

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-04079

Project Name: HACIENDA TULEN L.L.C.

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Yauco, PR

Preparer: Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, María T. Torres Bregon, Ivelisse Lorenzo, Angel Gabriel Lopez Guzman, Janette Cambrelen, Santa Ramirez, Limary Vélez Marrero and Juan Carlos Perez Bofill.

Consultant: Behar Ybarra & Associates LLC

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

Project Location:

Bo Collores Carr 371 km 7, Yauco, PR 00698

Water well location: latitude 18.084578, longitude -66.89075

Water well alternative location: latitude 18.084536, longitude -66.890888

Parcel cadastral # 336-000-004-10-000

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

The proposed activities for PR-RGRW-04079 consist of the purchase and installation of a new water well. The new well will require an excavation 6 inches in diameter by 250 feet deep, although the first 20 feet will be 8 inches in diameter. The well installation includes a 3hp submersible water pump that will be powered by solar energy that will be provided by the applicant. Two locations for the well are being considered. The first location is at latitude 18.084578, longitude -66.89075. The alternative location is at latitude 18.084536,

longitude -66.890888. The waterwell will collect water from an existing PRASA water intake from the property and all water lines are above ground. The 6" water well will also be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The project area is located at PR-371 km. 7 Int within the Municipality of Yauco. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 40 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation and construction of the new water well (also considering the alternate location) plus a 15-meter buffer and the visual APE is the viewshed of the proposed project. A permit from the Puerto Rico Department of Natural and Environmental Resources (DNER) is required to be obtained for the water well.

A site Map is included in Figure 1, illustrating the location of the main water well and the alternate location on the property. Photos of the locations are included in the Section 106 documentation, Appendix 1.

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. This agricultural project associated with the installing/constructing a new 6" diameter and 250 feet deep water well is in keeping with the overall objectives of the Economic Development Program.

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

The existing area for the proposed water well is covered with grass and small bushes. The surface is mostly exposed. Therefore, there is no change in land use associated with these placements.

Funding Information

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

Estimated Total HUD Funded Amount: \$48,740.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$48,740.00.

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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

| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6 | Are formal compliance steps or mitigation required | Compliance determinations |
|--|---|---|
| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6 | | |
| Airport Hazards 24 CFR Part 51 Subpart D | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | This project of installing/constructing a new 6" diameter and 250 feet deep water well will have no impact on any Airports. The site is located 109,253 feet from the nearest major civil airport (Eugenio Maria de Hostos in Mayaguez) and 333,641 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2. |
| Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | This project is not located in a CBRS Unit. The project is located 47,749 feet northwest of the nearest Coastal Barrier Resource System, PR-59. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3. |
| Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | The project is located in a Zone X, Panel 72000C1585J, 11/18/2009 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood |

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| of 1994 [42 USC 4001-4128 and 42 USC 5154a] | | insurance. See attached Flood Map, Figure 4 and 4.1. |
| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5 | | |
| <p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>This project consists only of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each county by year for all criteria pollutants in Appendix 2.</p> |
| <p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project is located 30,427 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p> |
| <p>Contamination and Toxic Substances</p> <p>24 CFR Part 58.5(i)(2)</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>This project consists of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural project. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There is no site of environmental concern identified within 3,000 feet from the project site.</p> <p>The project is in compliance with contamination and toxic substances requirements. See attached Toxics Map, Figure 6.</p> |

Endangered Species

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

Yes No

The project could involve any activity that has an adverse effect on protected species or critical habitats. After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the PR boa (*Chilabothrus inornatus*), PR Broad-winged Hawk (*Buteo platypterus brunnescens*), PR Parot (*Amazona vittata*), PR Harlequin Butterfly (*Atlantea tulita*), *Cordia bellonis*, Higüero De Sierra (*Crescentia portoricensis*) and Palo de Rosa (*Ottoschulzia rhodoxylon*) could be found in the project area (see attached Appendix 3). The installation of the water well will require ground disturbance; however, the scope of work includes continued agricultural use of the property with no intention to cut down trees or making major changes in the topography of the project area because the new well will be installed in a space that has been cleared and maintained that way for agricultural purposes.

Based on the nature of the project, scope of work, information available, and analysis of the IPaC lists together with field direct observations of the area where the project will be developed, the proponent has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican harlequin butterfly since its final critical habitat is approximately 261 feet from the proposed water well sites. As for the Puerto Rican boa, Puerto Rican parrot, Puerto Rican broad-winged hawk, palo de rosa, higüero de sierra and *Cordia bellinis* a no effect (NE) determination

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| | | <p>was made since the land is currently used for agricultural purposes.</p> <p>If a Puerto Rican harlequin butterfly is found, follow the conservation measures recommended by the USFWS in the Determination Letter (see attached Appendix 3).</p> <p>If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p>https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</p> <p>This project is in compliance with the Endangered Species Act. See attached Endangered Species map, Figure 7.</p> |
| <p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>This project consists of installing/constructing a new 6" diameter and 250 feet deep water well does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with Explosive and Flammable Hazards without further evaluation.</p> |
| <p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. All areas under the project site are farmland of statewide importance. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.</p> |
| <p>Floodplain Management</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project is located in a Zone X, Panel 72000C1585J, 11/18/2009 (Figure 4). The</p> |

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| <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p> | | <p>site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in compliance with Executive Order 11988. See attached Flood Map (Figure 9).</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 <input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The site was visited on August 16, 2023, by SOI-qualified archaeologist. Based on this definition and the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to the water well. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated September 27, 2023, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with Historic Preservation.</p> |
| <p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>This project consists only of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise Abatement and Control without further evaluation.</p> |
| <p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p> | <p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifers without further evaluation.</p> |

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| <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>There are no wetlands located within or near the project activity area. Therefore, wetlands will not be affected by the project undertaking. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 11.</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 the NWSRS river. The project is located 387,541 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 12.</p> |
| <p>ENVIRONMENTAL JUSTICE</p> | | |
| <p>Environmental Justice</p> <p>Executive Order 12898</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.</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 of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

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

(1) Minor beneficial impact

(2) No impact anticipated

(3) Minor Adverse Impact – May require mitigation

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

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|--|-------------|---|
| LAND DEVELOPMENT | | |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 2 | The proposed action is continued agricultural use of property which is compatible with a zoning code of R-G (General Rural) and G-R (Resource Conservation) and the existing land use of SREP-E (Specially Protected Ecological Rustic Land) and SRC (Common Rustic Land). There is no urban design associated with this rural, agricultural site. |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff | 2 | The soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. The soil in this area has been classified as Nipe clay, 5 to 20 percent slopes (NpD) and applies for the two proposed water well locations as they are located approximately 50 feet apart. The Nipe series consists of deep, well-drained soils that are moderately to rapidly permeable. These soils are on mesalike ridgetops. They formed in material weathered from serpentinite rock. In a representative profile the surface layer is dark reddish-brown, strongly acid clay about 11 inches thick. The subsoil, to a depth of more than 80 inches, is dark red or dusky red, nonsticky and slightly plastic clay. The landslide data indicates low landslide susceptibility, and no erosion is expected to occur from this project. The project will not affect the drainage in the area. There will be little to no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 13. |
| Hazards and Nuisances including Site Safety and Noise | 2 | There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected. |

| Energy Consumption | 2 | The project consists of installing/constructing a new 6" diameter and 250 feet deep water well on an existing agricultural farm and will not require any new expansion to existing power facilities. The submersible water pump will be powered by solar energy that will be provided by the applicant. |
|---|-------------|---|
| Environmental Assessment Factor | Impact Code | Impact Evaluation |
| SOCIOECONOMIC | | |
| Employment and Income Patterns | 2 | The project will result in short-term benefit to employment when contractors are hired for the construction of the new water well. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns. |
| Demographic Character Changes, Displacement | 2 | The proposed project will not alter the demographic characteristics of Yauco, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|--|-------------|---|
| COMMUNITY FACILITIES AND SERVICES | | |
| Educational and Cultural Facilities | 2 | The project consists of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site and will have no impact on educational and cultural facilities. |
| Commercial Facilities | 2 | The proposed project may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities. |

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| Health Care and Social Services | 2 | The project consists of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site and will have no impact on Health Care and Social Services. |
| Solid Waste Disposal / Recycling | 2 | The proposed project will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill. |
| Wastewater / Sanitary Sewers | 2 | The purchase and installation of the water well is not expected to result in significant changes in wastewater or sanitary sewer generation. Wastewater from the project will not enter environmentally sensitive areas, nor will the project produce any noxious odors affecting the quality of life of nearby residents. The proposed project will have no impact on Wastewater / Sanitary Sewers. |
| Water Supply | 2 | The proposed project will not require an additional water supply. No new connections will be provided for potable water. The well will collect water from an existing PRASA water intake from the property and all water lines are above ground. A permit from the Puerto Rico Department of Natural and Environmental Resources (DNER) is required to be obtained for the water well. The proposed project will have no impact on the water supply. |
| Public Safety - Police, Fire and Emergency Medical | 2 | The project of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site and will have no impact on Public Safety. |
| Parks, Open Space and Recreation | 2 | The proposed project will have no impact to Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use. |
| Transportation and Accessibility | 2 | The project consists of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site and will have no impact on transportation and accessibility. |

| Environmental Assessment Factor | Impact Code | Impact Evaluation |
|--|-------------|--|
| NATURAL FEATURES | | |
| Unique Natural Features, Water Resources | 2 | <p>The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.</p> <p>The new well will require an excavation 6 inches in diameter by 250 feet deep, although the first 20 feet will be 8 inches in diameter. Two locations for the well are being considered. The first location is at latitude 18.084578, longitude -66.89075. The alternative location is at latitude 18.084536, longitude -66.890888. The 6" water well will be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The Applicant must obtain a Water Well or Water Intake Construction Permit from the DNER prior the well construction.</p> |
| Vegetation, Wildlife | 2 | The proposed project will occur in land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the water well but no negative impact on wildlife. |
| Climate Change | 2 | The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased fruit trees production. In case of drought, the well will provide the necessary water for crops. |

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): August 16, 2023, Jaqueline Lopez, SOI-Qualified Archaeologist

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

FAA, National Plan for Integrated Airport Systems:

www.faa.gov/airports/planning_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf

John H. Chafee Coastal Barrier Resources System, Puerto Rico map.

www.fws.gov/CBRA/Maps/Locator/PR.pdf

National Park Service, National Registry of Natural Landmarks.

www.nature.nps.gov/nnl/docs/NNLRegistry.pdf

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

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

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

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

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

US Environmental Protection Agency, National Ambient Air Quality Standards, Nonattainment Areas for Criteria Pollutants (Green Book):

www3.epa.gov/airquality/greenbook/anayo_pr.html

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

US Fish and Wildlife Service, Environmental Conservation Online System:

<https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?state=PR&status=listed>

Federal Emergency Management Agency, Flood Mapping Service:

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

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

US Fish and Wildlife Service, National Wetlands Inventory:

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

List of Permits Obtained: None required.

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

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant will be placing the water well in a different area on the property. This "Alternative" would not be feasible since the applicant aims to plant the rest of the land with fruit trees. This alternative also mean that the Applicant will not have an additional capacity to expand his harvest. With this alternative, the applicant would not be able to experience the growth needed to recover and expand their agriculture activities.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide of installing/constructing a new 6" diameter and 250 feet deep water well for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic

development for businesses. The No-Action alternative would not allow for 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 any agency. There are no environmental review topics addressed that result in the need for formal compliance steps or the requirement for mitigation.

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

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

| Law, Authority, or Factor | Mitigation Measure |
|---|---|
| The regulation in Puerto Rico establishes that for well constructions a Water Well or Water Intake Construction Permit must be submitted. | The Applicant must obtain a permit from the DNER prior the well 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: 10/26/2023

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

Certifying Officer Signature:  Date: October 27, 2023

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).

