

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project ID: PR-RGRW-01609

Project Name: Ecologique, LLC

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico/Cabo Rojo, PR

Preparer: Gabriela Rodríguez

Certifying Officer Name and Title: Permit and Compliance Officers: Sally Acevedo Cosme, Pedro De León Rodríguez, María T. Torres Bregón, Angel G. López-Guzmán, Ivelisse Lorenzo Torres, Santa Damarys Ramírez Lebrón, Janette I. Cambrelén, Limary Velez-Marrero, Juan Carlos Perez Bofill and Mónica Machuca-Ríos.

Consultant (if applicable): Tetra Tech, 251 Calle Recinto Sur, Ste. 202, San Juan, PR 00091

Direct Comments to: PRDOH (environmentcdbg@vivienda.pr.gov)

Project Location:

The property is a 1.54-acre site located at Carr 101 Barrios Llano in the Municipality of Cabo Rojo, Puerto Rico (Parcel ID# 357-072-382-14-000; 357-072-382-15-000). The coordinates of the project site are 18.037081, -67.114989.

This terrain was a vacant lot and is currently used as an egg farm.

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

The proposed project area is approximately 0.26 acres. The Scope of Work (SOW) for the project includes the purchase and installation of a new greenhouse and new fence, and the purchase of a tractor. Ground disturbance is anticipated for the installation of the greenhouse and the construction of the new fencing.

Scope of Work 1 (SOW-1) is the installation of a greenhouse at coordinates 18.036790, -67.114690, near the boundary of Parcel 357-072-382-14-000 and 357-072-382-15-000. The proposed greenhouse will be constructed with a metal frame, covered by plastic and Saran cover. The greenhouse will measure 48- foot (ft) by 20 ft for an approximate area of 960 square foot (ft²).

Scope of Work 2 (SOW-2) is the installation of 213 linear feet of new fence for a chicken pasture area at coordinates 18.037120, -67.115060 near the northern boundary of Parcel 357-072-382-14-000. The proposed fencing for the chicken pasture is 231 linear ft and be constructed using 200 wooden posts, 6-foot-long each, with metal wire fencing.

No water or power connections required for the proposed activities and the proposed locations have not been graded.

Site photos are included in **Appendix A**. A site map (Figure 1) is included in **Appendix B**.

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

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. The purpose of this project is to develop and increase the productivity of the farm. This agricultural project associated with the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor will deliver with the overall objectives of the Economic Development Program.

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

The land proposed for the installation of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor is used for agricultural purposes. Therefore, there is no change in land use associated with the project. Some ground disturbance will be required.

Structure of this Environmental Review Report (ERR).

This ERR discusses the Funding Information immediately below. The environmental impacts of the proposed action are discussed in the Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities checklist and Environmental Factors checklist. The listing of Additional Studies Performed, and Sources, Agencies and Persons Consulted follows the checklists. The discussions of Public Outreach, Cumulative Impacts, Alternatives, and Summary of Findings and Conclusions are presented at the end of the ERR, before the listing of Mitigation Measures and Determination signatures. The appendices contain detailed information.

- Appendix A – Site Inspection
- Appendix B – Maps
- Appendix C – Additional Documentation
- Appendix D – Endangered Species
- Appendix E – SHPO Consultation

Funding Information

| Grant Number | HUD Program | Funding Amount |
|---|---|-----------------------|
| B-17-DM-72-0001, | Community Development Block Grant – Disaster Recovery (CDBG-DR) | \$11,938,162,230 |
| B-18-DP-72-0001, B-19-DP-78-0002, B-18-DE-72-0001 | CDBG-DR, Re-Grow Puerto Rico Urban-Rural Agricultural Program | |

Estimated Total HUD Funded Amount: \$50,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$50,000

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 or approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

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| 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"/> | The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. The nearest civil airport is Eugenio María de Hostos Airport, approximately 79,944 feet from the proposed site. The nearest military airport is Luis Munoz Marin International Airport, approximately 408,103 feet from the proposed site. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. |

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| | | Refer to Figure 2 in Appendix B. |
| 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"/> | Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in southwest Puerto Rico. The distance to the nearest CBRS unit is 14,670 feet. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in Appendix B. |
| 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 site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C1565H, effective date April 19, 2005. This project is in compliance with Floodplain Insurance requirements. (See Figure 4 and 5 in Appendix B.) |

| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5 | | |
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| 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"/> | The Project site is not located in a county or air quality management district that is in attainment status or non-attainment status for any criteria pollutants. The Municipio of Cabo Rojo is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants" The construction of a new greenhouse and the installation of new fence for chicken pasture would have no impact on air quality. The project is in compliance with Clean Air Act. Refer to EPA listing in Appendix C. |
| Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d) | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | The project is located 12,715 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the PR Coastal Zone Management Plan. The project is in compliance with the Coastal Zone Management Act. |

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| | | See Figure 7 in Appendix B . |
| Contamination and Toxic Substances 24 CFR Part 58.5(i)(2) | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <p>A site visit conducted on May 19, 2023, no debris or rubbish or visible signs vegetative stress, contamination, or toxic substances were noted at the project site.</p> <p>Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project.</p> <p>A facility of the Department of Education, 2,873 feet to the south of the project site, is a RCRA listed site. As a RCRA site it is considered inactive with no violations over the last 3 years. With these conditions and the distance, there would not be any impacts to the project site. The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor.</p> <p>The project is in compliance with Contamination and Toxic Substances Requirements.</p> <p>See Appendix C. Refer to Figures 8 and 9 in Appendix B.</p> |
| Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | <p>The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor to be located in an area that is used as an egg farm.</p> <p>According to EPA NEPAAssist Enviromapper, the nearest critical or proposed critical habitat is 2,856 feet to the south of the project location. Per the Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the Puerto Rican Boa can be</p> |

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| | | <p>found, but there are no critical habitats at this location.</p> <p>A site-specific review of endangered species was conducted in accordance with the Fish and Wildlife Act (47 Stat. 401, as amended: 16 U.S.C. 661 et seq.) and the Self-Certification guidelines in the 2014 USFWS Caribbean Ecological Services Field Office Blanket Clearance Letter (See Appendix D).</p> <p>The two scopes of work included as the proposed project will have No Effect on listed species or habitats. Based on the nature of the project, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, it was determined that there would be No Effect for the listed specie.</p> <p>If a Puerto Rican Boa is encountered, work will cease until it moves off the site or, failing that, the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers will be notified for safe capture and relocation of the animal, in accordance with the USFW Puerto Rican Boa Conservation Measures guidelines and the July 27, 2023 Amended Programmatic Biological Opinion.</p> <p>This project is in compliance with the Endangered Species Act.</p> <p>Refer to Figures 10 and 11 in Appendix B and IPaC report in Appendix D.</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>The project does not include development, construction, or rehabilitation that will increase residential density.</p> <p>The project is in compliance with Explosive and Flammable Hazard requirements.</p> <p>Refer to site visit report in Appendix A.</p> |

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| <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>The project site is designated as farmland of statewide importance. The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor . The project does not include any activities that could potentially convert agricultural land to nonagricultural use. Although the project includes new construction, the project is exempt from review under the Farmland Protection Policy Act (FFPA) as the project is limited to construction of on-farm structures needed for farm operations. No further review is required.</p> <p>This project is in compliance with the Farmland Protection Policy Act.</p> <p>Refer to Figure 12 in Appendix B.</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 Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C1565H, effective date April 19, 2005. The project site is not located in Preliminary Firm or an Advisory Base Flood Elevation (ABFE) special flood hazard area.</p> <p>This project is in compliance with Executive Order 11988.</p> <p>See Figures 4, 5 and 6 in Appendix B.</p> |
| <p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The site was evaluated on August 3, 2023 by an SOI Qualified Architect/Architectural Historian and on August 9, 2023, by an SOI Qualified Archaeologist. Documentation with maps was subsequently submitted to SHPO on August 9, 2023 (Appendix E). SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential on Effects on August 21, 2023.</p> |

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| | | <p>This project is in compliance with Historic Preservation requirements.</p> <p>Refer to Figure 13 in Appendix B and the report in Appendix E.</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</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>HUD's noise regulations protect residential properties from excessive noise exposure. The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor at a farm site. HUD noise regulations do not apply as the project does not include new construction for residential use or rehabilitation of an existing residential property.</p> <p>The proposed project is in compliance with Noise Abatement and Control.</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</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>There are no EPA sole source aquifers in Puerto Rico.</p> <p>The project is in compliance with Sole Source Aquifer requirements.</p> |
| <p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The southwest coast is 20,645 feet southwest of the property. The closest fresh-water bodies include an unnamed water stream in the southeast of property, Quebrada de los Llanos 80 feet to the southeast of the SOW-1 area, and the Canal Valle de Lajas 181 feet to the southeast of SOW-1 area.</p> <p>The NWI maps shows the Quebrada de los Llanos and the Canal Valle de Lajas as Freshwater Forested/Shrub Wetland and as Riverine Wetland, respectively. A Freshwater Forested/Shrub Wetland is identified 300 ft to the southeast of the SOW-1 area.</p> <p>Vegetative buffer will be maintained in its natural conditions. Standard construction BMPs would be used to control erosion</p> |

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| | | <p>and runoff during construction. With these mitigation measures the construction of the fence would not impact surface water or wetlands and includes no activities that would require further evaluation under this section.</p> <p>The project is in compliance with Executive Order 11990.</p> <p>Refer to Figure 14 in Appendix B.</p> |
| <p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 467,639 feet.</p> <p>The project is in compliance with the Wild and Scenic Rivers Act.</p> <p>Refer to Figure 15 in Appendix B.</p> |

| ENVIRONMENTAL JUSTICE | | |
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| <p>Environmental Justice</p> <p>Executive Order 12898</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>No adverse environmental impacts were identified in any other compliance review portion of this project that may disproportionately be high for low-income and/or minority communities. Therefore, this topic complies with Executive Order 12898.</p> |

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 or 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 | <p>The proposed project is located on a private farm. The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. The project site is zoned as "Agricola-Productivo (A-P)". The proposed action is compliant with the current agricultural land use of the Project area.</p> |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | 2 | <p>The proposed project is located in flat terrain, used for egg production. Soils in the proposed project area are classified as Descalabrado (DsD) clay, 12 to 20 slopes, south bounded with young secondary lowland dry limestone semideciduous forest vegetation cover, 40 meters above mean sea level.</p> <p>The project site area is rated "low" for landslide susceptibility (see Figure 16 in Appendix B). The proposed location of greenhouse has not been graded and is currently vacant.</p> <p>There will be little to no additional runoff associated with the project.</p> |
| Hazards and Nuisances including Site Safety and Noise | 2 | <p>During implementation of the project, construction activities may result in temporary elevation of ambient noise levels in immediate areas around active construction areas. The only nearby receptors are the residents of the farm.</p> <p>There is no access to the project area by the public. Standard BMPs, such as construction fencing, would be applied to protect the farm residents and public from typical construction hazards.</p> |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|---|-------------|--|
| SOCIOECONOMIC | | |
| Employment and Income Patterns | 2 | <p>Temporary employment of workers related to construction activities would result, but no new permanent jobs would be created as a result of this project. These workers are expected to come from the local region. However, since the project will include an economic component, it may aid in restoring some employment opportunities and increase income.</p> <p>The proposed project would not negatively impact employment or income patterns.</p> |
| Demographic Character Changes, Displacement | 2 | <p>The proposed project would not result in demographic character changes or displacement. Given the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.</p> |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|--|-------------|--|
| COMMUNITY FACILITIES AND SERVICES | | |
| Educational and Cultural Facilities | 2 | <p>The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.</p> |
| Commercial Facilities | 2 | <p>The agricultural activity of the project property will improve. Other commercial facilities would not be impacted by the proposed project.</p> |
| Health Care and Social Services | 2 | <p>The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. Health care and social services facilities would not be impacted by the</p> |

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| | | proposed project. The project would not increase demand for health care and social services facilities. |
| Solid Waste Disposal / Recycling | 2 | Waste vegetation from clearing activities will either be composted on site or at regional composting centers. Soil from grading would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., piping, structural materials, greenhouse covering fabrics) would be stored for later use. The remaining construction solid waste materials would be collected for transport to the local landfill. The amount of impact of solid waste resulting from the construction of the proposed project would be minor. During operations, the products and by-products would be agricultural, which waste would be biodegradable. |
| Wastewater / Sanitary Sewers | 2 | The proposed project would not include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged. |
| Water Supply | 2 | The project does not include connecting the new greenhouse to potable water utilities. However, the area has the infrastructure to connect project to the local utility. The proposed project will have minor impact on water usage. |
| Public Safety – Police, Fire and Emergency Medical | 2 | The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. The proposed project would not create any new demand for emergency or health services. |
| Parks, Open Space and Recreation | 2 | The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. The proposed project would not create or destroy any new parks, open space, or recreational activities. It also would not increase use of those facilities. |
| Transportation and Accessibility | 2 | The proposed project would not involve the creation of new roads nor any increase in long-term traffic on existing roads. There would be some minor use of the existing road during construction. All residents and businesses would retain access to their properties during and after the project. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
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| NATURAL FEATURES | | |
| Unique Natural Features, Water Resources | 2 | The proposed project will be situated on land used for egg production and will have no impact to unique natural features or water resources. During the construction activities the implementation of the mitigation measure will reduce the possibility of impacts to surface water resources. |
| Vegetation, Wildlife | 2 | The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. The proposed project will have no impact on vegetation and wildlife. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|--------------------------------------|-------------|---|
| CLIMATE AND ENERGY | | |
| Climate Change Impacts | 2 | The project consists of the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. This is a small project with no measurable impact on climate change factors. With respect to climate change impact on the project, agricultural activities could be affected by drought. |
| Energy Efficiency/Energy Consumption | 2 | The proposed project is an agricultural project that does not involve energy use. The project would not be connected to the local electricity provider. There would be no change in energy demand in the area. |

Additional Studies Performed: None required.

Field Inspection (Date and completed by):

Site inspection was conducted on May 19, 2023 by Carlos Medina.

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

Puerto Rico State Historic Preservation Office

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 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.

