Program Coordinator
 - Email: jose_cruz-burgos@fws.gov
 - Office phone (305) 304-1386
- Jan Zegarra, Fish and Wildlife Biologist
 - Email: jan_zegarra@fws.gov
 - Office phone (786) 933-1451



Puerto Rican Harlequin Conservation Measures

1. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly or its occupied host plant "prickly bush" (*Oplonia spinosa*) in the project areas. A pre-work meeting should inform all project personnel about the need to avoid harming this butterfly and its occupied host plant. Educational material (e.g., posters, flyers or signs with photos or illustrations of all the life stages of the Puerto Rican harlequin butterfly (i.e., eggs, caterpillar, chrysalids and adult, and its host plant) should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the contractor must clearly delineate the boundaries of the working area in the field to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the Puerto Rican harlequin butterfly (all life stages) and the "prickly bush" must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the Puerto Rican harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the "prickly bush" is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalids are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the Puerto Rican harlequin butterfly is observed flying in that same area. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the Puerto Rican harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of any eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to caribbean_es@fws.gov after the 36-hour search is concluded.
7. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions:
 - o Clearly mark the host plant with flagging tape.
 - o Establish a 10-meter (32-foot) buffer zone around the bush to protect it.

- Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
 - Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.
8. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office at caribbean_es@fws.gov.
9. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are:
José Cruz-Burgos, Endangered Species Coordinator:
- Mobile: 305-304-1386
 - Office phone: 786-244-0081
 - Office Direct Line: 939-320-3120
 - Email: jose_cruz-burgos@fws.gov