Figures

Figure 1

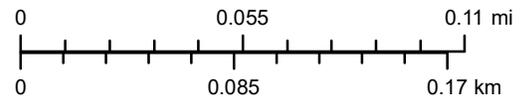
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079
- ▭ PR-RGRW-04079 Parcel
- ▭ CRIM Parcels



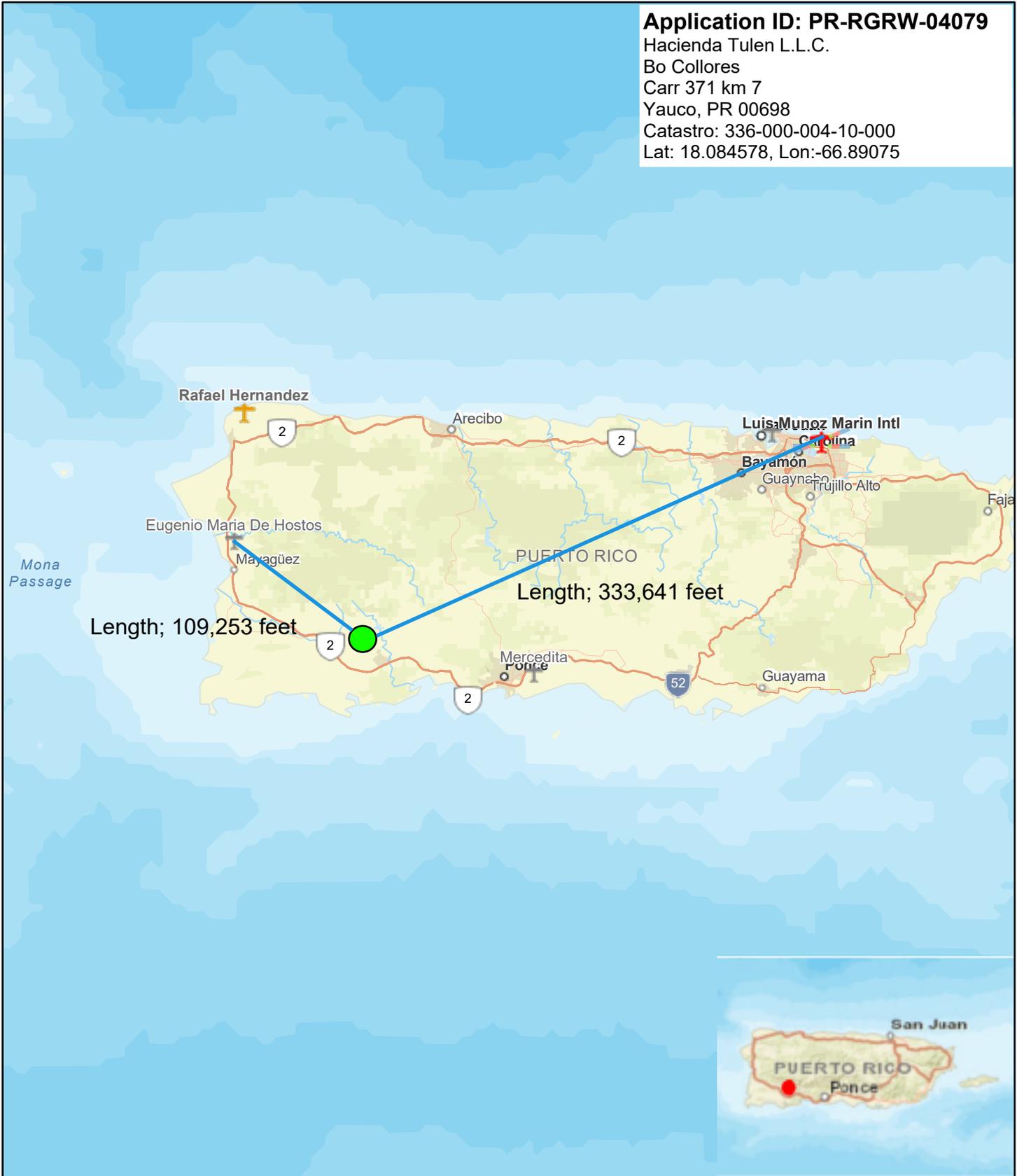
Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

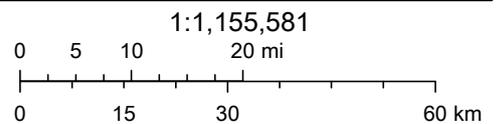
Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crimpr.net/cdprpc/>

Application ID: PR-RGRW-04079
 Hacienda Tulen L.L.C.
 Bo Collores
 Carr 371 km 7
 Yauco, PR 00698
 Catastro: 336-000-004-10-000
 Lat: 18.084578, Lon:-66.89075



3/29/2023, 6:08:50 PM

- Accident Potential Zone
- Override 1
- Override 2
- Override 3
- ✈ USA Military Airports
- ✈ USA Civil Airports
- PR-RGRW-04079



Runway Protection Zones
 Major Civil and Military Airports

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



Figure 3 PR-RGRW-04079 CBRS

Cond. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, PR. 00920 Tel: (787)783-0290

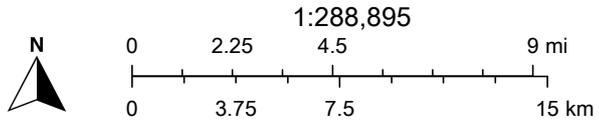


Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075

3/29/2023, 6:11:52 PM

CBRS Units

- Otherwise Protected Area
- System Unit
- PR-RGRW-04079



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

National Flood Hazard Layer FIRMette Figure 4



66°53'45"W 18°5'22"N



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 |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance |
| | | 17.5 Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| MAP PANELS | | Jurisdiction Boundary |
| | | 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.



Application ID: PR-RGRW-04079
 Hacienda Tulen L.L.C.
 Bo Collores
 Carr 371 km 7
 Yauco, PR 00698
 Catastro: 336-000-004-10-000
 Lat: 18.084578, Lon:-66.89075

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

Cond. Iberia 1 Suite J-3, Calle Persado 554, Altamira, San Juan, P.R. 00920 Tel.(787)783-0290



1:6,000

66°53'8"W 18°4'47"N

Basemap Imagery Source: USGS National Map 2023

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

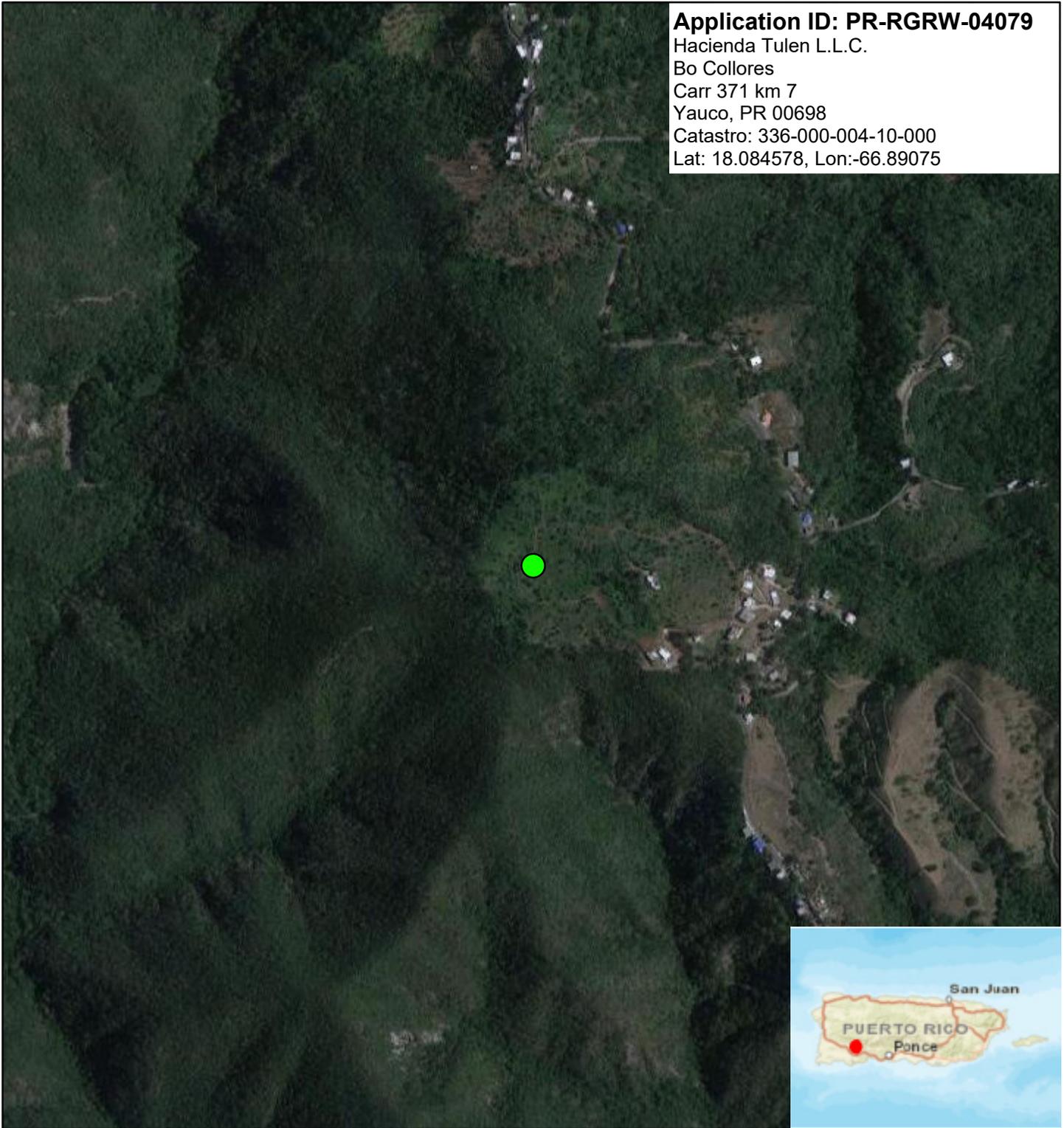
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/9/2023 at 11:19 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

PR-RGRW-04079 Flood Hazard

Cond. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, PR. 00920 Tel.(787)783-0290

Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075

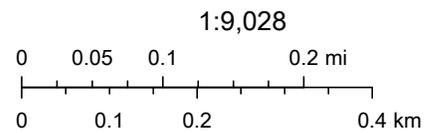


10/9/2023, 9:35:18 AM

FEMA_FIRM - FEMA_FLOOD_HAZARD_AREAS

 Other Areas

 PR-RGRW-04079



Source

Federal Emergency Management Agency (FEMA)
FEMA's National Flood Hazard Layer
<https://www.fema.gov/flood-maps/national-flood-hazard-layer>

Figure 5 PR-RGRW-04079 CZM

Cond. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, PR. 00920 Tel: (787)783-0290

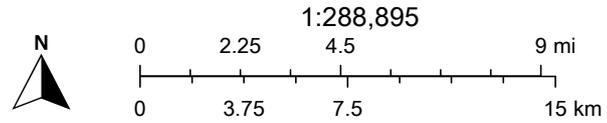


Application ID: PR-RGRW-04079
 Hacienda Tulen L.L.C.
 Bo Collores
 Carr 371 km 7
 Yauco, PR 00698
 Catastro: 336-000-004-10-000
 Lat: 18.084578, Lon:-66.89075