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/ecp/report/species-listings-by-state?stateAbbrev=PR&stateName=Puerto%20Rico&statusCategory=Listed>

Federal Emergency Management Agency, Flood Mapping Service:

<https://msc.fema.gov/portal/home> (compilation of numerous maps)

US Fish and Wildlife Service, National Wetlands Inventory:

www.fws.gov/wetlands/data/mapper.html (compilation of numerous maps)

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

US Geological Survey, Data Release of May Showing Concentration of Landslides Caused by Hurricane Maria,

www.sciencebase.gov/catalog/item/59de6459e4b05fe04ccd39d8

List of Permits Obtained:

None required.

Public Outreach [24 CFR 58.43]:

The local community has been very proactive in the recovery process. Puerto Rico Department of Agriculture has worked closely with the agricultural community. The 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 proposed project. The growth of agricultural products at the farm will increase. New greenhouse is not contemplated to be connected to water or power utilities. However, the development of new agricultural activity and the expansion of current production may increase to a minor degree the use of current water and power consumption.

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

The RGRW Program's goal is to increase agricultural capacity while promoting and increasing food security island-wide. This Program seeks to enhance and expand agricultural production related to economic revitalization and sustainable development activities. The applicant submitted a proposal to develop, enhance and expand agricultural production on their property. The proposed use of grant funds will allow the applicant to develop and expand the cultivation, processing, and delivery of agricultural products through the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor. Any alternative that would involve an off-property location would not enhance and expand agricultural production or allow for the economic development for this applicant. The actions are proposed in an area to the east and south of the existing residence.

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

Under the No Action Alternative, the applicant would not receive federal funding for the construction and installation of a new greenhouse and a fence for chicken pasture, and the purchase of a tractor 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 the economic development for this applicant.

Summary of Findings and Conclusions:

The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with federal agencies associated with the topics evaluated above. There are no environmental review topics addressed above that result in the need for additional formal compliance steps with federal agencies or the requirement for mitigations other than those listed below. There may be additional approvals or permits from local agencies. For example, the Office of Permit Management (OGPe) is responsible for granting permits, licenses, certifications,

consultations, construction, and any other procedure necessary for business development and land use in Puerto Rico.

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 |
|---------------------------|---|
| Wetlands Protection | Vegetation buffer and standard construction BMPs would be used to control erosion and runoff during construction. |
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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: 12/5/23

Name/Title/Organization: Gabriela Rodriguez Rosario, Senior Environmental Scientist, Tetra Tech Inc.

Certifying Officer Signature:  Date: December 6, 2024

Name/Title: Santa D. Ramirez Lebron / Permits and Environmental Compliance 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).

Appendix A

Environmental Field Observation - Puerto Rico Department of Housing

| APPLICANT INFORMATION | | | |
|---|-------------------------------------|-------------------------------------|--|
| Application ID | PR-RGRW-01609 | | |
| Applicant Name | Ecologique, LLC | | |
| Property Address | Carr 101 Barrios Llano Tuna | | |
| Parcel ID | ---- | | |
| Coordinates | 18.036940, -67.115070 | | |
| Inspector Name | Josue Troche | | |
| Inspection Date | 05/19/2023 | | |
| Building Type | Concrete_Metal | | |
| Number of Units | 0 | | |
| Number of Stories | 0 | | |
| Year Built; Data Source | ----; Historian | | |
| ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers) | | | |
| OBSERVATION ITEMS | YES | NO | COMMENTS |
| A. Is the structure in use ? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Egg farm |
| B. Is structure a greenhouse ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| C. Is Electricity connected ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| D. Is water connected ? (Utilities or Well) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 1. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 2. Are there any 55-gallon drums visible on site? If yes, are they leaking? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 3. Are there any (or signs of any) underground storage tanks on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 4. Are there signs of ASTs on the parcel or adjacent parcel? If yes, list approximate size and contents, if known. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 275 gallons, water reserve 275 gallons, water reserve |
| 5. Is there any stained soil or pavement on the parcel? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 6. Is a water drainage system in use? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is a warehouse in use for storage of Fertilizer or Pesticides ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8. Are there any groundwater monitoring wells on the site or adjacent parcel? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 9. Is there evidence of a faulty septic system ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 10. Is there distressed vegetation on the parcel? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

| | | | |
|---|-------------------------------------|-------------------------------------|---|
| 11. Is there any visible indication of MOLD ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 12. Is there any visible evidence of asbestos, chipping, flaking or peeling paint, or hazardous materials present in or on the structure? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 13. Are any additional site hazards observed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 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)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Stream located to the southeast of the property |
| 15. Does the subject property have water frontage ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 16. Is there any indication of the presence of Wetlands ? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 17. Are there any obvious signs of animals or birds nesting on or near the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 19. Is a historic marker present? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

Additional Notes:

Case: PR-RGRW-01609

Coordinates: 18.036940, -67.115070

Is the field graded: field is not graded

Scope of Work: Purchase and installation of a greenhouse and fence and purchase of a tractor

Land current in use for: Egg farm

Past Land use was: Empty lot

The applicant plans to do:

1. Installation of a greenhouse 48' x 20' = 960sqft
2. Installation of a fence for chicken pasture, 213LF

Where the applicant plans to do the ground disturbances for the scopes of work, add the coordinates, description and approx measurements

Scope of work 1: 18.036790, -67.114690

Installation of a greenhouse 48' x 20' = 960sqft. The greenhouse will be constructed with metal, plastic and seran cover sheet.

Scope of work 2 18.037120, -67.115060

Installation of a fence with 6' wood post and metal wire for chicken pasture: 213LF of fence

Any new water connection or power connection?: No

Site Sketch



Front of Structure

Photo Direction: Southeast



Facing Away From Front

Photo Direction: Northwest



Side #1 of Structure

Photo Direction: Southwest



Facing Away From Side #1

Photo Direction: Northeast



Back of Structure

Photo Direction: Northwest



Facing Away From Back

Photo Direction: Southeast



Side #2 of Structure

Photo Direction: North



Facing Away From Side #2

Photo Direction: South



Streetscape #1

Photo Direction: Southwest



Streetscape #2

Photo Direction: North



Address

Photo Direction: East



Outbuildings

Photo Description: House

Photo Direction: Southeast



Outbuildings

Photo Description: Chicken farm

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: North



Structural Details

Photo Description: Architectural details

Photo Direction: Northeast



Structural Details

Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: North



Structure Occupied

Photo Description: Egg farm

Photo Direction: Northeast



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: Northeast



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: Northeast



Standing Water

Photo Description: Stream

Photo Direction: Southeast



Scope Of Work

Photo Description: Scope of work 1: Greenhouse installation

Photo Direction: Southeast



Scope Of Work

Photo Description: Scope of work 1: Greenhouse installation

Photo Direction: Northeast



Scope Of Work

Photo Description: Scope of work 1: Greenhouse installation

Photo Direction: Northeast



Scope Of Work

Photo Description: Scope of work 1: Greenhouse installation

Photo Direction: South



Scope Of Work

Photo Description: Scope of work 1: Greenhouse installation

Photo Direction: Southwest



Scope Of Work

Photo Description: Scope of work 2: Fence installation

Photo Direction: Northwest



Scope Of Work

Photo Description: Scope of work 2: Fence installation

Photo Direction: North



Scope Of Work

Photo Description: Scope of work 2: Fence installation

Photo Direction: Northeast



Scope Of Work

Photo Description: Scope of work 2: Fence installation

Photo Direction: East



Scope Of Work

Photo Description: Scope of work 2: Fence installation

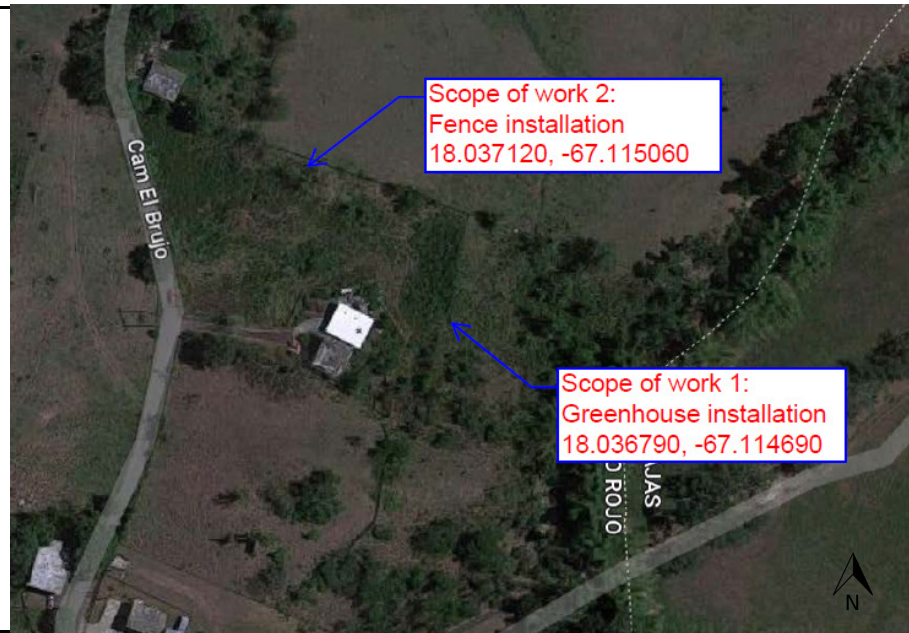
Photo Direction: North



Scope Of Work


Photo Description: Scope of work map reference

Photo Direction: North



Appendix B



- Legend**
-  Project Parcel
 -  Parcels

PUERTO RICO



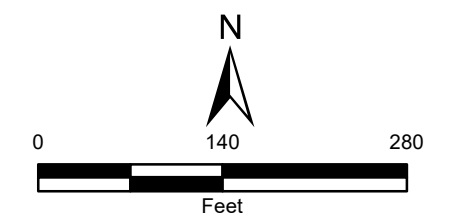
Figure 1: PROJECT LOCATION
APPLICANT ID: PR-RGRW-01609
ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623
Name of Development: Ecologique, LLC
Parcel Coordinates: 18.037081 , -67.114989



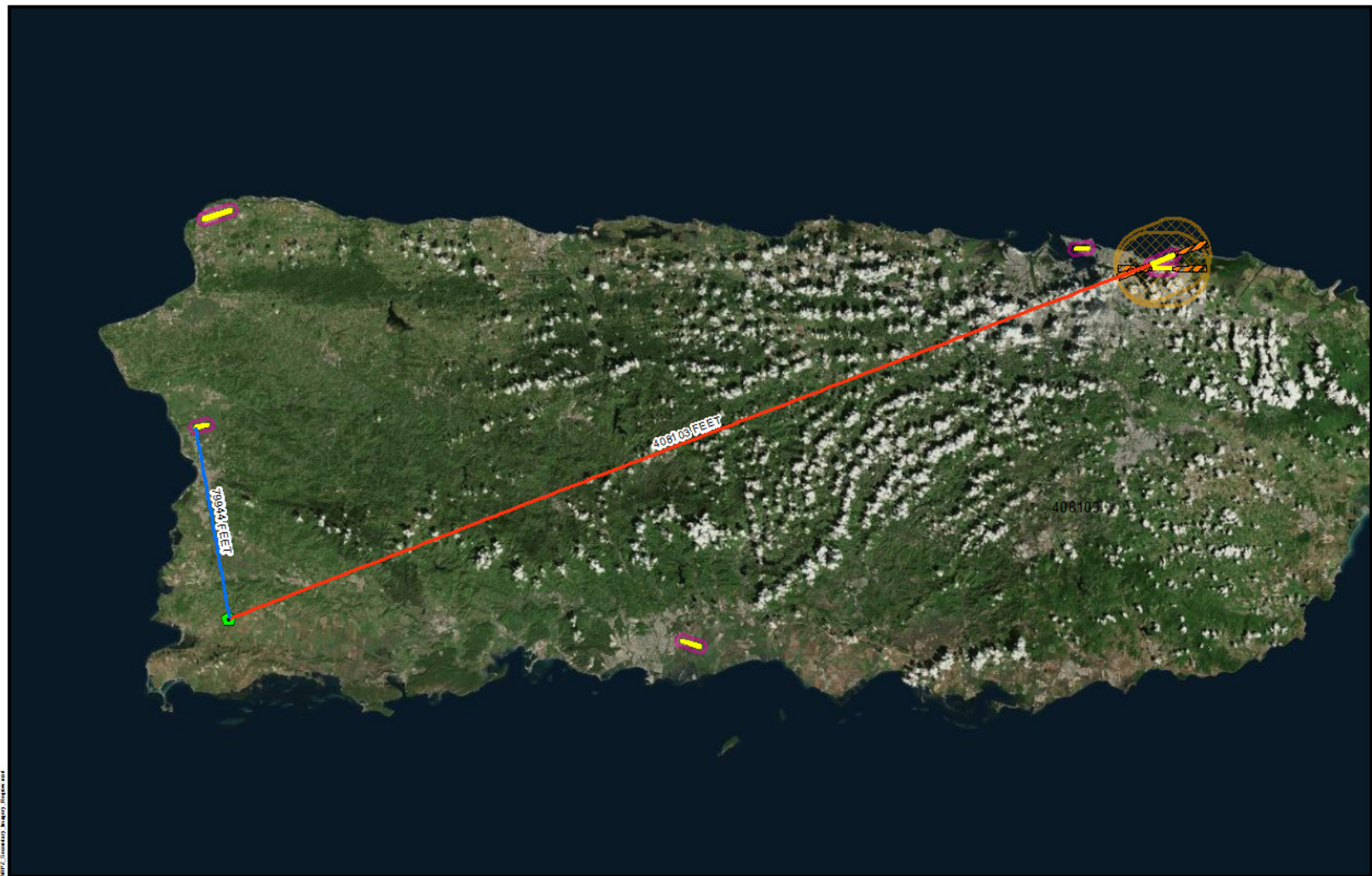
Source: U. S. Fish & Wildlife Service
<https://www.fws.gov>

Author: TG

Date: 6/6/2023



File Path: I:\es706\gis\100RPA\cs\Share\TDR\data\USPRT\PR\LOC_Regrow_Secondary_maptier.mxd