Length; 30,427 feet

3/29/2023, 6:13:32 PM

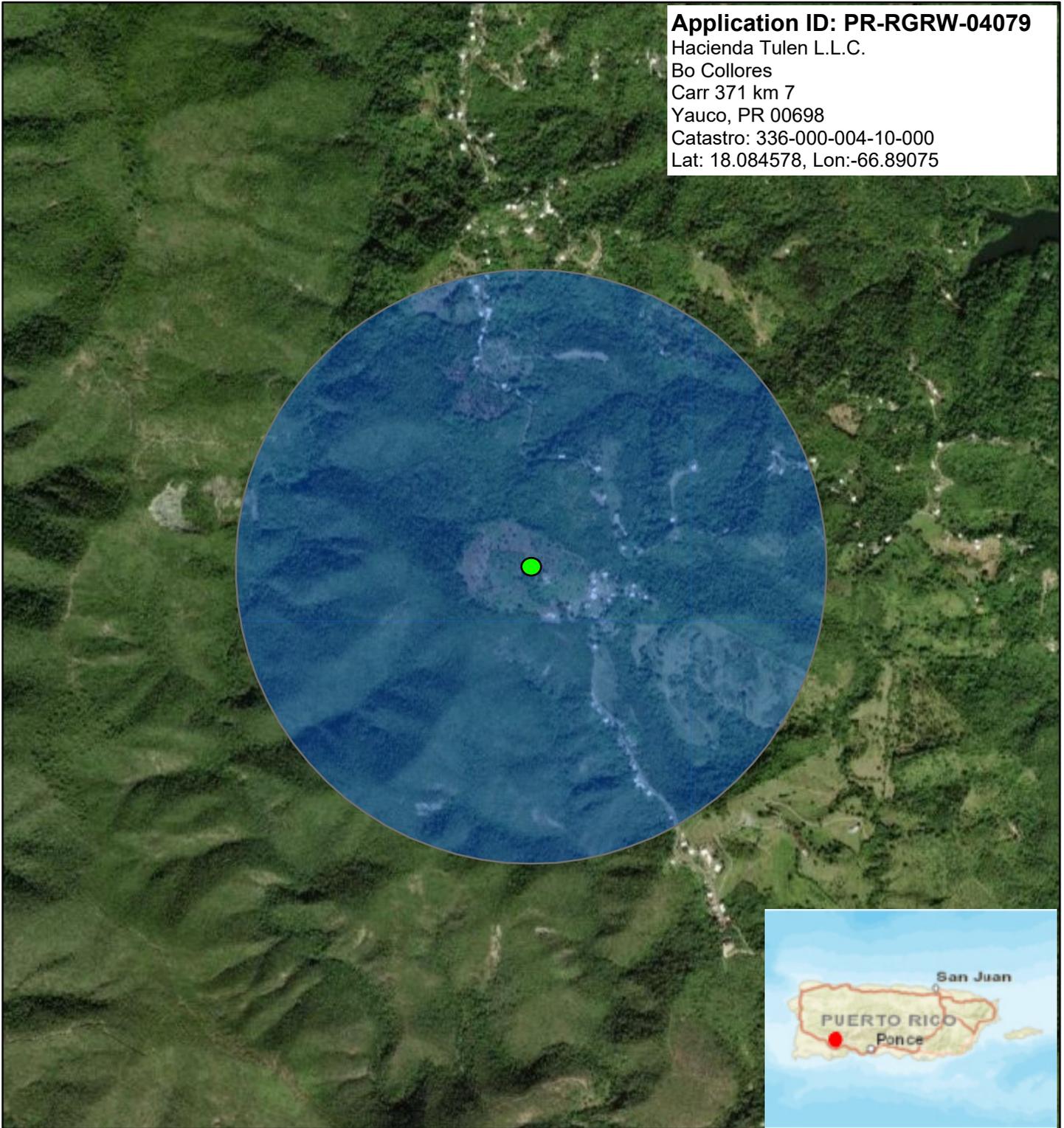
- Coastal Zone Management Act Boundary
- PR-RGRW-04079



Source
 National Oceanic and Atmospheric Administration (NOAA)
 NOAA Office for Coastal Management (NOAA/OCM)
<https://www.fisheries.noaa.gov/inport/item/53132>

Figure 6 PR-RGRW-04079 Toxic

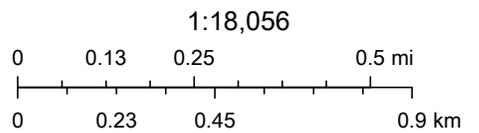
Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075



8/3/2023, 2:59:36 PM

 BufferedFeatures

 PR-RGRW-04079

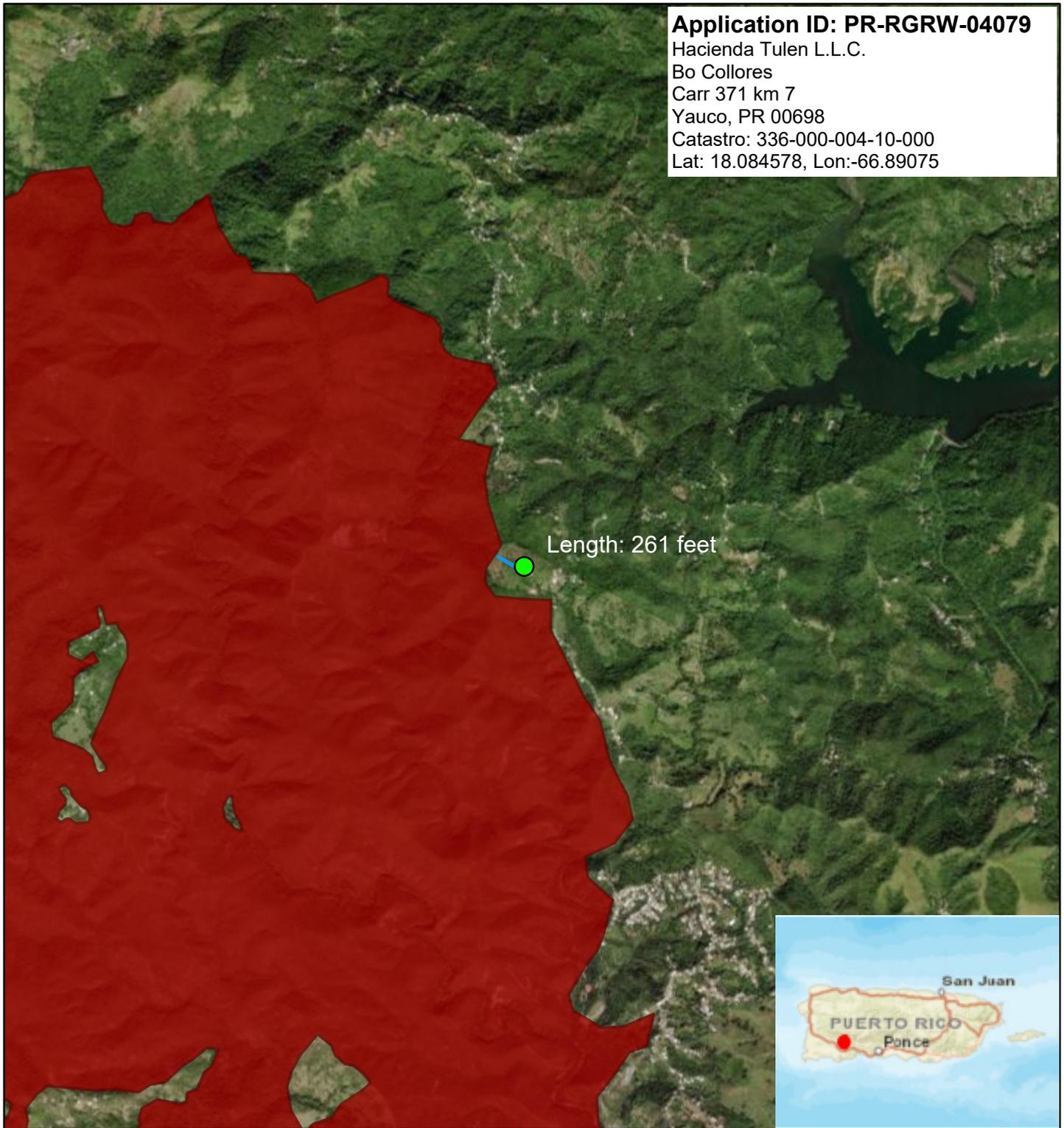


Source

U.S. Environmental Protection Agency (EPA)
Facility Registry Service (FRS)
<https://www.epa.gov/frs>

Figure 7

PR-RGRW-04079 Endangered Species

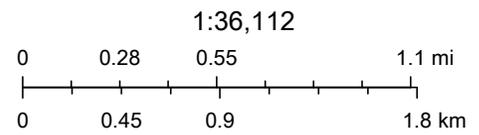


Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075

Length: 261 feet

8/3/2023, 3:06:44 PM

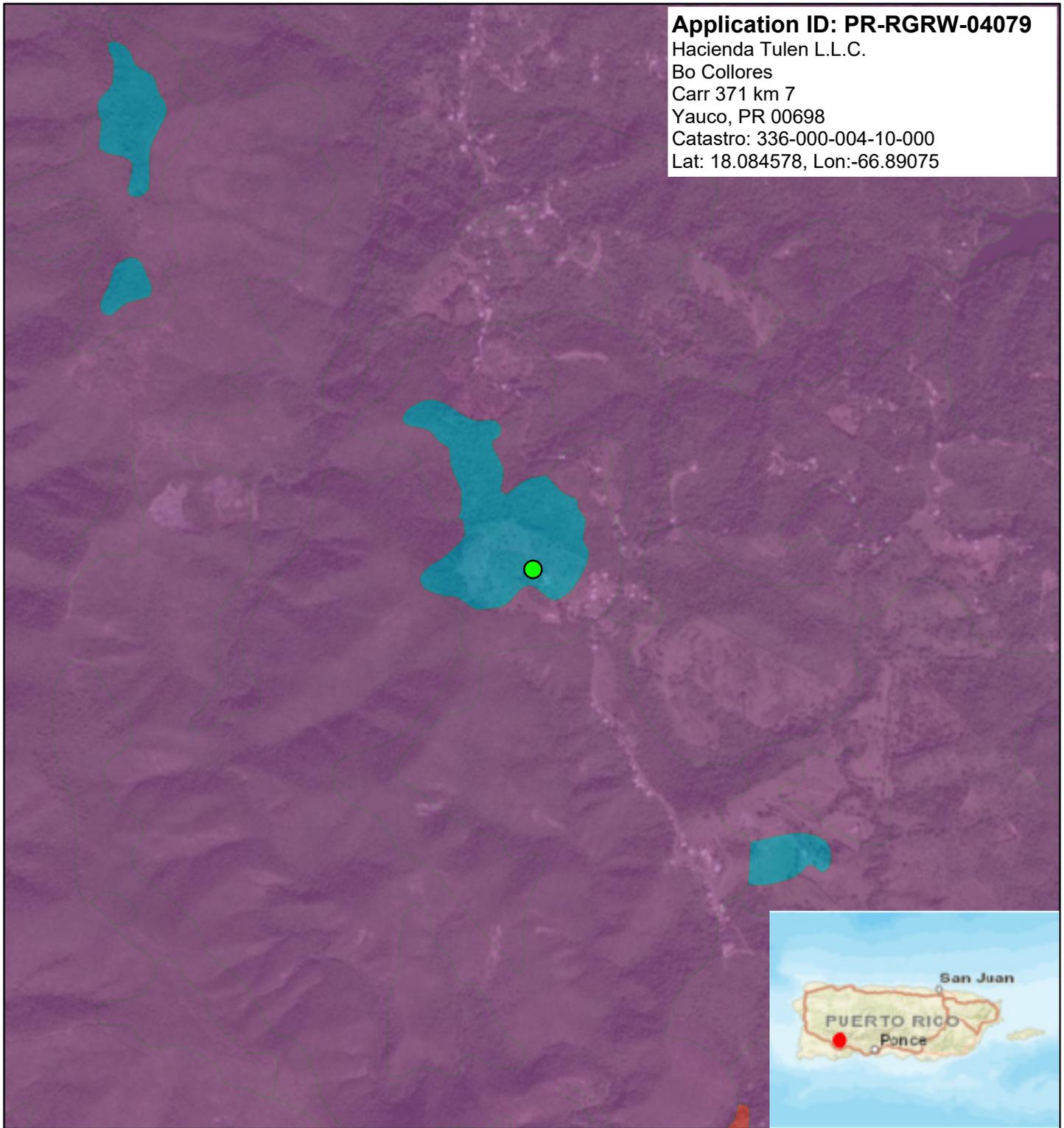
-  USFWS Critical Habitat - Final
-  PR-RGRW-04079