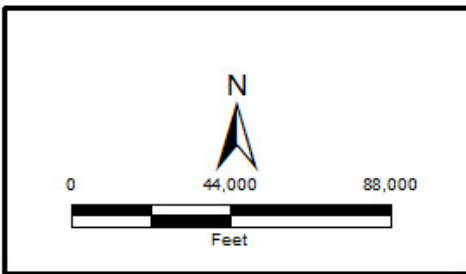
- Legend**
- Project Parcel
 - Civilian Runway Protection Zones
 - Military Accident Potential Zones
 - Airport Runways
 - Civilian Airport 2,500 Feet Buffer
 - Military Airport 15,000 Feet Buffer

**Distance to Nearest Airport
in Feet: 79944 FEET**



Figure 2: AIRPORT ZONES
APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623
Name of Development: Ecologique, LLC
Parcel Coordinates: 18.037081, -67.114989



Source: USDOT
<https://www.faa.gov>

Author: TG Date: 6/2/2023



Legend

Project Parcel

**Coastal Barrier Resources
System Unit Type**

Otherwise Protected

System Unit

Distance to Nearest Coastal Barrier
Resources System in Feet: 14670 FEET

PUERTO RICO



**Figure 3: COASTAL BARRIERS IMPROVEMENT ACT
APPLICANT ID: PR-RGRW-01609**

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

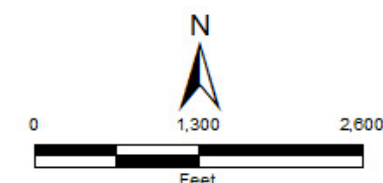
Parcel Coordinates: 18.037081, -67.114989



Source: U. S. Fish & Wildlife Service
<https://www.fws.gov>

Author: TG

Date: 6/5/2023





- Legend**
- Project Parcel
 - FIRM Panels
 - Floodway
 - 100 Yr Floodzone
 - 500 Yr Floodzone
 - Area Of Minimal Flood Hazard
 - Unmapped for Floodplain

PUERTO RICO



Figure 4: FLOODPLAIN MANAGEMENT APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

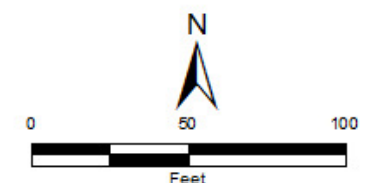
Name of Development: Ecologique, LLC

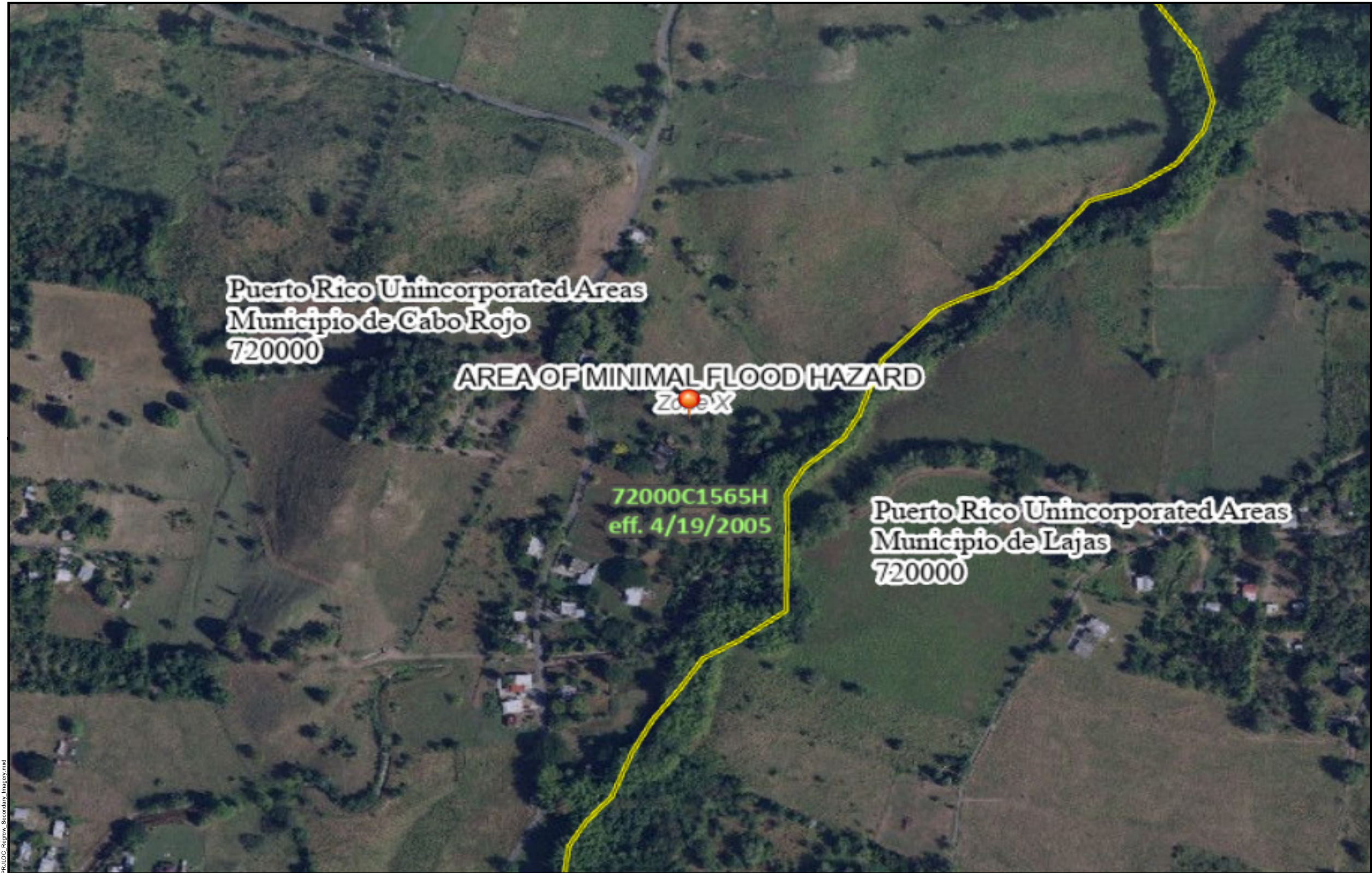
Parcel Coordinates: 18.037081, -67.114989



Source: FEMA
<https://msc.fema.gov>

Author: TG Date: 6/1/2023

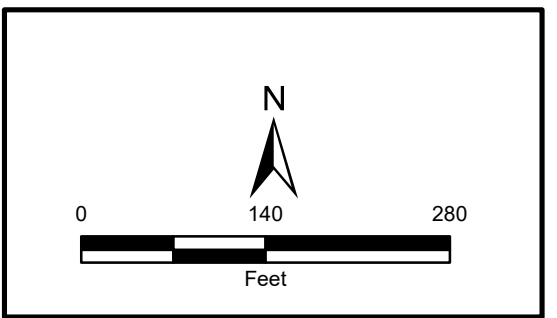




Legend
SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

| | | |
|-----------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard <i>Zone D</i> |
| | | Channel, Culvert, or Storm Sewer |
| OTHER FEATURES | | Levee, Dike, or Floodwall |
| | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| MAP PANELS | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



TETRA TECH

Source: FEMA
<https://www.msc.fema.gov>

Author: TG Date: 5/31/2023

FIGURE 5: NATIONAL FLOOD HAZARD LAYER FIRMETTE

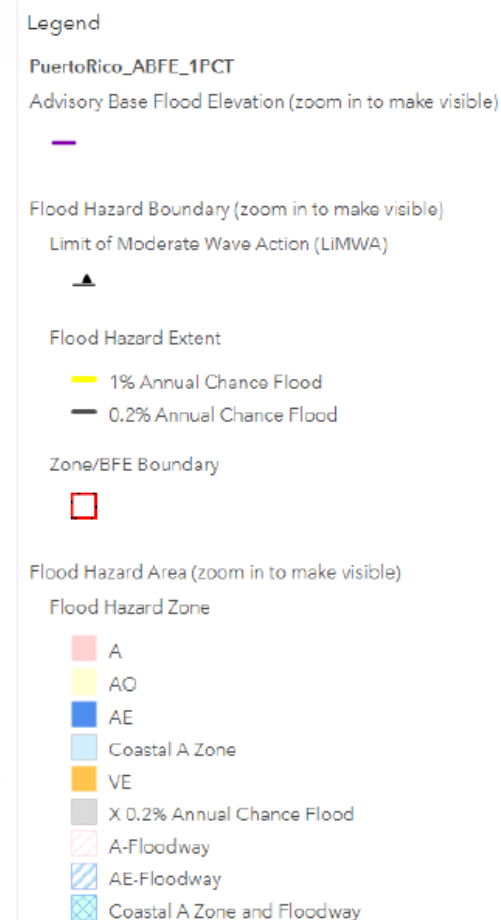
APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

Parcel Coordinates: 18.037081 , -67.114989

File Path: \\nas202\gis\TDR\Projects\Share\TDR\MapData\USFIRM\PR\UCC_Regrow_Secondary_Images.mxd



PUERTO RICO



Figure 6: ADVISORY BASE FLOOD ELEVATION

APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

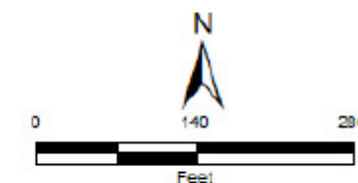
Name of Development: Siembra Vida Inc

Parcel Coordinates : 18.037081 , -67.114989




Source: FEMA
<https://gis.fema.gov>

Author: TC Date: 5/5/2023





Legend

-  Project Parcel
-  Coastal Zone Management Boundary

Distance to Nearest Coastal Zone: 12715 FEET

PUERTO RICO



Figure 7: COASTAL ZONE MANAGEMENT

APPLICANT ID:PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

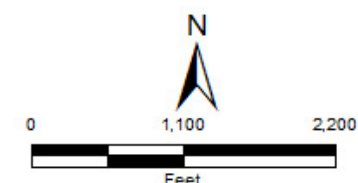
Parcel Coordinates: 18.037081, -67.114989

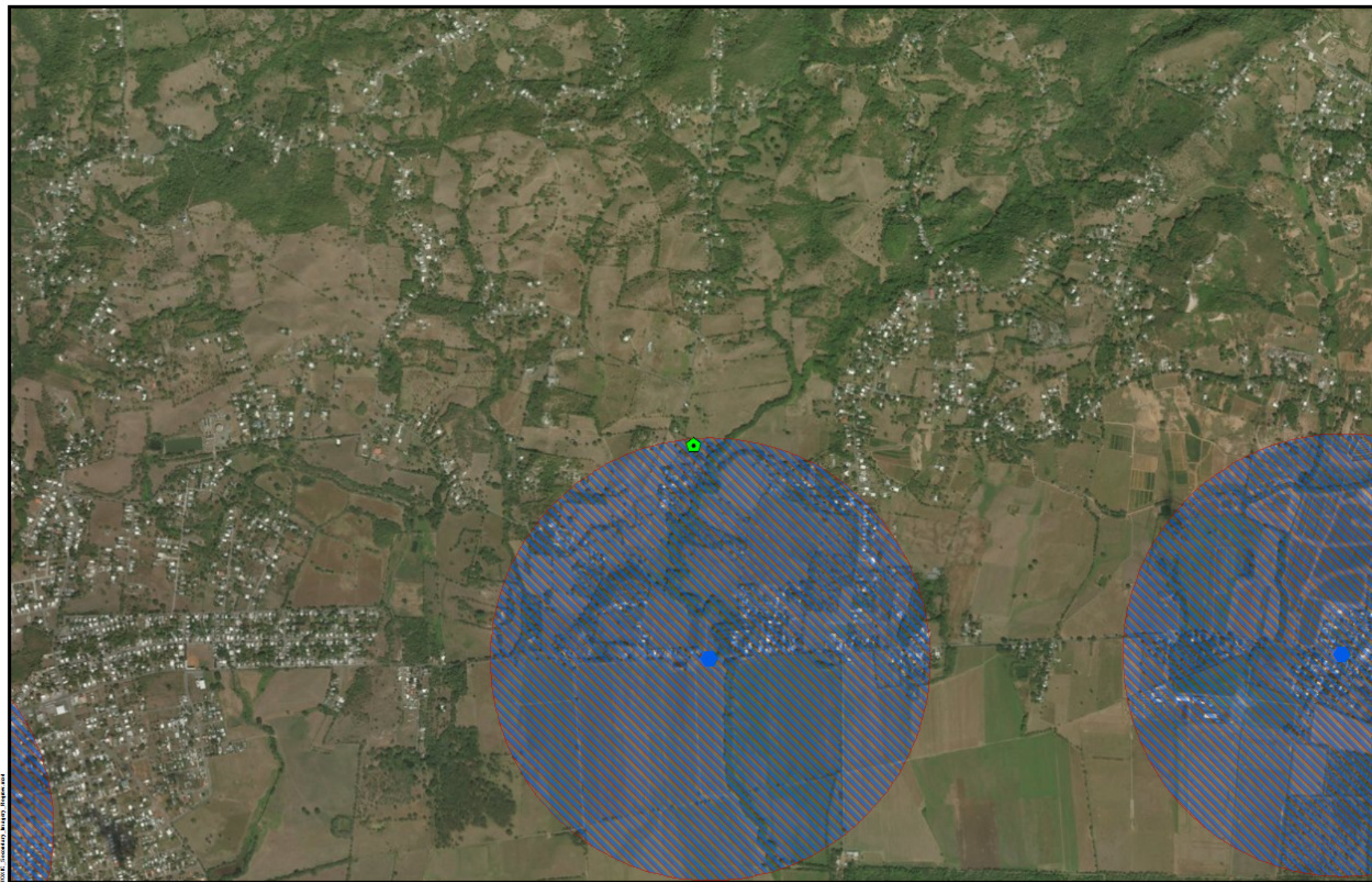


Source: NOAA's Ocean Service
<https://data.noaa.gov>

Author: TG

Date: 6/5/2023





Legend

- RCRA
- ⬠ Project Parcel
- ▲ Toxic Release Inventory Site
- Superfund Site
- Brownfield Sites
- ▨ 3000 Ft Buffer TRI
- ▨ 3000 Ft Buffer Superfund
- ▨ 3000 Ft Buffer RCRA
- ▨ 3000 Ft Buffer Brownfield

PUERTO RICO



**Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS,
CONTAMINATION, AND RADIOACTIVE SUBSTANCES**
APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

Parcel Coordinates: 18.037081, -67.114989

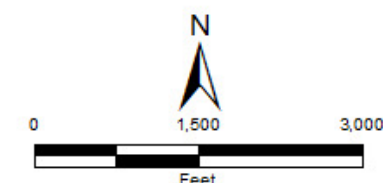


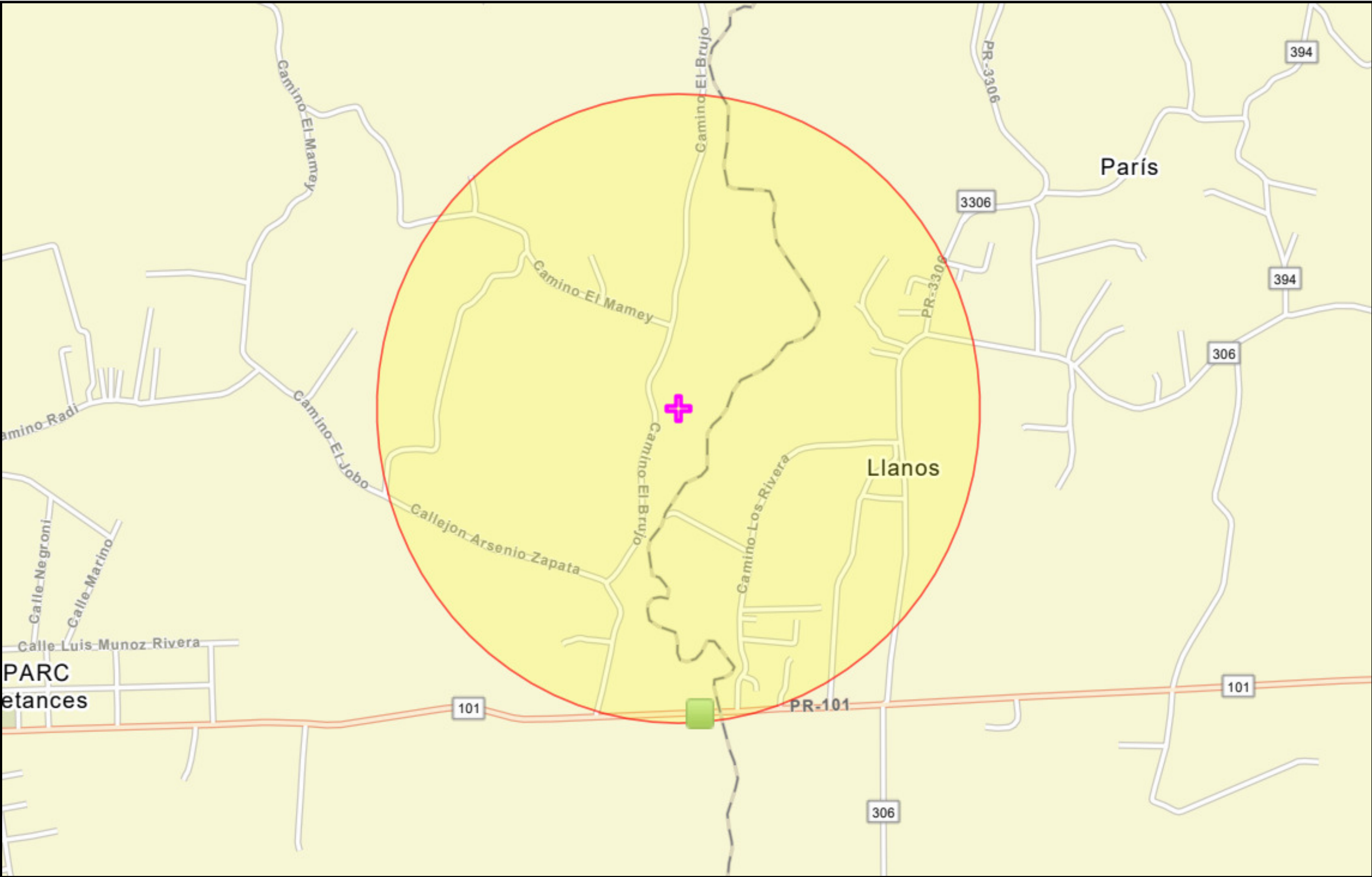
Source: E.P.A.

<https://www.epa.gov/fs/geospatial-data-download-service>

Author: JBI/AK

Date: 6/1/2023





- Legend
- Superfund (NPL)
 - Toxic Substances Control Act (TSCA)
 - Toxic Releases (TRI)
 - Brownfields (ACRES)
 - Hazardous Waste (RCRAInfo)

PUERTO RICO

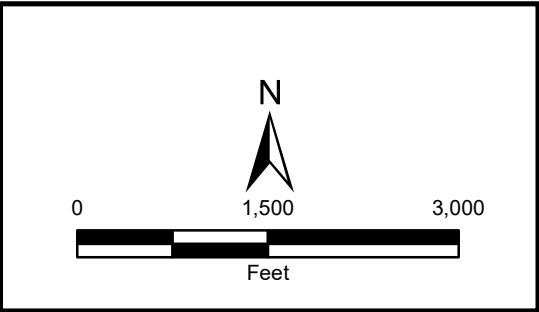


Figure 9: NEPA Assist Map

APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

Parcel Coordinates: 18.037081 , -67.114989




Source: E.P.A.
<https://www.epa.gov/frs/geospatial-data-download-service>

Author: JB/AK Date: 5/18/2023

File Path: \\slas20glas1\CORP\AccessShare\TDR\data\USPRT\er2\TOXIC_Secondary_Imagery_Registered



Legend
 Project Parcel

PUERTO RICO

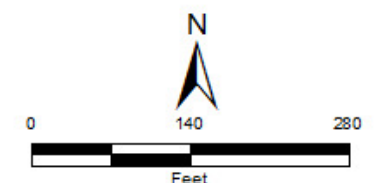


Figure 10: ENDANGERED SPECIES ACT APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

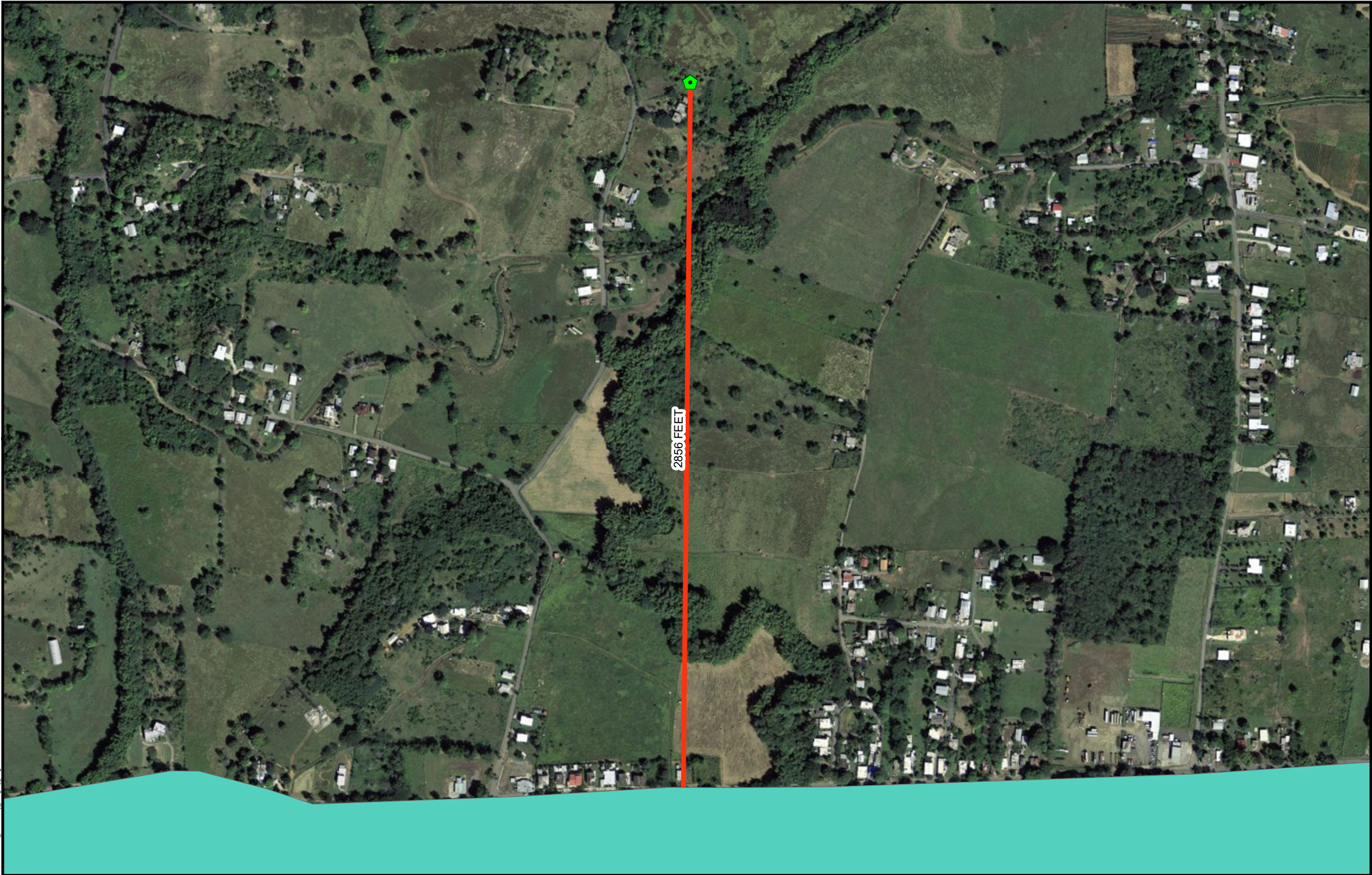
Parcel Coordinates: 18.037081, -67.114989




Source: U.S. FISH & WILDLIFE SERVICE
<https://ecos.fws.gov>

Author: TG


Date: 6/1/2023



Legend

 Project Parcel

comname

 Yellow-shouldered blackbird

Distance to Nearest Critical Habitat in Feet: 2856 FEET

PUERTO RICO

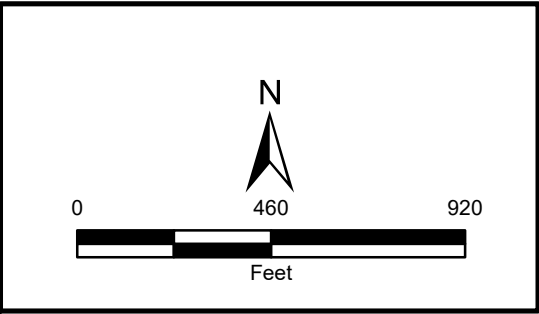


Figure 11: CRITICAL HABITATS
APPLICANT ID: PR-RGRW-01609
ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623
Name of Development: Ecologique, LLC
Parcel Coordinates: 18.037081, -67.114989

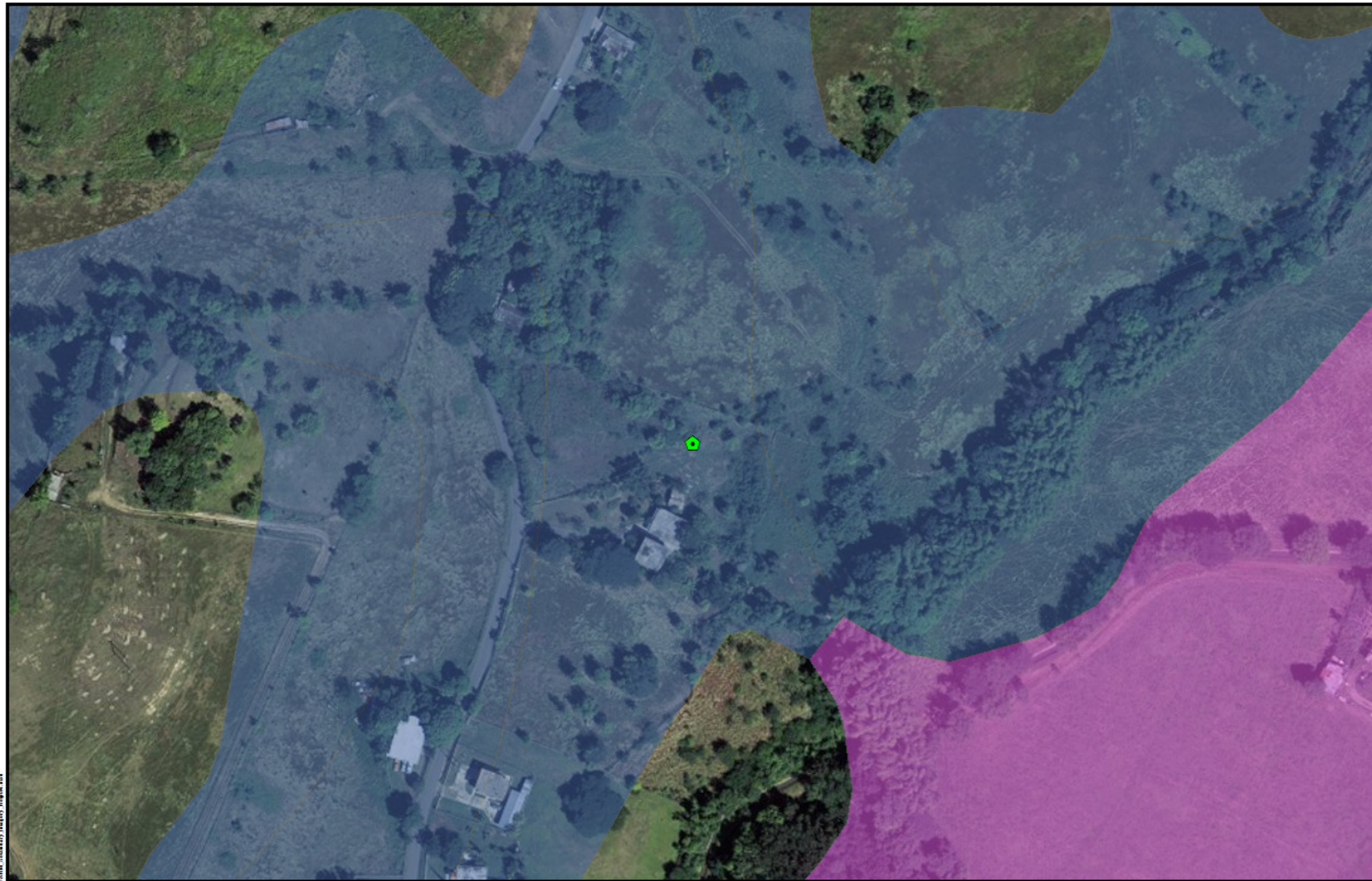


TETRA TECH

Source: U.S. FISH & WILDLIFE SERVICE
<https://ecos.fws.gov>

| | |
|------------|----------------|
| Author: TG | Date: 6/1/2023 |
|------------|----------------|