Source

National Oceanic and Atmospheric Administration (NOAA)
Office of Response and Restoration
<https://response.restoration.noaa.gov/>

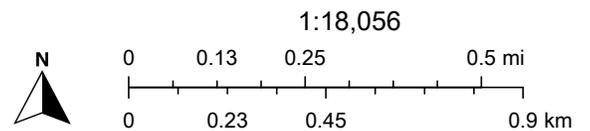
PR-RGRW-04079 Farmland



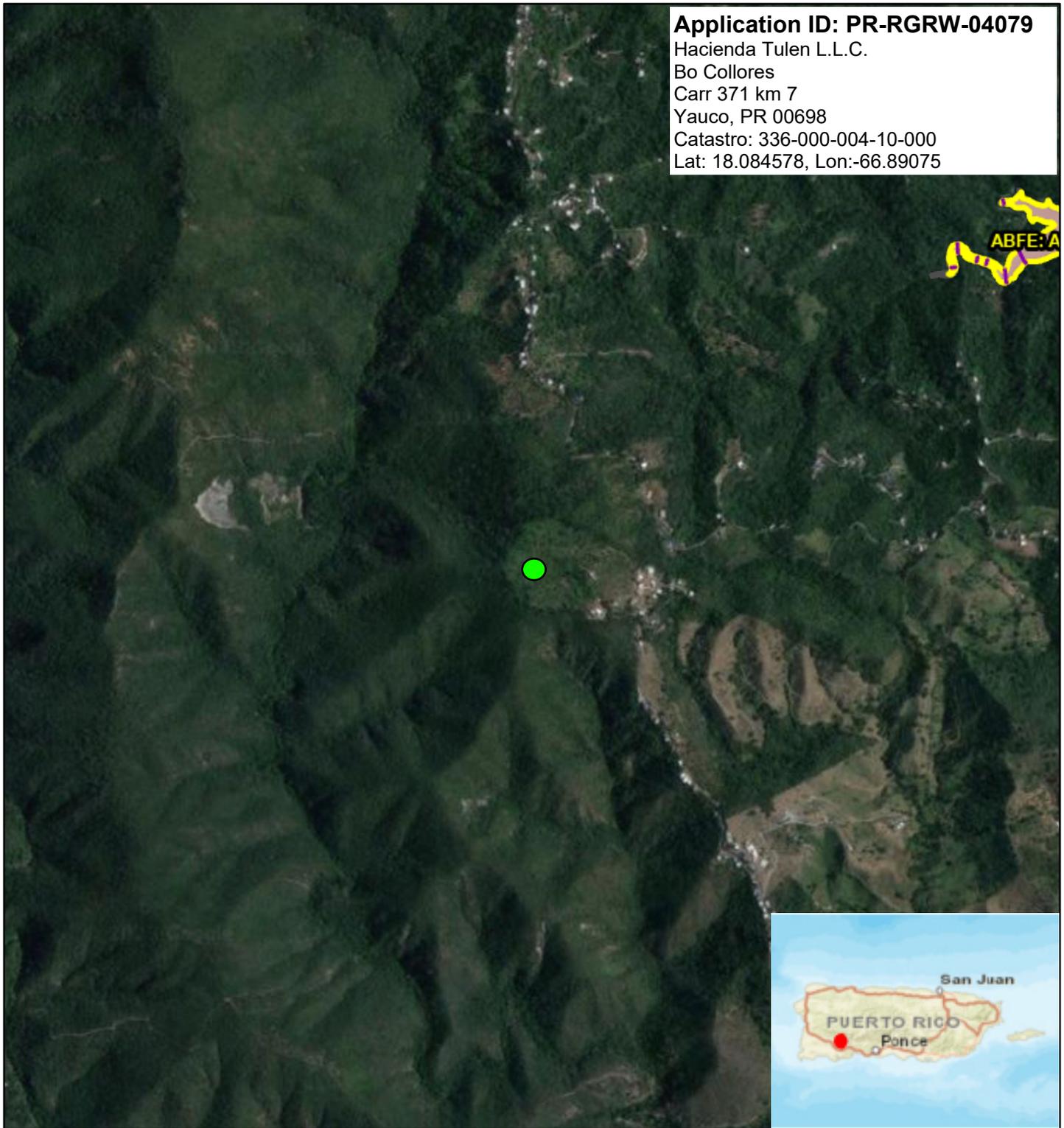
Application ID: PR-RGRW-04079
 Hacienda Tulen L.L.C.
 Bo Collores
 Carr 371 km 7
 Yauco, PR 00698
 Catastro: 336-000-004-10-000
 Lat: 18.084578, Lon:-66.89075

8/3/2023, 3:08:53 PM

- Farmland Protection**
- PR-RGRW-04079
 - All areas are prime farmland
 - Farmland of statewide importance
 - Not prime farmland



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



Application ID: PR-RGRW-04079
 Hacienda Tulen L.L.C.
 Bo Collores
 Carr 371 km 7
 Yauco, PR 00698
 Catastro: 336-000-004-10-000
 Lat: 18.084578, Lon:-66.89075

ABFE: A

10/9/2023, 10:40:36 AM

Flood Hazard Zone

A

X 0.2% Annual Chance Flood

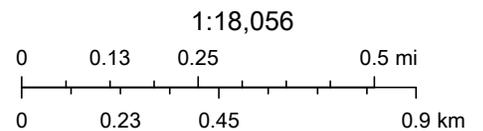
Zone/BFE Boundary

Flood Hazard Extent

1% Annual Chance Flood

0.2% Annual Chance Flood

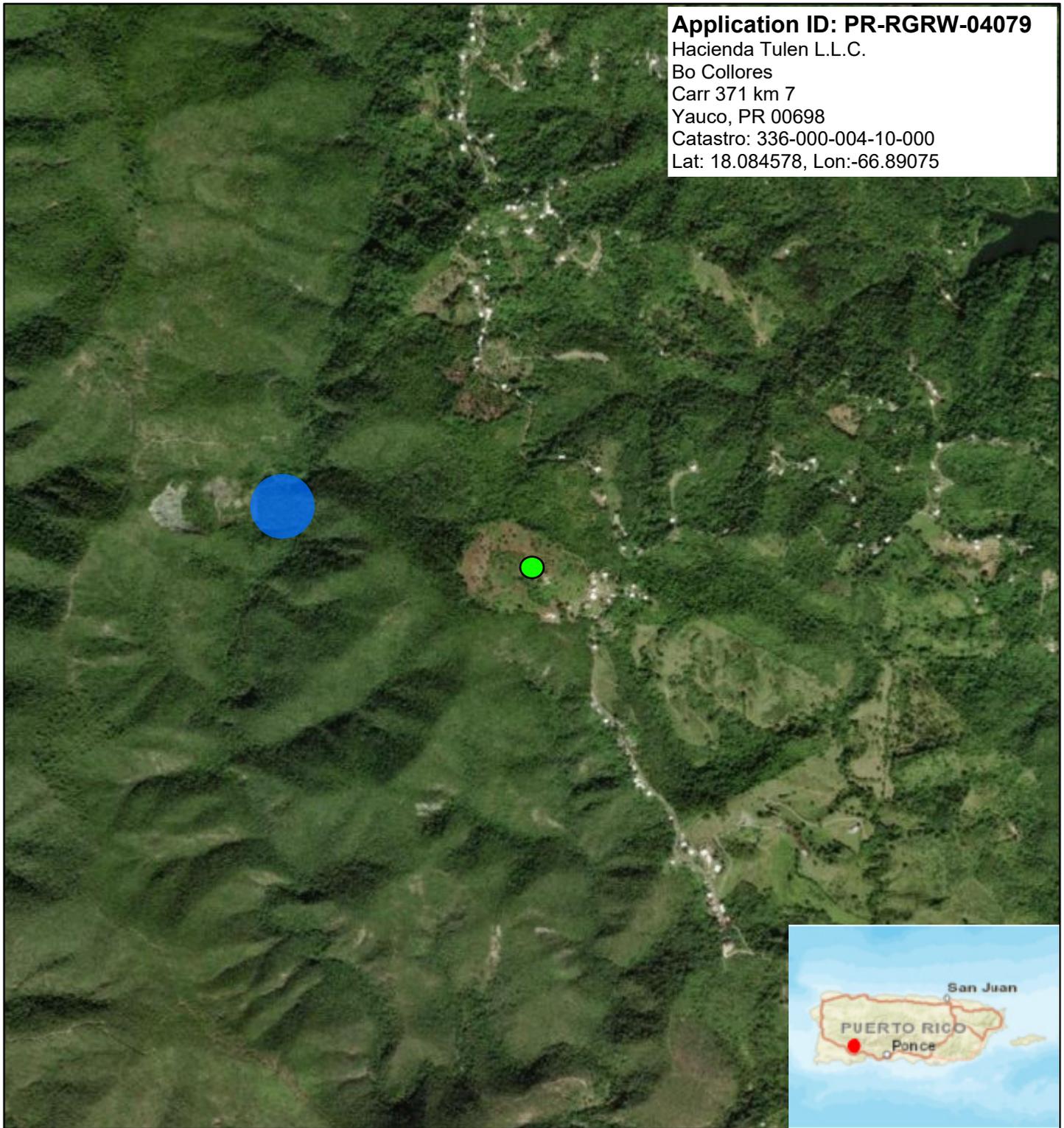
 PR-RGRW-04079



1:18,056

Source

Federal Emergency Management Agency (FEMA)
 FEMA's National Flood Hazard Layer
<https://www.fema.gov/flood-maps/national-flood-hazard-layer>