File Path: \\nas206\gis\TDR\AccessShare\TDRData\USFWS\PR\01609\CRITICAL HABITATS\Secondary Imagery\Regrw.mxd



Legend

Project Parcel

Farm Class

All areas are prime farmland

Farmland of statewide importance

Farmland of statewide importance, if irrigated

Prime farmland if drained

Prime farmland if irrigated

Prime farmland if irrigated and reclaimed of excess salts and sodium

Prime farmland if protected from flooding or not frequently flooded during the growing season

PUERTO RICO



Figure 12: FARMLAND PROTECTION APPLICANT ID: PR-RGRW-01609

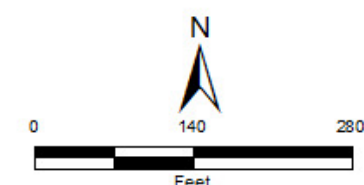
ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

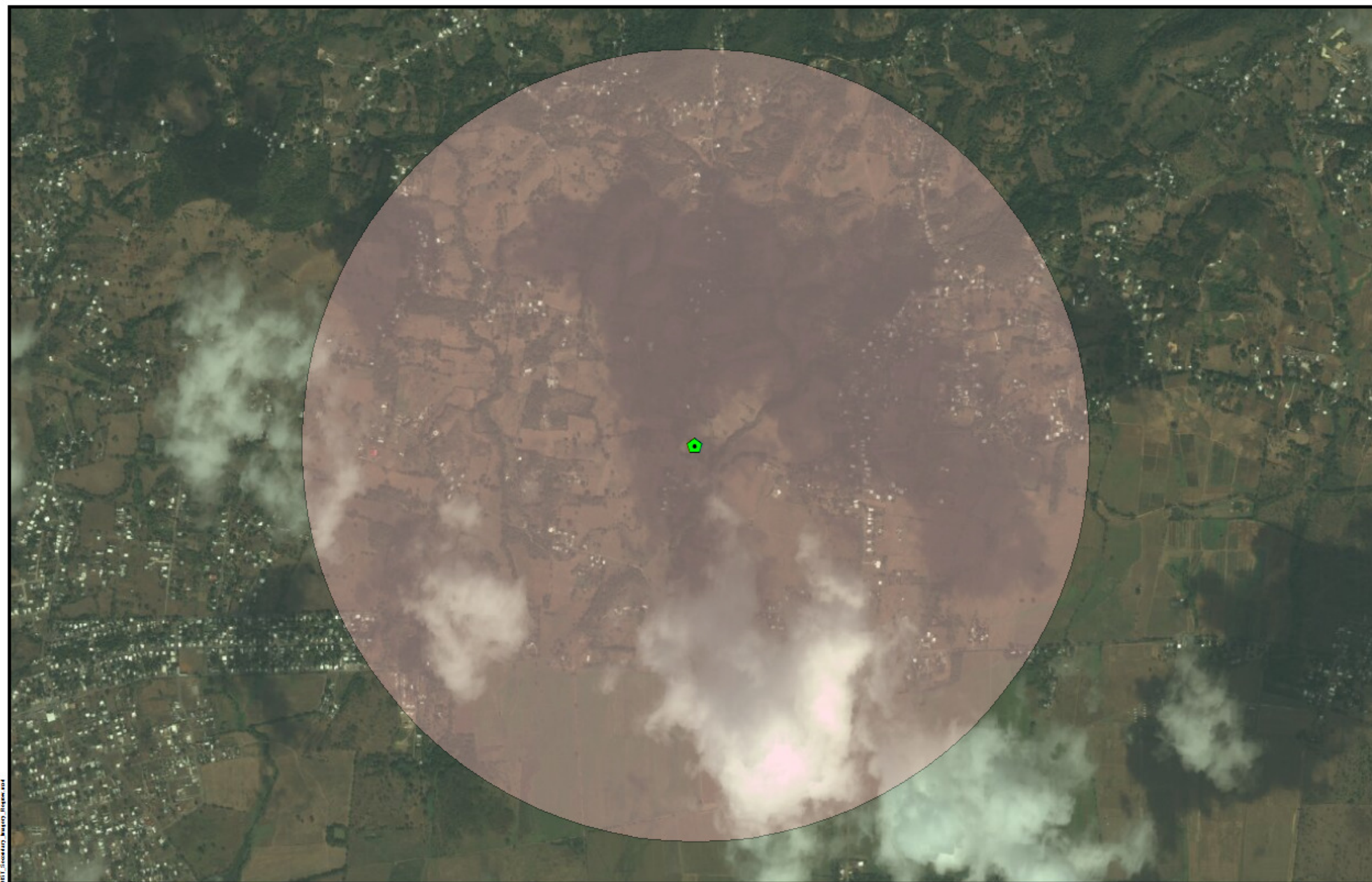
Name of Development: Ecologique, LLC

Parcel Coordinates: 18.037081, -67.114989
















Source: USDA
<https://websoilsurvey.sc.egov.usda.gov>
Author: TG Date: 6/1/2023





Legend

-  Project Parcel
-  Historic ICP Sites
-  Cultural Resource Building Point
-  Cultural Resource District Point
-  Cultural Resource Site Point
-  Cultural Resource Structure Point
-  Historic Comunidades
-  Traditional Urban Centers
-  Cultural Resource Building Polygon
-  Cultural Resource District Polygon
-  Cultural Resource Site Polygon
-  Cultural Resource Structure Polygon
-  1 Mile Property

PUERTO RICO



Figure 13: HISTORIC PRESERVATION APPLICANT ID: PR-RGRW-01609

ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

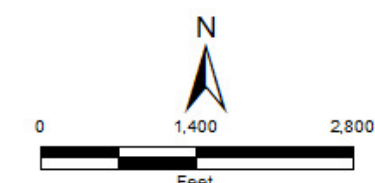
Parcel Coordinates: 18.037081, -67.114989



Source: National Park Service
<https://www.nps.gov/>

Author: TG

Date: 6/1/2023





Legend

Project Parcel

WETLAND TYPE

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Riverine

PUERTO RICO

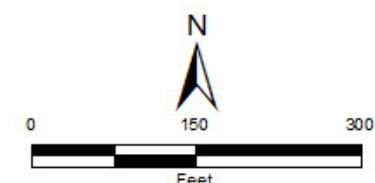


Figure 14: WETLANDS
APPLICANT ID: PR-RGRW-01609
 ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623
 Name of Development: Ecologique, LLC
 Parcel Coordinates: 18.037081, -67.114989




Source: U. S. Fish & Wildlife Service
<https://www.fws.gov>


Author: TG Date: 6/1/2023



Legend

 Project Parcel

Landslide Susceptibility

 Extremely High

 Very High

 High

 Moderate

 Low

PUERTO RICO



Figure 16: SLOPE AND EROSION APPLICANT ID: PR-RGRW-01609

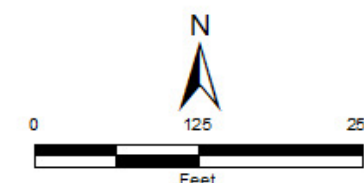
ADDRESS: Carr 101 Barrios Llano Tuna, Cabo Rojo, PR 00623

Name of Development: Ecologique, LLC

Parcel Coordinates: 18.037081, -67.114989



Source: PRDOH
<http://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=10506ec07f15491daee17647f19248ee>
 Author: TG Date: 6/1/2023



Appendix C



You are here: EPA Home > Green Book > >National Area and County-Level Multi-Pollutant Information >Puerto Rico Whole or Part County Nonattainment Status by Year Since 1992 for all Criteria Pollutants

Puerto Rico Whole or Part County Nonattainment Status by Year Since 1992 for all Criteria Pollutants

Data is current as of April 30, 2023

Listed by State, County, NAAQS (W=Whole County,P=Partial County designated nonattainment as of report date)
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:

PUERTO RICO

▼

GO

Important Notes

| PUERTO RICO | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------------------|-----------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| County | NAAQS | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 00 | 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | |
| Arecibo Municipio | Lead (2008) | | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Bayamon Co | Sulfur Dioxide (2010) | | | | | | | | | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P |
| Catano Co | Sulfur Dioxide (2010) | | | | | | | | | | | | | | | | | | | | | | | | | | | W | W | W | W | W | W | W |
| Guaynabo Co | PM-10 (1987) | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | | | | | | | | | | | | | |
| Guaynabo Co | Sulfur Dioxide (2010) | | | | | | | | | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P |
| Salinas Municipio | Sulfur Dioxide (2010) | | | | | | | | | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P |
| San Juan Municipio | Sulfur Dioxide (2010) | | | | | | | | | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P |
| Toa Baja Co | Sulfur Dioxide (2010) | | | | | | | | | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | P |

Important Notes

Discover.


Connect.

Ask.

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2023-04-30

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Detailed Facility Report



Detailed Facility Report

Facility Summary

DEPT OF ED - SU CARMEN VIGNALS ROSARIO

CARR 101 KM 18.2, CABO ROJO, PR 00623 ⓘ

FRS (Facility Registry Service) ID: 110004887800

EPA Region: 02

Latitude: 18.029067

Longitude: -67.114374

Locational Data Source: RCRAINFO

Industries: --

Indian Country: N

Enforcement and Compliance Summary

| 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) | -- |

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): No Information

Resource Conservation and Recovery Act (RCRA): Inactive
Other, (PR0000012799)

Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information

Greenhouse Gas Emissions (eGGRT): No Information

Toxic Releases (TRI): No Information

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

Go To Enforcement/Compliance Details

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

Facility/System Characteristics

Facility/System Characteristics

| System↕ | Statute↕ | Identifier↕ | Universe↕ | Status↕ | Area↕ | Permit Expiration Date↕ | Indian Country↕ | Latitude↕ | Longitude↕ |
|----------|----------|--------------|-----------|--------------|-------|-------------------------|-----------------|-----------|------------|
| FRS | | 110004887800 | | | | | N | 18.029067 | -67.114374 |
| RCRAInfo | RCRA | PR0000012799 | Other | Inactive () | | | N | 18.029067 | -67.114374 |

Facility Address

| System↕ | Statute↕ | Identifier↕ | Facility Name↕ | Facility Address↕ | Facility County↕ |
|----------|----------|--------------|--|---------------------------------------|---------------------|
| FRS | | 110004887800 | DEPT OF ED - SU CARMEN VIGNALS ROSARIO | CARR 101 KM 18.2, CABO ROJO, PR 00623 | Cabo Rojo Municipio |
| RCRAInfo | RCRA | PR0000012799 | DEPT OF ED - SU CARMEN VIGNALS ROSARIO | CARR 101 KM 18.2, CABO ROJO, PR 00623 | Cabo Rojo Municipio |

Facility SIC (Standard Industrial Classification) Codes

| System↕ | Identifier↕ | SIC Code↕ | SIC Description↕ |
|--------------------------|-------------|-----------|------------------|
| No data records returned | | | |

Facility NAICS (North American Industry Classification System) Codes

| System↕ | Identifier↕ | NAICS Code↕ | NAICS Description↕ |
|---------|-------------|-------------|--------------------|
|---------|-------------|-------------|--------------------|

No data records returned

Facility Tribe Information

Reservation Name Tribe Name EPA Tribal 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)

No data records returned

Entries in italics are not counted as EPA official inspections.

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 |
|---------|--------------|---|---------------|--------------------------------------|---------------------|
| RCRA | PR0000012799 | No | 10/28/2023 | 0 | 10/27/2023 |

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+ |
|---------|----------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| RCRA | (Source ID: PR0000012799) | 01/01-03/31/21 | 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 |
| | Facility-Level Status | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified | No Violation Identified |
| | Violation | | | | | | | | | | | | |
| | Agency | | | | | | | | | | | | |

Informal Enforcement Actions

Last 5 Years

Statute System Source ID Type of Action Lead Agency Date

No data records returned

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

No data records returned

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?

No data records returned

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

No data records returned

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

No data records returned

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.