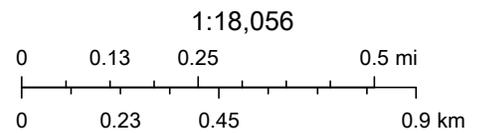


Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075

8/3/2023, 3:25:33 PM

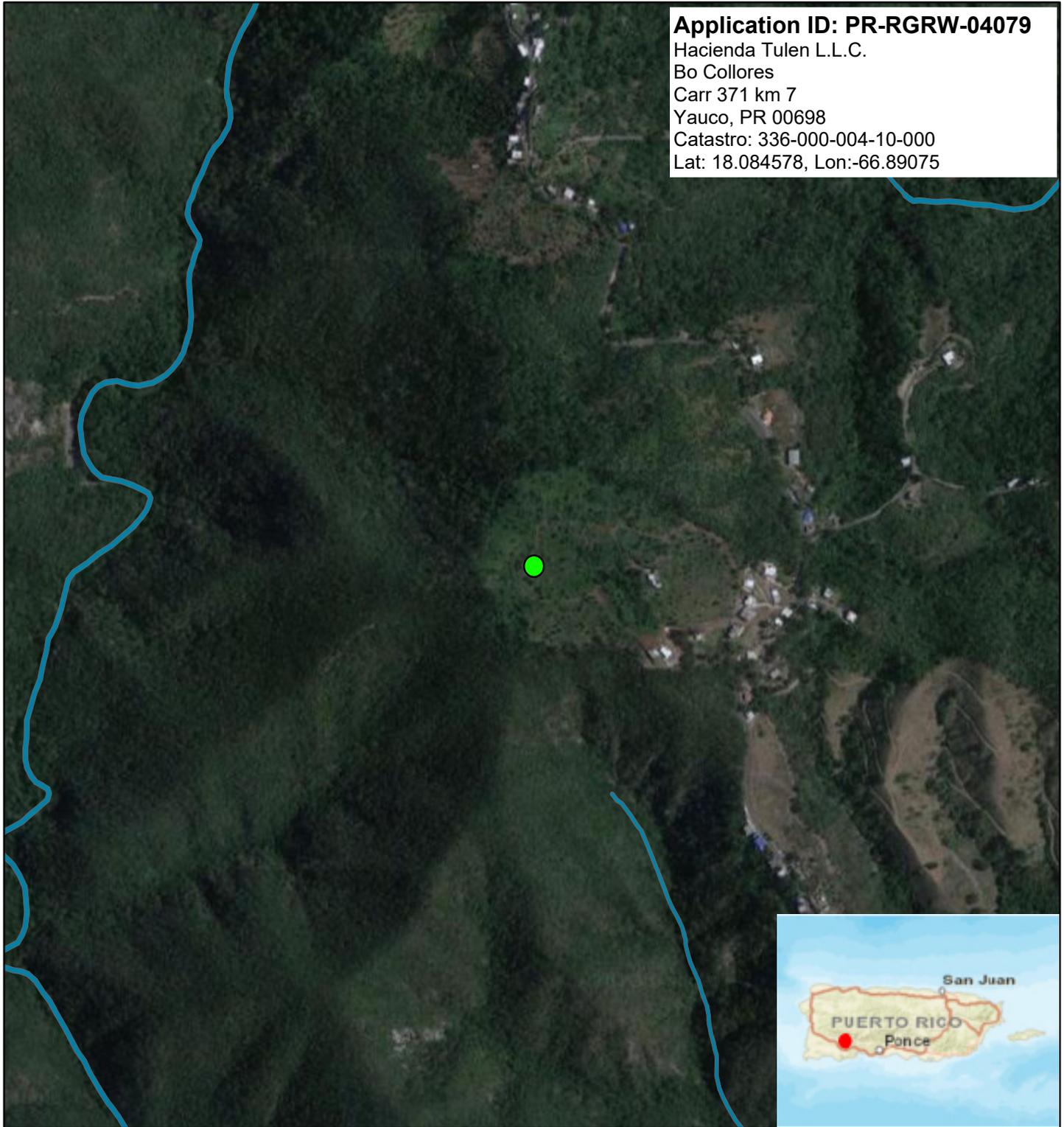
 Cultural_Resources - Archeological Resources

 PR-RGRW-04079



Source

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



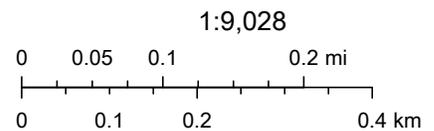
Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075

10/9/2023, 11:02:52 AM

WETLANDS - National Wetlands Inventory

 Riverine

 PR-RGRW-04079



Source

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

Figure 12

PR-RGRW-04079 Wild and Scenic River

Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075

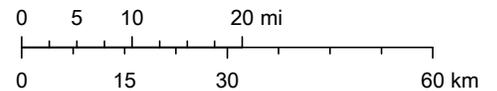


4/14/2023, 11:22:32 AM

1:1,155,581

— National Wild and Scenic River Line

● PR-RGRW-04079

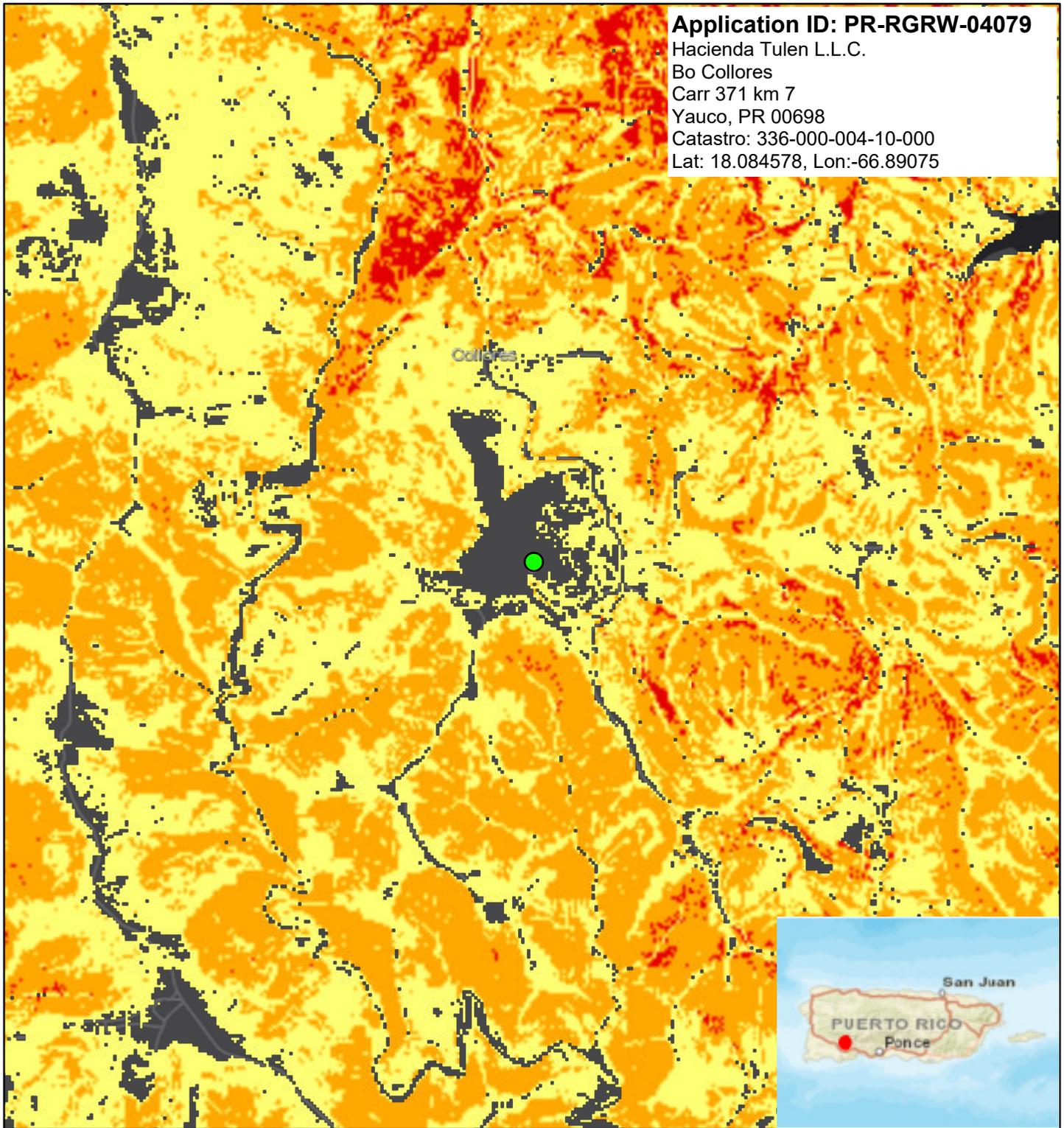


Source

U.S. Fish and Wildlife Service (FWS)
National Wild and Scenic Rivers System
<https://www.rivers.gov/mapping-gis.php>

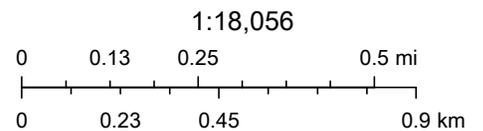
Figure 13 PR-RGRW-04079 Landslide

Application ID: PR-RGRW-04079
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075



8/3/2023, 3:41:21 PM

- Landslide Susceptibility**
- Low
 - Moderate
 - High
 - Very High
 - Extremely High
- PR-RGRW-04079



Source: Landslide data from USGS:
Esri Imagery Basemap service.

Appendix 1



GOVERNMENT OF PUERTO RICO
STATE HISTORIC PRESERVATION OFFICE

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

September 27, 2023

Lauren Bair Poche

HORNE
10000 Perkins Rowe, Suite 610, Bldg G
Baton Rouge, LA 70810

SHPO 09-15-23-02 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:
PR-RGRW-04079- HACIENDA TULEN LLC. – BO. COLLORES, CARR. 371, KM 7,
YAUCO, 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



September 15, 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-04079 – Hacienda Tulen L.L.C. – Bo. Collores, Carr. 371 Km. 7, Yauco, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Hacienda Tulen L.L.C. at Carr 371 Km 7 in Bo. Collores within the municipality of Yauco. The proposed activities for PR-RGRW-04079 consist of the purchase of fruit trees, tractor, and the installation of a new water well. The project area is located at PR-371 km. 7 Int within the Municipality of Yauco. The new well will require an excavation 6 inches in diameter by 250 feet deep, although the first 20 feet will be 8 inches in diameter. The well installation includes a 3hp submersible water pump that will be powered by solar energy that will be provided by the applicant. Avocado trees will be planted where the avocado trees that Hurricane Maria took out in 2017 were planted. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 40 years. An alternate location for the water well (18.084536, -66.890888) will also be evaluated.

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: Hacienda Tulen L.L.C. | | |
| Case ID: PR-RGRW-04079 | | City: Yauco |
| Project Location: Bo. Collores, Carr. 371 Km. 7, Yauco, PR 00698 | | |
| Project Coordinates: 18.084536 -66.890888 (alternate well site), 18.084578 -66.89075 (main well site) | | |
| TPID (Número de Catastro): 336-000-004-10-000 | | |
| Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction | | |
| Construction Date (AH est.): n/a | | Property Size (acres): 24.8 |
| SOI-Qualified Archaeologist: Jaqueline López Meléndez | | |
| Date Reviewed: August 16, 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 proposed activities for PR-RGRW-04079 consist of the purchase of fruit trees, tractor, and the installation of a new water well. The project area is located at PR-371 km. 7 Int within the Municipality of Yauco. The new well will require an excavation 6 inches in diameter by 250 feet deep, although the first 20 feet will be 8 inches in diameter. The well installation includes a 3hp submersible water pump that will be powered by solar energy that will be provided by the applicant. Avocado trees will be planted where the avocado trees that Hurricane Maria took out in 2017 were planted. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 40 years. An alternate location for the water well (18.084536, -66.890888) will also be evaluated.

Area of Potential Effects

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

| | |
|---|---|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination |  |
| Applicant: Hacienda Tulen L.L.C. | |
| Case ID: PR-RGRW-04079 | City: Yauco |

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 there is one (1) reported archaeological site within a half-mile radius of the project location: Mattei (YU0100003), a Pre-Columbian site (see table). According to the SHPO computer the site is located 0.01 miles east. According to the ICP computer the site is located 0.43 miles northwest. We reviewed the site form and it says that it is located on PR-371 Km. 6.6 on the land of Mr. Augusto Roura. The site is described as a pre-Columbian residuary with abundant and scattered Chicoid/Taíno style pottery as well as shell. It mentions that there was an indigenous batey in the place and that it is located in a plateau in the mountainous zone of Yauco. He also mentions that the site was impacted, that the batey was removed when the owner leveled the land. It also says that it is in danger of destruction because it is near housing construction. This form is dated September 30, 1979 and was made by Juan Gonzalez. As a final comment it says that it could not be examined in detail because the owners did not allow it, and it says that for its strategic location and the numerous objects found in the surface make of this place one of the most important in Puerto Rico, reason why it is recommended to study with high priority. The proposed project is located in Yauco, at an elevation of 1,312 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Nipe. The project area APE is in NpD. The closest freshwater source is unnamed creek, located 0.24 miles southeast and Grande creek, located 0.37 miles west from the project area. The south coast is approximately 9.09 miles southwest from the project area. The soil in this area has been classified as Nipe clay, 5 to 20 percent slopes (NpD). The Nipe series consists of deep, well-drained soils that are moderately to rapidly permeable. These soils are on mesalike ridgetops. They formed in material weathered from serpentinite rock. In a representative profile the surface layer is dark reddish-brown, strongly acid clay about 11 inches thick. The subsoil, to a depth of more than 80 inches, is dark red or dusky red, nonsticky and slightly plastic clay.