EJScreen Indexes Shown

Compare to ☒ US ☐ State

Index Type ☐ Environmental Justice ☒ Supplemental

Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 720238306073

US (Percentile)

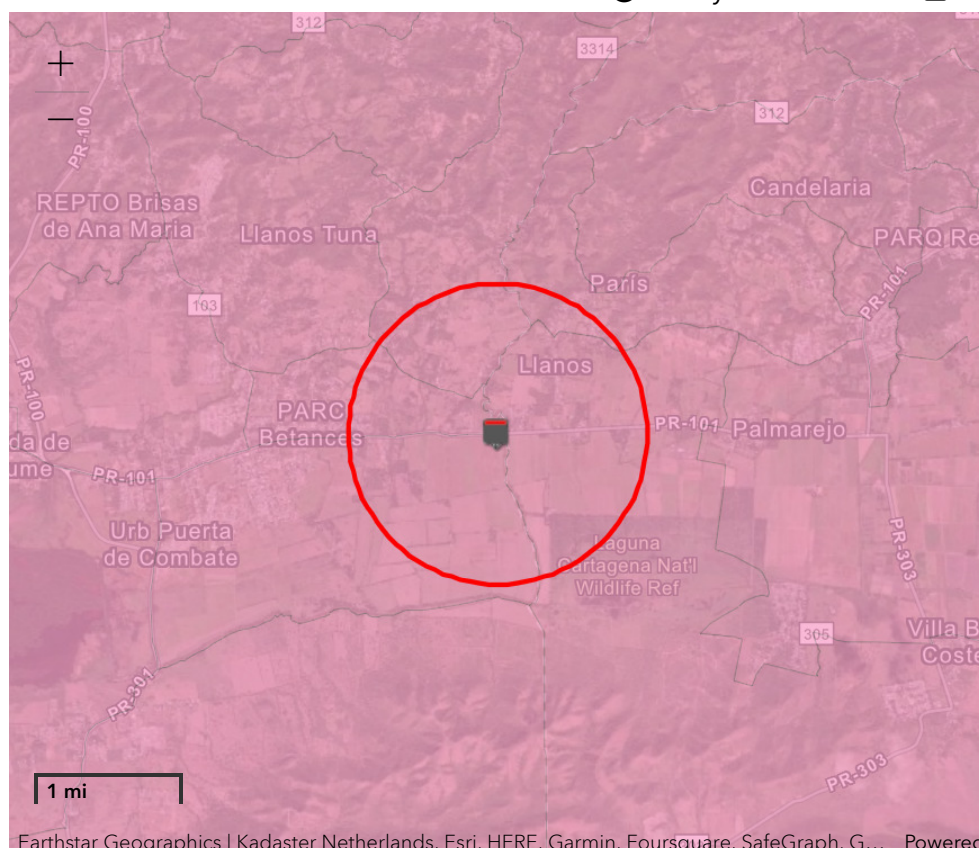
Supplemental Indexes

Facility Census Block Group 1-mile Max

| Count of Indexes At or Above 80th Percentile | 4 | 5 |
|--|----|----|
| Particulate Matter 2.5 | -- | -- |

| Census Block Group ID: 720238306073 | US (Percentile) | |
|---|-----------------------------|------------|
| Supplemental Indexes | Facility Census Block Group | 1-mile Max |
| Ozone | -- | -- |
| Diesel Particulate Matter | 0 | 5 |
| Air Toxics Cancer Risk | 53 | 55 |
| Air Toxics Respiratory Hazard Index | 35 | 40 |
| Toxic Releases to Air | 88 | 93 |
| Traffic Proximity | 82 | 96 |
| Lead Paint | 63 | 95 |
| Risk Management Plan (RMP) Facility Proximity | 46 | 63 |
| Hazardous Waste Proximity | 61 | 85 |
| Superfund Proximity | 99 | 99 |
| Underground Storage Tanks (UST) | 0 | 88 |
| Wastewater Discharge | 98 | 99 |

☒ Facility 1-mile Radius
 ☐ Facility Census Block Group



Earthstar Geographics | Kadaster Netherlands, Esri, HERE, Garmin, Foursquare, SafeGraph, G... Powered by Esri <<http://www.esri.com/>>

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. 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 | 1,099 |
| Population Density | 347/sq.mi. |
| Housing Units in Area | 526 |

| General Statistics (ACS (American Community Survey)) | |
|--|-------|
| Total Persons | 1,345 |
| Percent People of Color | 99% |
| Households in Area | 556 |
| Households on Public Assistance | 15 |
| Persons With Low Income | 1,199 |
| Percent With Low Income | 90% |

| Geography | |
|-------------------------|------------|
| Radius of Selected Area | 1 mi. |
| Center Latitude | 18.029067 |
| Center Longitude | -67.114374 |
| Land Area | 100% |
| Water Area | 0% |

| Income Breakdown (ACS (American Community Survey)) - Households (%) | |
|---|-------------|
| Less than \$15,000 | 303 (54.4%) |
| \$15,000 - \$25,000 | 122 (21.9%) |
| \$25,000 - \$50,000 | 60 (10.77%) |
| \$50,000 - \$75,000 | 61 (10.95%) |
| Greater than \$75,000 | 11 (1.97%) |

| Age Breakdown (U.S. Census) - Persons (%) | |
|---|-----------|
| Children 5 years and younger | 58 (5%) |
| Minors 17 years and younger | 233 (21%) |
| Adults 18 years and older | 866 (79%) |
| Seniors 65 years and older | 238 (22%) |

| Race Breakdown (U.S. Census) - Persons (%) | |
|--|-------------|
| White | 911 (83%) |
| African-American | 55 (5%) |
| Hispanic-Origin | 1,093 (99%) |
| Asian/Pacific Islander | 0 (0%) |
| American Indian | 2 (0%) |
| Other/Multiracial | 130 (12%) |

| Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%) | |
|--|--------------|
| Less than 9th Grade | 294 (27.25%) |
| 9th through 12th Grade | 141 (13.07%) |
| High School Diploma | 225 (20.85%) |
| Some College/2-year | 118 (10.94%) |
| B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More | 233 (21.59%) |



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Frequent Questions <<https://www.epa.gov/aboutepa/frequent-questions-specific-epa-programstopics>>

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Last updated on September 21, 2022

Data Refresh Information <<https://epa.gov/resources/echo-data/about-the-data#sources>>

Appendix D

Date: September 6, 2023

Applicant ID: PR-RGRW-01609

Street Address: Carr 101 Barrios Llano Tuna

Municipality: Cabo Rojo

Subject – Endangered Species No Effect Determination for PR-RGRW-01609 – Scope 1

Tetra Tech conducted a site-specific review of endangered species 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 located at Carr 101 Barrios Llano Tuna, in the Municipality of Cabo Rojo, Puerto Rico (Parcel ID# 357-072-382-14-000 and 357-072-382-15-000).

The proposed project includes two separate scopes of work on the parcel. This review is for Scope 1 – the installation of a greenhouse at coordinates 18.036790, -67.114690, crossing the boundary of Parcels 357-072-382-14-000 and 357-072-382-15-000. The proposed greenhouse will be constructed with a metal frame, covered by plastic and saran. The greenhouse will measure 48 feet by 20 feet for an approximate area of 960 square feet.

The parcel has been used as a farm since its purchase. Aerial imagery from Google Earth shows that the parcel and surrounding properties have been used as farmland since approximately 1993. The parcel is located in a rural area, surrounded by farmland on all sides. The proposed project area of Scope 1 consists of a maintained, short grass field and a garden bed with some planted vegetation at the time of the site visit (Appendix A). No trees are located within the proposed project area.

The National Wetlands Inventory indicated that no wetlands are located within the parcel, nor the proposed project area (Figure 14). A stream can be seen outside of the parcel, approximately 100 feet east of the proposed project area.

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

| Species | Status |
|--|------------|
| Puerto Rican Boa (<i>Chilabothrus inornatus</i>) | Endangered |

No Critical Habitats were noted within the project area (Figure 10). The closest and most recent sighting of the Puerto Rican Boa recorded on iNaturalist.org was recorded in October 2021 approximately 2.2 miles northwest of the parcel, in a densely forested area. Based on site review and site photos, no suitable habitat was found within the proposed project area for the Puerto Rican Boa. Based on the nature of the project, previous site

disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

| Species | Effect Determination | Conservation Measures to be implemented (if needed) |
|---|----------------------|---|
| Puerto Rican Boa (<i>Chilabothrus inornatus</i>) | No Effect | No Conservation Measures |

A 'No Effect' determination has been made based on the lack of suitable habitat for the Puerto Rican Boa, as well as previous disturbance and current land use of the proposed project area.

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.

Attachments:

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Cabo Rojo County, Puerto Rico



Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📅 (787) 851-7440

✉ CARIBBEAN_ES@FWS.GOV

MAILING ADDRESS

Post Office Box 491

Boqueron, PR 00622-0491

PHYSICAL ADDRESS

Office Park I

State Road #2 Km 156.5, Suite 303}

Mayaguez, PR 00680

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [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.

The following species are potentially affected by activities in this location:

Reptiles

| NAME | STATUS |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6628 | Endangered |

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Managment <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

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Proper Interpretation and Use of Your Migratory Bird Report

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Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

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Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local

government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Date: September 6, 2023

Applicant ID: PR-RGRW-01609

Street Address: Carr 101 Barrios Llano Tuna

Municipality: Cabo Rojo

Subject – Endangered Species No Effect Determination for PR-RGRW-01609 – Scope 2

Tetra Tech conducted a site-specific review of endangered species 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 located at Carr 101 Barrios Llano Tuna, in the Municipality of Cabo Rojo, Puerto Rico (Parcel ID# 357-072-382-14-000).

The proposed project includes two separate scopes of work on the parcel. This review is for Scope 2 – the installation of 213 linear feet of fencing for a chicken pasture, located at coordinates 18.037120, -67.115060. The proposed fencing will require 231 linear feet and be built using 200 6-foot-long wooden posts and metal wire fencing.

The parcel has been used as a farm since its purchase. Aerial imagery from Google Earth shows that the parcel and surrounding properties have been used as farmland since approximately 1993. The parcel is located in a rural area, surrounded by farmland on all sides. The proposed project area of Scope 2 consists of a maintained, short grass field with a few trees framing the parcel boundary.

The National Wetlands Inventory indicated that no wetlands are located within the parcel, nor the proposed project area (Figure 14). A stream can be seen outside of the parcel, approximately 300 feet east of the proposed project area.

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

| Species | Status |
|--|------------|
| Puerto Rican Boa (<i>Chilabothrus inornatus</i>) | Endangered |

No Critical Habitats were noted within the project area (Figure 10). The closest and most recent sighting of the Puerto Rican Boa recorded on iNaturalist.org was recorded in October 2021 approximately 2.2 miles northwest of the parcel in a densely forested area. Based on site review and site photos, no suitable habitat was found within the proposed project area for the Puerto Rican Boa (Appendix A). Based on the nature of the project, previous site disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

| Species | Effect Determination | Conservation Measures to be implemented (if needed) |
|---|----------------------|---|
| Puerto Rican Boa (<i>Chilabothrus inornatus</i>) | No Effect | No Conservation Measures |

A 'No Effect' determination has been made based on the lack of suitable habitat for the Puerto Rican Boa, as well as previous disturbance and current land use of the proposed project area.

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.

Attachments:

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Cabo Rojo County, Puerto Rico



Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📅 (787) 851-7440

✉ CARIBBEAN_ES@FWS.GOV

MAILING ADDRESS

Post Office Box 491

Boqueron, PR 00622-0491

PHYSICAL ADDRESS

Office Park I

State Road #2 Km 156.5, Suite 303}

Mayaguez, PR 00680

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [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.

The following species are potentially affected by activities in this location:

Reptiles

| NAME | STATUS |
|---|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6628 | Endangered |

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Managment <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

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The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

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What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

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There are no refuge lands at this location.

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government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Appendix E



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

August 21, 2023

Lauren Bair Poche

HORNE

10000 Perkins Rowe, Suite 610, Bldg G

Baton Rouge, LA 70810

SHPO 08-14-23-13 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:
PR-RGRW-01609- ECOLOGIQUE, LLC- CARR. 101, BARRIO LLANO TUNA, CABO
ROJO, PUERTO RICO

Dear Ms. Bair,

Our Office has received and reviewed the above referenced project in accordance with 54 U.S.C. 306108 (commonly known as Section 106 of the *National Historic Preservation Act*) and 36 CFR Part 800: *Protection of Historic Properties*.

Our records support your finding of **no historic properties affected** for this undertaking.

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

Sincerely,

Carlos A. Rubio-Cancela

State Historic Preservation Officer

CARC/GMO/MB



August 14, 2023

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-01609 – Ecologique, LLC – Carr 101 Barrios Llano Tuna, Cabo Rojo, 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 Ecologique, LLC. at the property located at Carr 101 Barrios Llano Tuna in the municipality of Cabo Rojo. The proposed activities for this project include the purchase and installation of a new greenhouse and new fence, and the purchase of a tractor. Ground disturbance is anticipated for the installation of the greenhouse and the construction of the new fencing. No water or power connections required for the proposed activities and the proposed locations have not been graded.

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, Historic Preservation Senior Manager
Attachments

| | | |
|---|------------------------|---|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination | |  |
| Applicant: Ecologique, LLC | | |
| Case ID: PR-RGRW-01609 | City: Cabo Rojo | |

| | |
|--|------------------------------------|
| Project Location: Carr 101 Barrios Llano Tuna | |
| Project Coordinates: 18.036779, -67.115094 | |
| TPID (Número de Catastro): 357-072-382-14-000; 357-072-382-15-000 | |
| Type of Undertaking: <input type="checkbox"/> Substantial Repair <input checked="" type="checkbox"/> New Construction | |
| Construction Date (AH est.): c1970 | Property Size (acres): 1.54 |

| |
|---|
| SOI-Qualified Architect/Architectural Historian: Maria F. Lopez Schmid |
| Date Reviewed: 8/3/2023 |
| SOI-Qualified Archaeologist: Roberto G. Muñoz-Pando, PhD |
| Date Reviewed: August 9, 2023 |


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 Scope of Work (SOW) for the project includes the purchase and installation of a new green house and new fence, and the purchase of a tractor. Ground disturbance is anticipated for the installation of the greenhouse and the construction of the new fencing. No water or power connections required for the proposed activities and the proposed locations have not been graded.

Scope of Work 1 is the installation of a greenhouse at coordinates 18.036790, -67.114690, near the boundary of Parcel 357-072-382-14-000 and 357-072-382-15-000. The proposed greenhouse will be constructed with a metal frame, covered by plastic and saran. The greenhouse will measure 48 feet by 20 feet for an approximate area of 960 square feet (ft²).

Scope of Work 2 is the installation of 213 linear feet of new fence for a chicken pasture area at coordinates 18.037120, -67.115060 near the northern boundary of Parcel 357-072-382-14-000. The proposed fencing for the chicken pasture will require measure 231 linear feet and be constructed using 200 6-foot-long wooden posts with metal wire fencing.

| | |
|---|--|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination |  GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING |
| Applicant: Ecologique, LLC | |
| Case ID: PR-RGRW-01609 | City: Cabo Rojo |

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 proposed locations where the new greenhouse and new fence will be installed, with a 15-meter buffer to allow for variation in placement due to site conditions. 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 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 the project area has no previously identified archaeological sites within a 0.5-mile radius of the APE. Our research did not find any Cultural Resource Studies performed within a 0.5-mile radius of the APE. The soil in the area is mostly composed of Descalabrado (DsD) clay with 12 to 20 slopes. Most areas of Descalabrado are used for pasture, not making it the ideal soil for intact archaeological deposits.