There is one (1) archaeological study within a 0.50-miles radius of the proposed project area, with negative results (see table).

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On August 11, 2023, we visually inspected the project area. We are struck by the fact that it is a relatively flat and large property on the top of a mountain. The ground is covered with vegetation that barely allows us to see the surface. We observe the access roads to the farm. The road is covered with a reddish clay, quite clean.

| | |
|---|---|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REgROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination |  <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small> |
| Applicant: Hacienda Tulen L.L.C. | |
| Case ID: PR-RGRW-04079 | City: Yauco |

Determination

Within the RGRW-04079 project area a Pre-Columbian archaeological site has been identified. The site known as Matei appears in the SHPO and ICP offices with a different location. In ICP it appears within the Susua forest 0.43 miles northwest of the property and in SHPO it appears within the project farm, 0.01 miles away. We understand that the SHPO location is correct because the site form mentions that the owner's last name was Roura and that the access is through the PR-371 road. In addition, the ICP locates the archaeological site on a slope and according to the description it is located on top of a mountain. According to the information available at the SHPO office, site YU0100003 is located 0.01 miles east of where the alternative well will be drilled and 0.01 miles southeast of where the main well will be drilled. According to the form for site YU0100003 this was composed of an indigenous batey with abundant Chicoid style pottery. This form was filled out in September 1979 by Juan Gonzalez. He mentions that the site was impacted by the owners during the leveling works of the farm. When we conducted the surface survey on August 11, 2023, we did not observe any cultural remains on the exposed surfaces. Some avocado trees were observed. The surface is also covered with pasture and some crops such as bananas, among others. According to Marina Roura's son, the new avocado trees will be planted in the same area where the trees that were destroyed by Hurricane Maria were located. The excavation necessary for the installation of the new well is only 6 inches in diameter although the first 20 feet will be 8 inches in diameter. We understand that previous impacts during land leveling that occurred in 1979 and planting that have occurred over the years make it almost impossible to find cultural remains in the project area.

No historic properties were identified within the APE.

The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. The closest freshwater body is approximately 0.24 miles southeast of the project area. The construction of public roads and agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no impact to cultural properties is anticipated for this reconstruction project.

| | |
|---|--|
| 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: Hacienda Tulen L.L.C. | |
| Case ID: PR-RGRW-04079 | City: Yauco |

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

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

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

This Section is to be Completed by SHPO Staff Only

| | |
|---|-------|
| The Puerto Rico State Historic Preservation Office has reviewed the above information and: <ul style="list-style-type: none"> <input type="checkbox"/> Concurs with the information provided. <input type="checkbox"/> Does not concur with the information provided. | |
| Comments: | |
| Carlos Rubio-Cancela State Historic Preservation Officer | Date: |

| | | |
|---|--------------------|---|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REgROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination | |  |
| Applicant: Hacienda Tulen L.L.C. | | |
| Case ID: PR-RGRW-04079 | City: Yauco | |

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

| Name | SHPO id # | IPRC id # | Distance/Direction | Description | NRHP (listed, eligible, non-eligible, no data) |
|-------|-----------|-----------|--------------------|--------------------------------------|--|
| Matei | YU0100003 | | 0.01 mi E | Pre-Columbian site, Batey, residuary | No data |
| Matei | | YA-3 | 0.43 mi NW | Pre-Columbian site, Batey, residuary | No data |

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

| Author | Phase/Title | Year | SHPO / IPRC code | Results | Distance/Direction |
|--------------|---|------|-------------------|----------|--------------------|
| Harry Alemán | IB/ Improvements to water supply system at Rancheras and Collores ward at Yauco | 1987 | SHPO: 06-17-85-03 | Negative | 0.27 mi E |



Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

Project (PR-RGRW-04079) Location – Area of Potential Effect Map (Aerial)

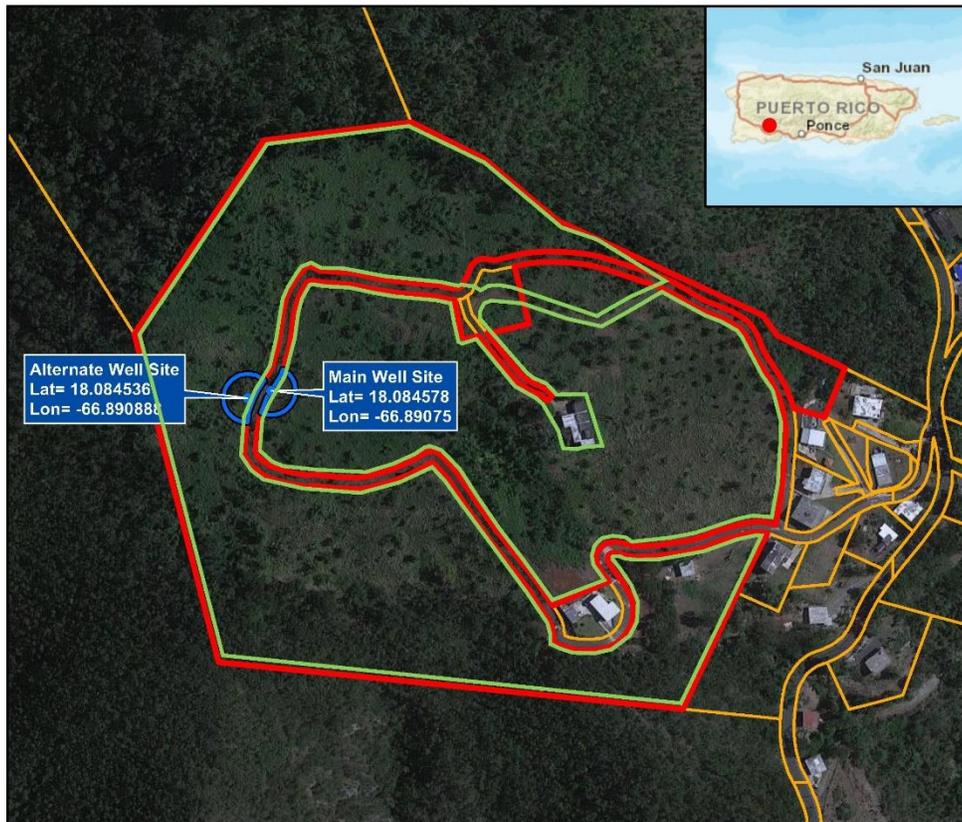
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corol. Barria 1 Suite 4-5, Calle Ponce 554, Aterros, San Juan, PR, 00920 TEL:787.793.6200

Application ID: PR-RGRW-04079

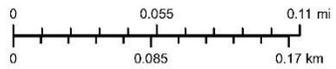
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: See List Below, Lon: See List Below

Area of Potential Effect

Puerto Rico Department of Housing ReGrow



- Legend**
- PR-RGRW-04079 Applicant Structure
 - Area of Potential Effect
 - PR-RGRW-04079 Parcel
 - CRIM Parcels
 - Fruit Trees



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth

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



Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

Project (PR-RGRW-04079) Location - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Carroll Iberia T. Suite J-3, Calle Paraiso 55-A, Arterriba, San Juan, P.R. 00960 Tel: (787) 703-8200

Application ID: PR-RGRW-04079

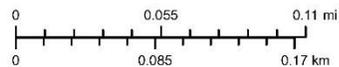
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: See List Below, Lon: See List Below

Location: Aerial Map
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079
- PR-RGRW-04079 Parcel
- CRIM Parcels
- Fruit Trees



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, InCREMENT P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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



Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

Project (PR-RGRW-04079) Location - USGS Topographic Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corral, Barrio 1 Suite J-3, Calle Ponce 554, Atravesado, San Juan, PR, 00925 787.7773.4202

Application ID: PR-RGRW-04079

Hacienda Tulen L.L.C.

Bo Collores

Carr 371 km 7

Yauco, PR 00698

Catastro: 336-000-004-10-000

Lat: See List Below, Lon: See List Below

Location: USGS Topographic Map

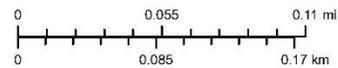
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079
- PR-RGRW-04079 Parcel

Contour Interval 20 Feet



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



Source

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

Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

Project (PR-RGRW-04079) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Ciudad, Iberia 1 Suite J-3, Calle Pinar 55-A, Arimón, San Juan, PR, 00960 Tel: (787) 769-0200

Application ID: PR-RGRW-04079

Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: See List Below, Lon: See List Below

Soils Map
Puerto Rico Department of Housing ReGrow

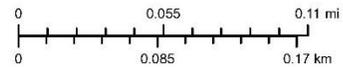


Legend

- PR-RGRW-04079
- PR-RGRW-04079 Parcel
- Soil Map Unit Symbol

Soil Map Unit Symbol

- EcD - El Cacique-La Taina complex, 5 to 20 percent slopes
- EcF - El Cacique-La Taina complex, 20 to 60 percent slopes
- NpD - Nipe clay, 5 to 20 percent slopes
- RoD - Rosario silty clay, 12 to 20 percent slopes
- RoE - Rosario silty clay, 20 to 40 percent slopes
- RoF - Rosario silty clay, 40 to 60 percent slopes



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth

Source

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

Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

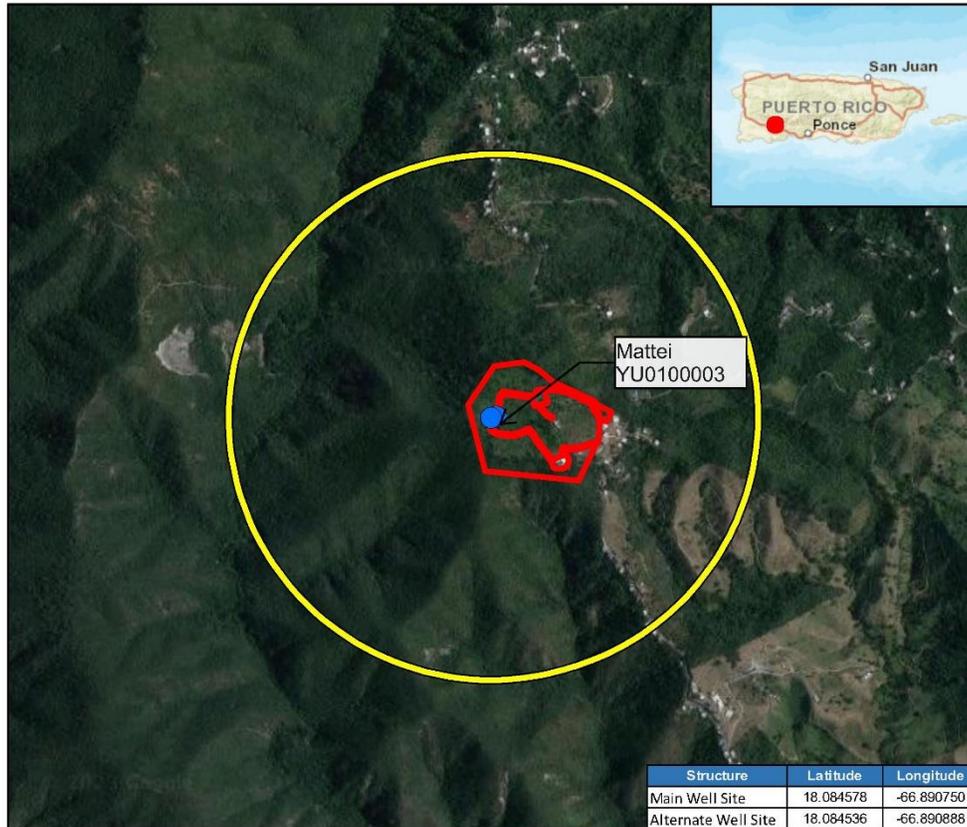
Project (PR-RGRW-04079) Location with Previous Investigations - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Donald, Bertha Y. Suite J-3, Calle Pinarso 55-A, Alamo, San Juan, P.R. 00920 Tel: (787)783-0200

Application ID: PR-RGRW-04079

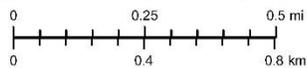
Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: See List Below, Lon: See List Below

Previous Investigations: Aerial Map
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079
- PR-RGRW-04079 Parcel
- 0.50 Mile (0.80 km) Buffer



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

Project (PR-RGRW-04079) Location with Previous Investigations – Topographic Map

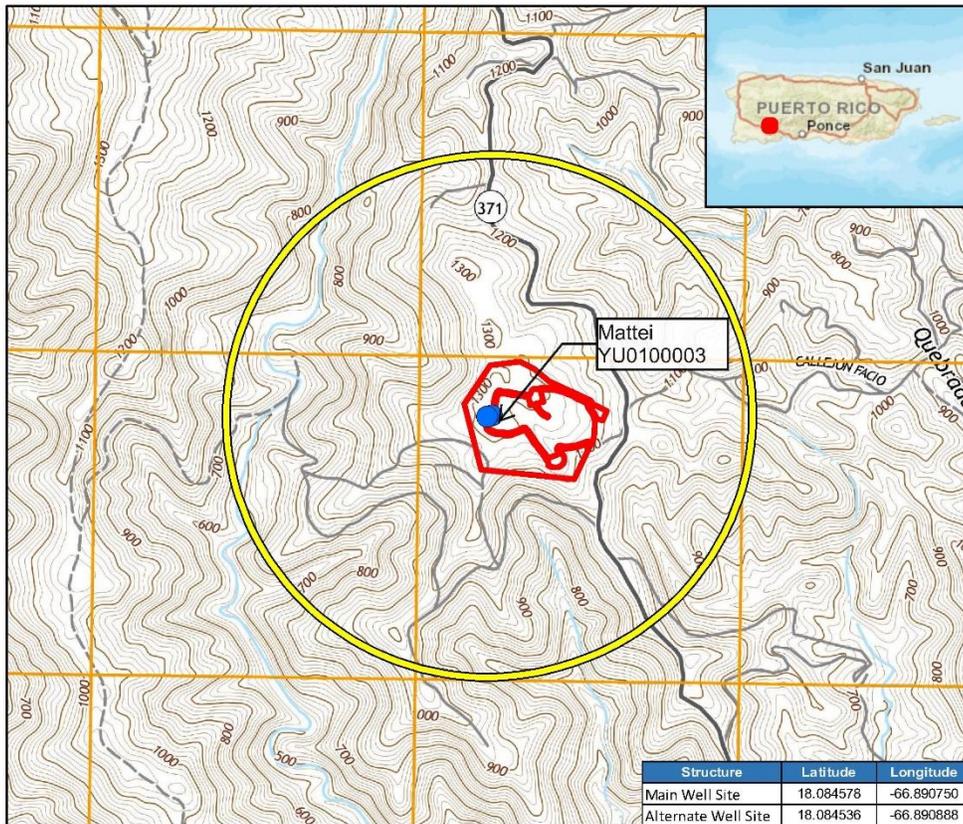
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Oficina: Iberia 1, Suite 203, Calle Ponce 564, Alamo, San Juan, P.R. 00909 | Tel: 787-793-0200

Application ID: PR-RGRW-04079

Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: See List Below, Lon: See List Below

Previous Investigations: USGS Topographic Map

Puerto Rico Department of Housing ReGrow

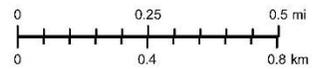


| Structure | Latitude | Longitude |
|---------------------|-----------|------------|
| Main Well Site | 18.084578 | -66.890750 |
| Alternate Well Site | 18.084536 | -66.890888 |

Legend

- PR-RGRW-04079
- PR-RGRW-04079 Parcel
- 0.50 Mile (0.80 km) Buffer

Contour Interval 20 Feet



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



Source

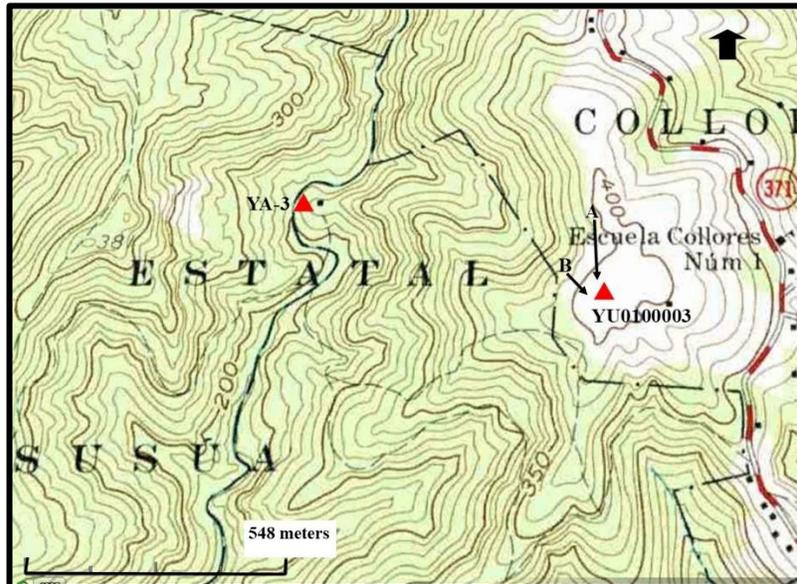
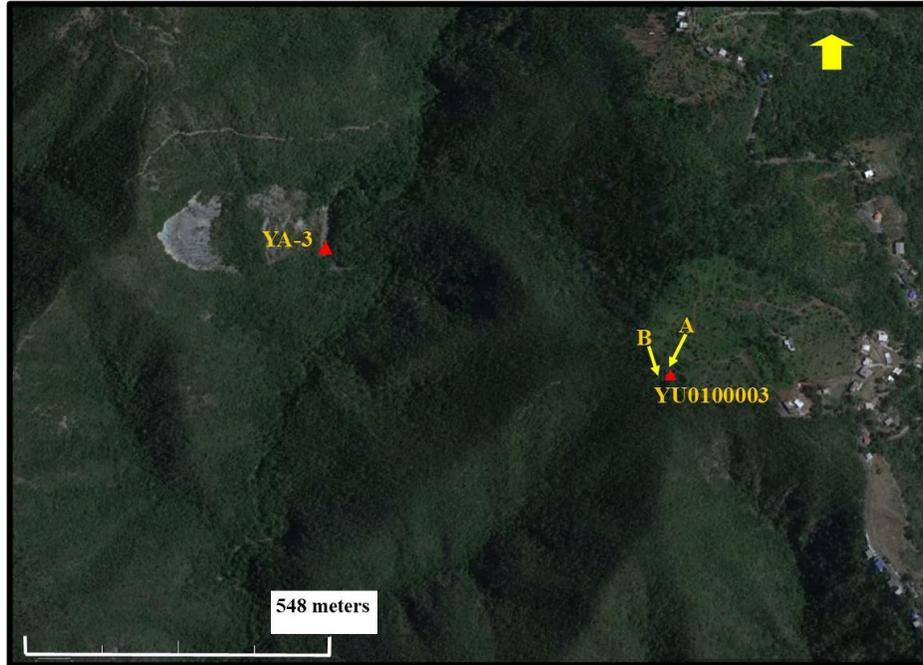
United States Geological Survey (USGS)
National Geologic Map Database
https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html

Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

Project (PR-RGRW-04079) Location with YU0100003 location (SHPO and ICP)
A. Alternate well site, B. Well site

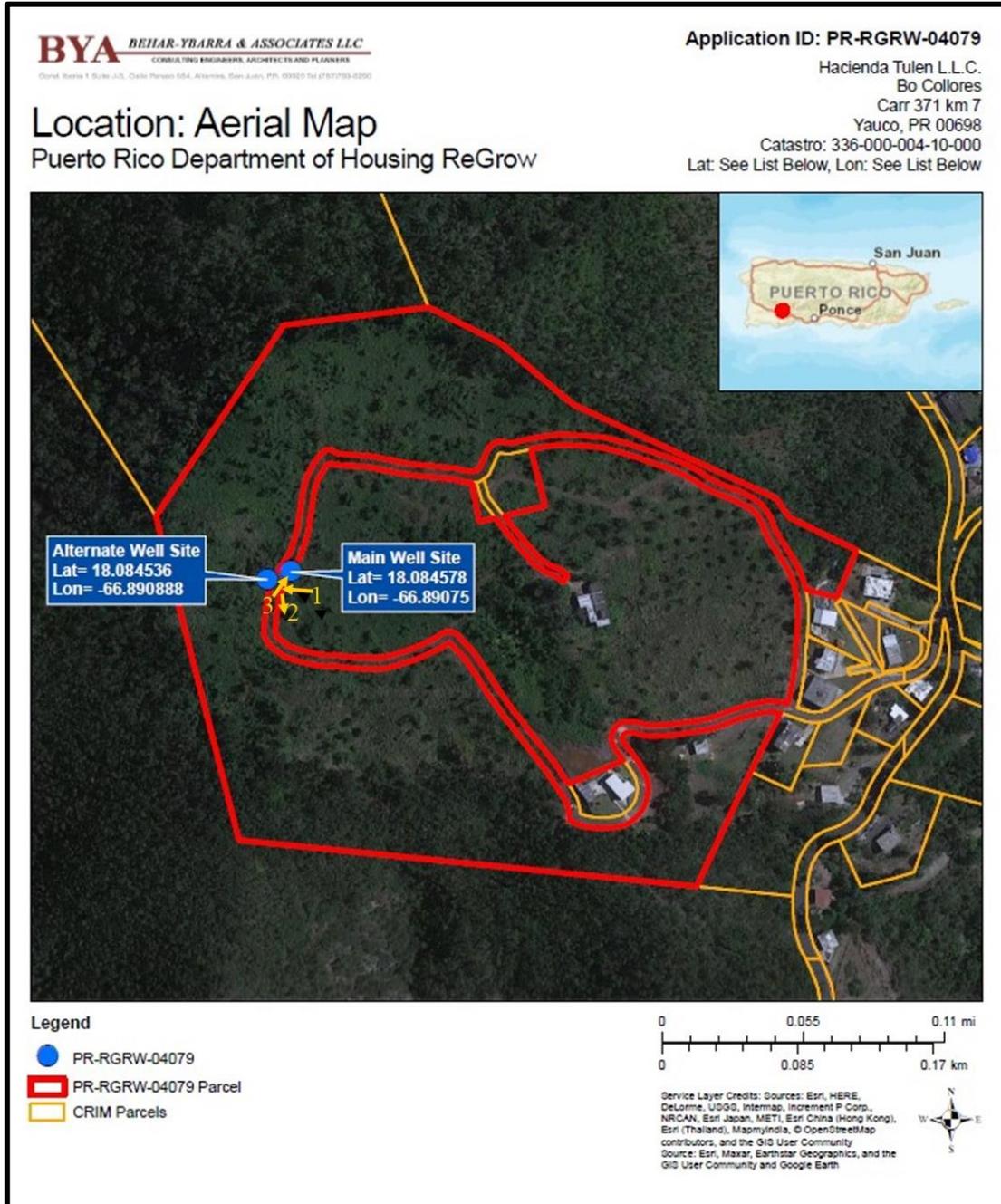


Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco

Photograph Key



Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco



Photo #: 1

Description (include direction): Area where the alternate well will be installed, looking west.