Identification of Historic Properties - Architecture

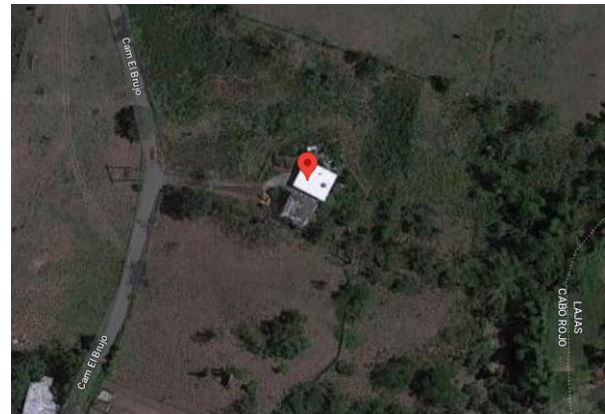
Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is **not** within the boundaries of a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center or Historic District. Additionally, there are **no** NRHP-listed historic properties within the quarter mile buffer zone from the APE.

The proposed project is located in a rural, mountainous terrain with crops and grasslands. The property lies east of Camino Brujo in Cabo Rojo, near the boundary limit with the town of Lajas, that is to the east. Two circa 1970 buildings that are side by side are located south of the APE geocoordinates. The buildings, shown below, appear on a 1975 aerial image, the earliest available for the area.

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Case ID: PR-RGRW-01609

City: Cabo Rojo



Figures 1 & 2. Detail of 1975 aerial image and of a 2023 Google Maps aerial image indicating the location of the building on the property.

These buildings (shown below on the left) are reinforced concrete houses with flat concrete roofs. The building to the right is a two-story concrete house with a recessed entrance porch on the first level centered on the façade and supported by the front wall. The second level has a full width front porch supported by four concrete columns that curve at the joining of the beams and it is enclosed by metal railings. A concrete staircase with metal railings on the right side of the house reaches the second level, and a metal staircase continues from the landing to the rooftop. The house on the left is a one-story concrete house with a recessed front porch centered on the façade and a carport on the right side of the house. Both are supported by four simple concrete columns. The porch is enclosed by solid concrete knee wall in front.

Additionally, there are farm buildings and chicken coops (shown below on the right) on the left side of the property to the west of the houses. They consist of wood frame structures with corrugated metal roofs. The houses and the farm buildings **do not** meet the requirements to be eligible for listing on the National Register of Historic Places.

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Case ID: PR-RGRW-01609

City: Cabo Rojo




Figures 3 & 4. Images of the houses on the property on the right, view to the southeast.
Image of the chicken coops to the left, view to the east.

Determination

The following historic properties have been identified within the APE:

- Direct Effect:
 - N/A
- Indirect Effect:
 - N/A

The project area is not located within the boundaries of a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center or Historic District. Based on the results of our historic property identification efforts, the Program has determined that no previously identified historic properties are located within or adjacent to the parcel that contains the proposed Area of Potential Effect. In addition, there are no known archaeological sites within a 0.5-mile radius of the APE and no Cultural Resources Studies have been performed in an area of at least 0.5 mile radius of the APE. The soil in the area is mostly composed of Descalabrado (DsD) clay with 12 to 20 slopes. Most areas of Descalabrado are used for pasture, not making it the ideal soil for intact archaeological deposits. These circumstances led to our determination of No Historic Properties Affected (NHPA).

| | | |
|---|--|--|
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Recommendation

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

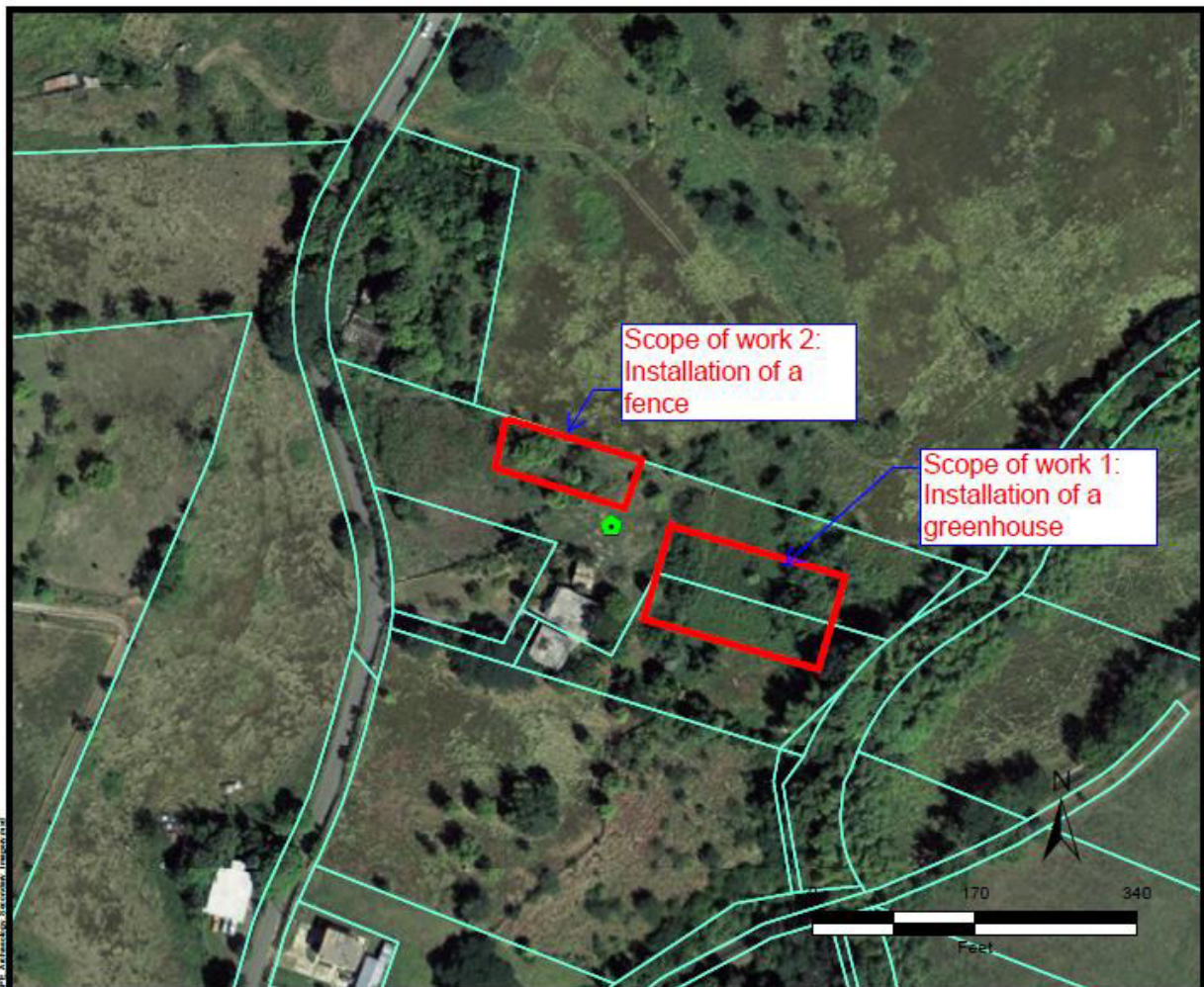
| | |
|--|-------|
| The Puerto Rico State Historic Preservation Office has reviewed the above information and: | |
| <input type="checkbox"/> Concurs with the information provided. <input type="checkbox"/> Does not concur with the information provided. | |
| Comments: | |
| Carlos Rubio-Cancela State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

Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo

Project (Parcel) Location – Area of Potential Effect Map (Aerial)






TETRA TECH

Source: CRIM

Author: TG

Date: 10/7/2022

Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario



Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo

Project (Parcel) Location - Aerial Map



TETRA TECH

Source: CRIM

Author: TG

Date: 9/22/2022

Legend

- Tier 2 Site
- Historic Comunidades
- Traditional Urban Centers
- Cultural Resource District Polygon
- Parcelario

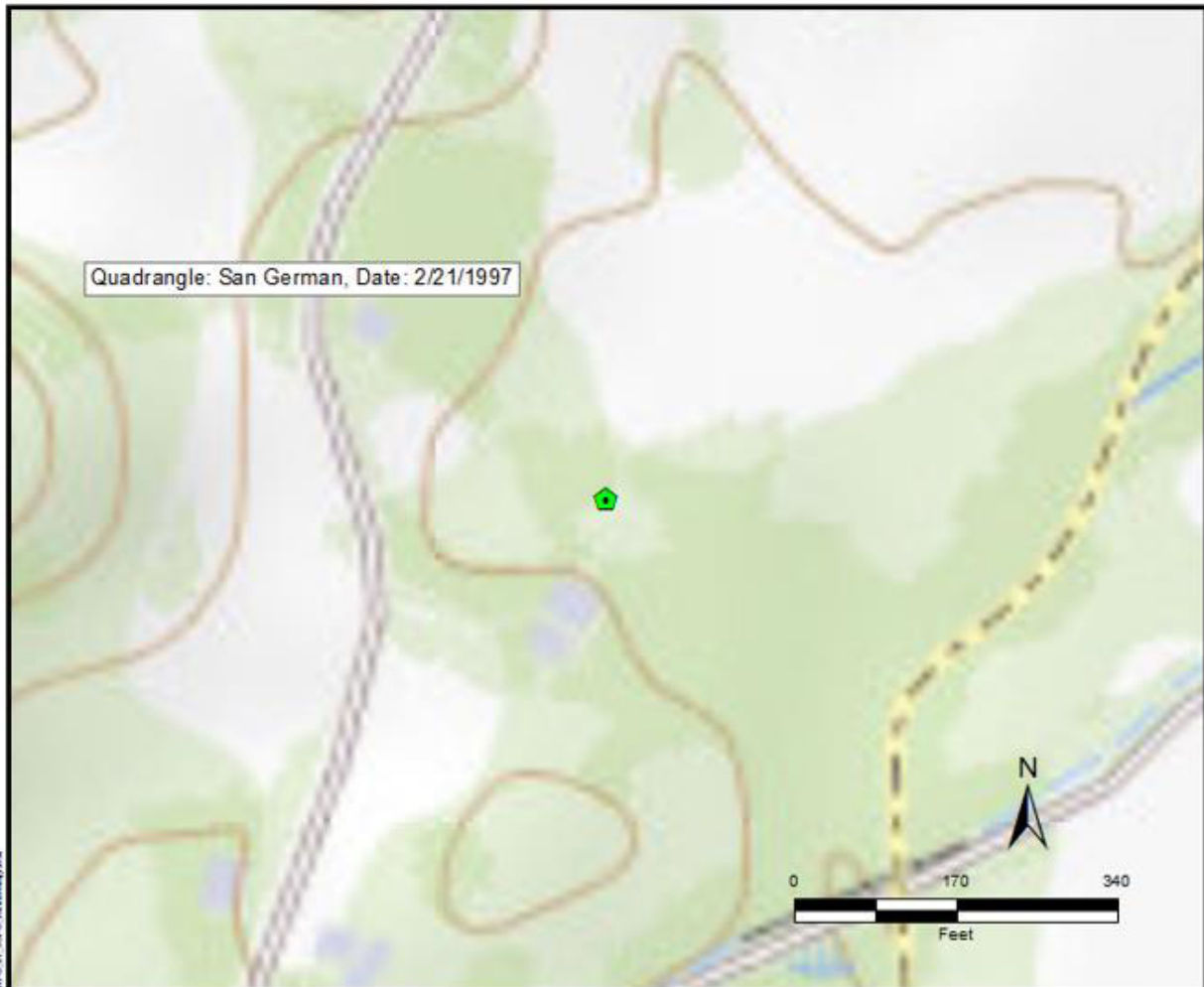


Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo

Project (Parcel) Location - USGS Topographic Map



TETRA TECH

Source: USGS

Author: TG

Date: 9/29/2022

Legend

- Tier 2 Site
- Historic Comunidades
- Traditional Urban Centers
- Cultural Resource District Polygon

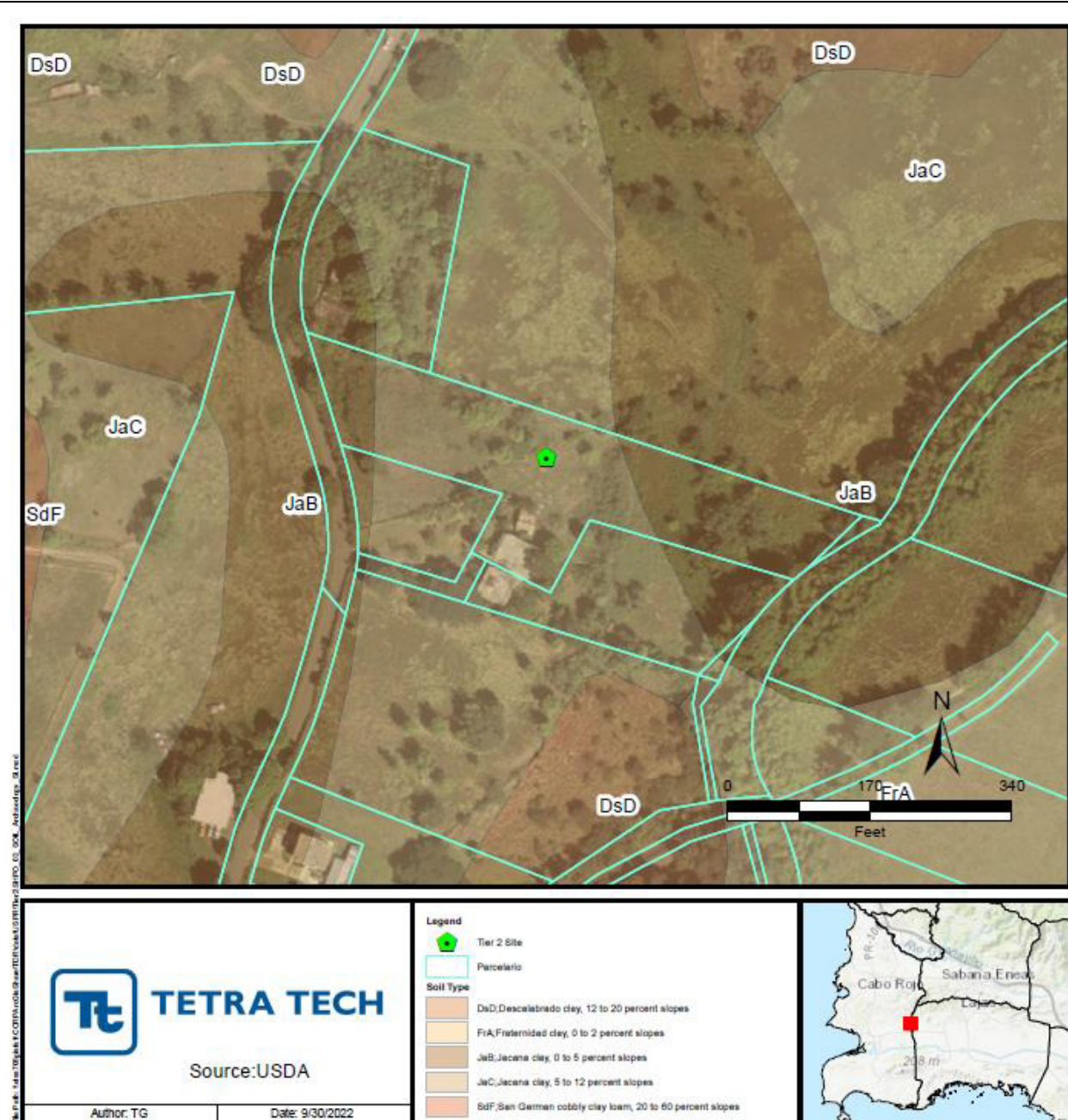


Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo

Project (Parcel) Location – Soils Map

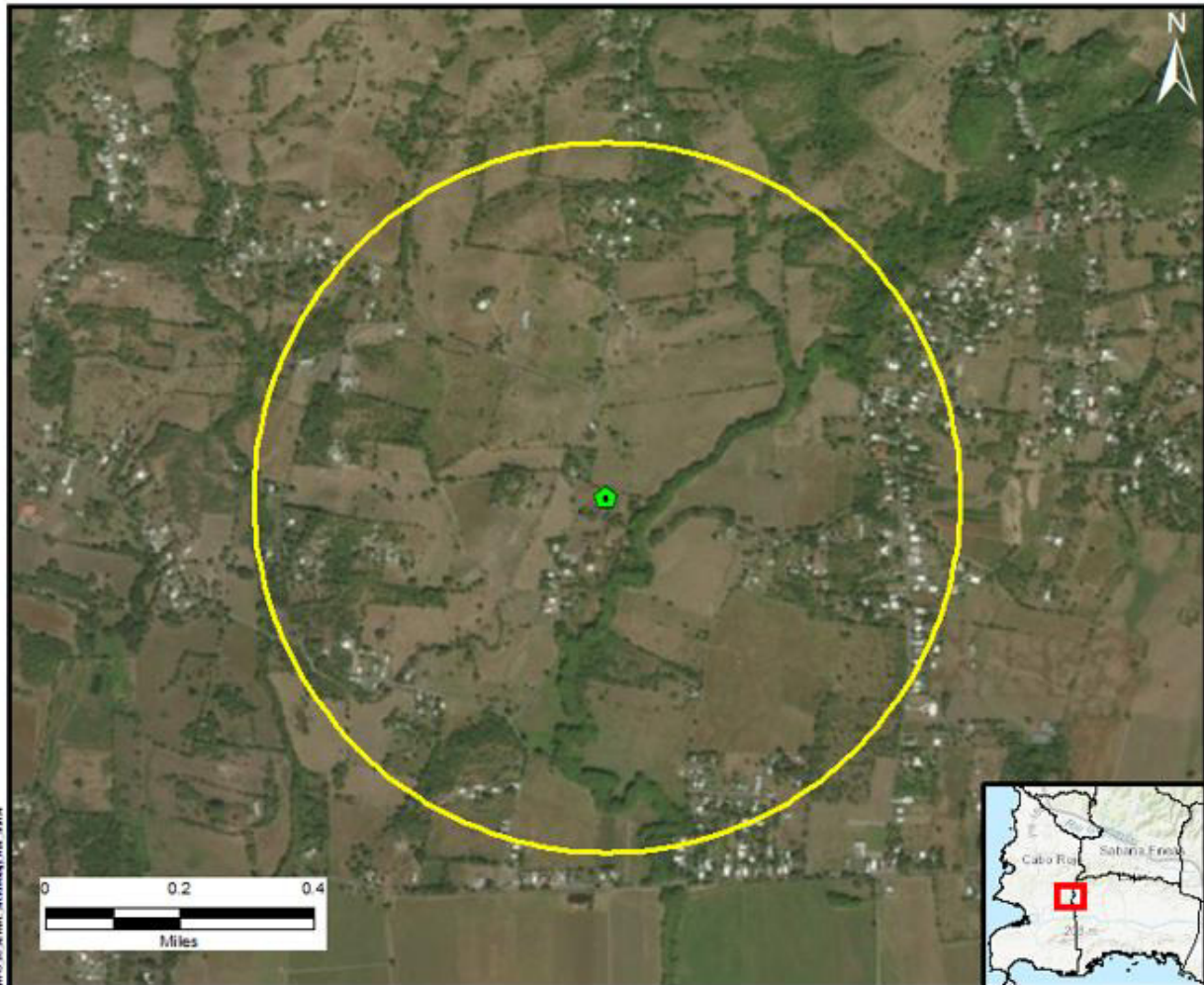


Applicant: Ecologique, LLC

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City: Cabo Rojo

Project (Parcel) Location with Previous Investigations - Aerial Map



TETRA TECH

Source: National Park Service

Author: TG

Date: 9/29/2022

Legend

- Tier 2 Site
- Half Mile Buffer
- Historic Comunidades
- Traditional Urban Centers

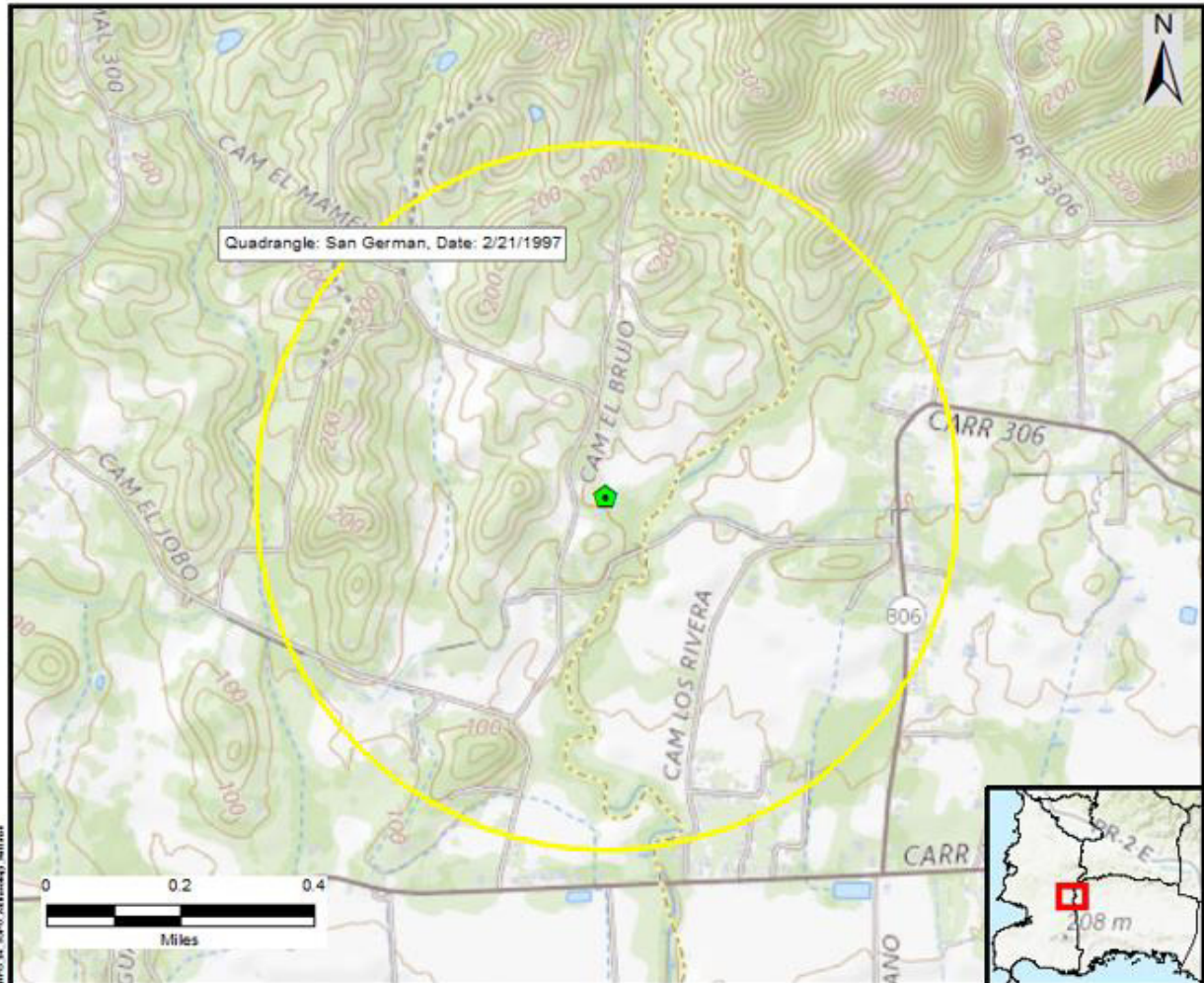
Cultural Resource District Polygon

Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo

**Project (Parcel) Location with Previously Recorded Cultural Resources
USGS Topographic Map**



Source: National Park Service

Author: TG

Date: 9/29/2022

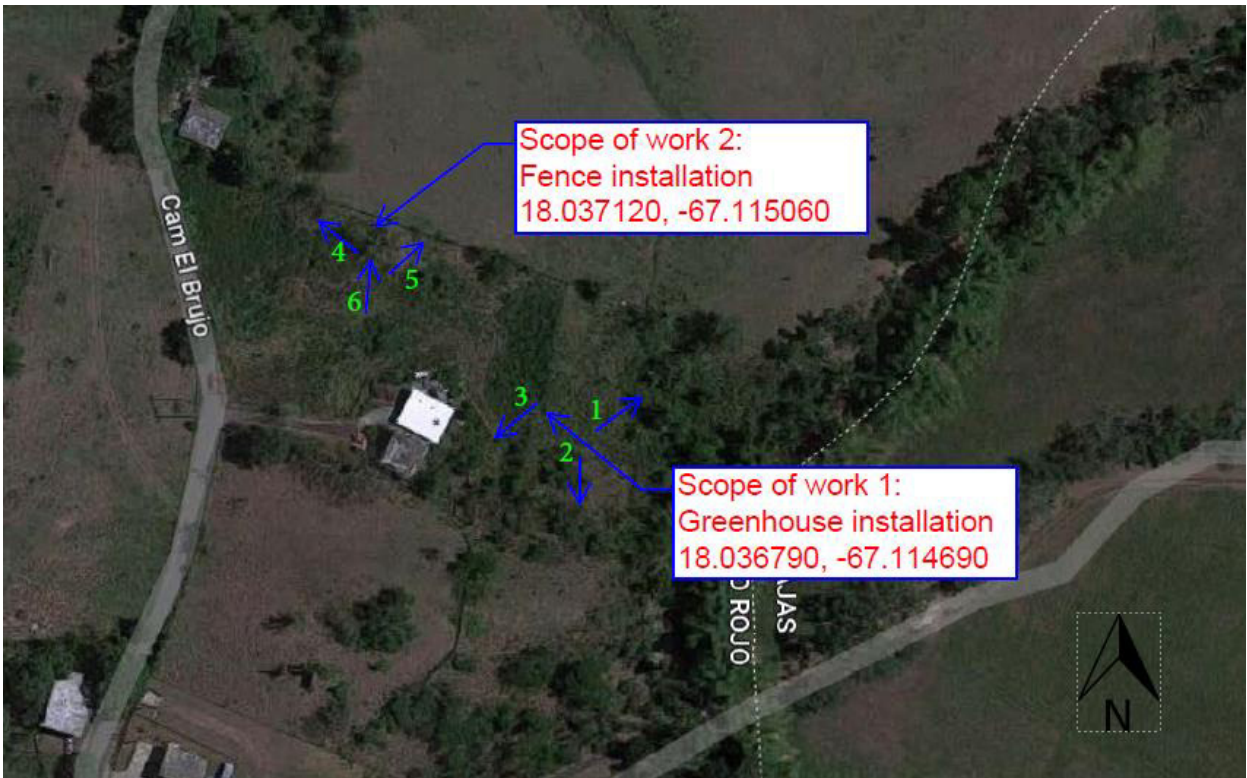
- Legend
- Tier 2 Site
 - Half Mile Buffer
 - Historic Comunidades
 - Traditional Urban Centers
 - Cultural Resource District Polygon

Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo

Photograph Key



Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo



Photo #: 1

Description (include direction): View to the Northeast

Date: 5/19/2023

Scope Of Work 1: Installation of a greenhouse



Photo #: 2

Description (include direction): View to the South

Date: 5/19/2023

Scope Of Work 1: Installation of a greenhouse

Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo



Photo #: 3

Description (include direction): View to the Southwest

Date: 5/19/2023

Scope Of Work 1: Installation of a greenhouse



Photo #: 4

Description (include direction): View to the Northwest

Date: 5/19/2023

Scope Of Work 2: Installation of a fence

Applicant: Ecologique, LLC

Case ID: PR-RGRW-01609

City: Cabo Rojo



Photo #: 5

Description (include direction): View to the Northeast

Date: 5/19/2023

Scope Of Work 2: Installation of a fence



Photo #: 6

Description (include direction): View to the North

Date: 5/19/2023

Scope Of Work 2: Installation of a fence



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,


Juan C. Pérez Bofill, P.E. M.Eng
Director of Disaster Recovery
CDBG DR-MIT