Date: August 11, 2023



Photo #: 2

Description (include direction): General area where avocado trees will be planted, looking southeast.

Date: August 11, 2023

Applicant: Hacienda Tulen L.L.C.

Case ID: PR-RGRW-04079

City: Yauco



Photo #: 3

Date: August 11, 2023

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



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

Appendix 2



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

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

Data is current as of March 31, 2023

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

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

Change the State:

Important Notes

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

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

Important Notes

Appendix 3



United States Department of the Interior

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



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

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

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

Re: CDBG-DR PR-RGRW-04079 Hacienda
Tulen, LLC., Yauco, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated October 16, 2023, requesting comments on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) on behalf of Hacienda Tulen LLC (the Applicant) is proposing the installation of a new water well that will require excavation (6 in diameter x 250 feet deep). The project will be located at PR-371, Km. 7 in the municipality of Yauco, Puerto Rico. There are two possible locations considered for this project:

- Option 1: 18°05'04.5"N 66°53'26.7"W
- Option 2: 18°05'04.3"N 66°53'27.2"W

Using the Information for Planning and Consultation (IPaC) system the proponent has determined that the proposed project lies within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*), Puerto Rican parrot (*Amazona vittata*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican harlequin butterfly (*Atlantea tulita*), palo de rosa (*Ottoschulzi rhodoxylon*), higüero de sierra (*Crescentia portoricensis*) and *Cordia bellinis*.

Based on the nature of the project, scope of work, information available, and analysis of the IPaC lists together with field direct observations of the area where the project will be developed, the proponent has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican harlequin butterfly since its critical habitat is approximately 261 feet from the proposed water well sites. As for the Puerto Rican boa, Puerto Rican parrot, Puerto Rican

broad-winged hawk, palo de rosa, higüero de sierra and *Cordia bellinis* a no effect (NE) determination was made since the land is currently used for agricultural purposes.

We have reviewed the information provided in your letter and our files, and concur with your determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican harlequin butterfly. The Service recommends the Applicant and its contractor to adopt the implementation of the below conservation measures for the proposed actions for the Puerto Rican harlequin butterfly.

1. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly or its occupied host plant prickly bush (*Oplonia spinosa*) in the project areas. A pre-work meeting should inform all project personnel about the need to avoid harming this butterfly and its occupied host plant. Educational material (e.g., posters, flyers or signs with photos or illustrations of all the life stages of the Puerto Rican harlequin butterfly (i.e., eggs, caterpillar, chrysalids and adult, and its host plant) should be prepared and available to all personnel for reference.

2. Prior to starting any project activity, including removal of vegetation and earth movement, the boundaries of the work area must be clearly delineated in the field to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and prior to any work activity, including site preparation, personnel with knowledge and able to identify the Puerto Rican harlequin butterfly (all life stages) and the prickly bush, must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that all life stages of the Puerto Rican harlequin butterfly can be observed year-round, thus, oviposition (egg-laying) may occur at any time during the year.

3. If the Puerto Rican harlequin butterfly is found on the project site, any work activity must stop in the area where the species is present. If the Puerto Rican harlequin butterfly (adult) is found flying in the area where the prickly bush is present, project-related activities must stop in this area and a 50-meter (164 feet) buffer zone of no activity or human disturbance should be established around the prickly bush until the butterfly moves out of the project site on its own. Do not disturb the butterfly. Adult butterflies are often observed flying in the vicinity of the host plant as part of its mating behavior and laying eggs. If the prickly bush is occupied by any life stage of the Puerto Rican harlequin butterfly, the host plant should be clearly marked with a flagging tape and a 5-meter (16.4 feet) buffer zone around the plant must be established and clearly delineated for its protection. Eggs are mostly found on the newly grown and more tender branches of the prickly bush and the caterpillars feed only on prickly bush. However, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars or chrysalids are present. Works outside of the buffer zone, where no Puerto Rican harlequin butterflies are observed, may continue.

4. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office to José Cruz-Burgos – Endangered Species Program Coordinator at Caribbean_es@fws.gov.

We acknowledge receipt of your NE determination for the Puerto Rican boa, Puerto Rican parrot, Puerto Rican broad-winged hawk, palo de rosa, higüero de sierra and *Cordia bellonis*. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service, and the Service is not required to concur with your NE determination.

In view of this, we believe that requirements of section 7 of the Endangered Species Act (Act) have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

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

Sincerely yours,

Edwin E. Muñoz
Field Supervisor

drr



October 16, 2023

Edwin E Muñiz
Field Supervisor
U.S. Fish and Wildlife Service
PO Box 491
Boquerón, PR 00622
Email: caribbean_es@fws.gov; edwin_muniz@fws.gov

Re: Puerto Rico Department of Housing Re-Grow PR-RGRW-04079 Project – Hacienda Tulen, LLC – Endangered Species Evaluation

Dear Mr. Muñiz:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-04079, water well location: coordinates 18.084578, -66.89075, and water well alternative location: coordinates 18.084536, -66.890888, at bo. Collores Carr PR-371 Km. 7, Yauco, PR 00698. A map of the project location can be found in Appendix A: Figure 1 and Figure 2.

The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed project in question, PR-RGRW-04079, is requesting funding under the Re-Grow PR Urban-Rural Agriculture Program (Re-Grow). The goal of the Re-Grow is to build agricultural capacity and focus on promoting and increasing food security island-wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. The project consists of the purchase and installation of a new water well. The well will require an excavation 6 inches in diameter by 250-feet deep, although the first 20 feet will be 8 inches in diameter. The well installation includes a 3HP submersible water pump that will be powered by solar energy, which will be provided by the applicant. Two locations for the well are being considered. The first location is at latitude 18.084578, longitude -66.89075. The alternative location is at latitude 18.084536, longitude -66.890888. The water well will collect water from an existing

CDBG-DR FUNDS

PRASA water intake from the property and all water lines are above ground. The 6-inch water well will also be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The project area is located at PR-371 Km. 7 Int within the Municipality of Yauco, Puerto Rico. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 40 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the new water well, see Appendix A: Figure 3. The area of potential effects (APE) measures 707 square meters.

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

| Name of the species | Threatened/Endangered/Candidate |
|--|---------------------------------|
| Reptiles | |
| Puerto Rican boa (<i>Chilabothrus inornatus</i>) | Endangered |
| Birds | |
| Puerto Rican parrot (<i>Amazona vittata</i>) | Endangered |
| Puerto Rican broad-winged hawk (<i>Buteo platypterus brunnescens</i>) | Endangered |
| Insects | |
| Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>) | Threatened |
| Flowering Plants | |
| Cordia bellonis | Endangered |
| Higuero De Sierra (<i>Crescentia portoricensis</i>) | Endangered |
| Palo de Rosa (<i>Ottoschulzia rhodoxylon</i>) | Threatened |
| Critical Habitat | |
| There are no critical habitats within the project area. | |

Based on the nature of the project, scope of work, information available, and a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, and the observations during the field visit, we have made the following effects determinations:

| Name of the species | Effect Determination | Conservation Measures that will be implemented |
|---|---------------------------------------|--|
| Puerto Rican boa (<i>Chilabothrus inornatus</i>) | No Effect (NE) | USFWS Puerto Rico Boa Conservation Measures 2020 |
| Puerto Rican broad-winged hawk (<i>Buteo platypterus brunnescens</i>) | No Effect (NE) | No Conservation Measures |
| Puerto Rican parrot (<i>Amazona vittata</i>) | No Effect (NE) | No Conservation Measures |
| Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>) | Not Likely to Adversely Affect (NLAA) | No Conservation Measures |
| Cordia bellonis | No Effect (NE) | No Conservation Measures |
| Higuero De Sierra (<i>Crescentia portoricensis</i>) | No Effect (NE) | No Conservation Measures |
| Palo de Rosa (<i>Ottoschulzia rhodoxylon</i>) | No Effect (NE) | No Conservation Measures |
| Critical Habitats | | |
| There are no critical habitats within the project area. | | |

Existing Conditions and Trends:

The proposed project parcel 336-000-004-10-000 is designated as Farmland of statewide importance (Appendix A: Figure 4). The project area is located in a relatively flat and large property on the top of a mountain, refer to Appendix C. The ground is covered with vegetation that barely allows to see the surface. Some avocado trees were observed. The surface is also covered with pasture and some crops such as bananas, among others. The existing area for the proposed well and the alternate location placement is used for agricultural purposes, therefore, there is no change in land use associated with the new well placement. In addition, the closer Final Critical Habitat is located at 261 feet from the project location, see Appendix A: Figure 5.

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination included in this letter. Attached to this letter, we are including documents used to reach our effect determinations for the listed species. For any questions or clarifications, please do not hesitate to contact us at the information below.

Thank you in advance for your consideration of this issue.

Cordially,



Juan Carlos Pérez Bofill, PE, MEng.
 Director – Disaster Recovery, CDBG-DR Program
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320

Attachments:

Appendix A:

- Figure 1 – Location Site Map
- Figure 2 – Topographic Map
- Figure 3 – Area of Potential Effect Map
- Figure 4 – Farmland Protection Map
- Figure 5 – Critical Habitats Map

Appendix B: Information for Planning and Consultation (IPaC)

Appendix C: Field Visit Photos

C: Angel G. López-Guzmán, MSEM
Deputy Director
Permits and Environmental Compliance Division

Literature Cited:

- U.S. Fish and Wildlife Service. (n.d.). Puerto Rican boa (*Chilabothrus inornatus*). <https://ecos.fws.gov/ecp/species/6628>. USFWS Puerto Rican boa Conservation Measures
- U.S. Fish and Wildlife Service. (n.d.). Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*). Species Profile for Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*).
- U.S. Fish and Wildlife Service. (n.d.). Puerto Rican parrot (*Amazona vittata*). Species Profile for Puerto Rican parrot (*Amazona vittata*).
- U.S. Fish and Wildlife Service. (n.d.). Puerto Rican Harlequin Butterfly (*Atlantea tulita*). Species Profile for Puerto Rican harlequin butterfly (*Atlantea tulita*).
- U.S. Fish and Wildlife Service. (n.d.). Cordia bellonis. Species Profile for No common name (*Cordia bellonis*).
- U.S. Fish and Wildlife Service. (n.d.). Higuero De Sierra (*Crescentia portoricensis*). Species Profile for Higuero de sierra (*Crescentia portoricensis*).
- U.S. Fish and Wildlife Service. (n.d.). Palo de Rosa (*Ottoschulzia rhodoxylon*). Species Profile for Palo de rosa (*Ottoschulzia rhodoxylon*).

Appendix A: Maps

Figure 1: Location Site Map

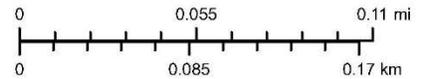
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079
- PR-RGRW-04079 Parcel
- CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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

Figure 2: Topographic Map

Location: USGS Topographic Map

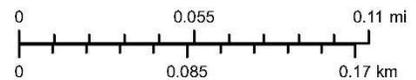
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079
- ▭ PR-RGRW-04079 Parcel

Contour Interval 20 Feet



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



Source

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

Figure 3: Area of Potential Effect Map

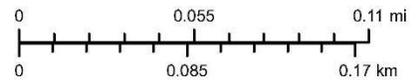
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04079 Applicant Structure
- Area of Potential Effect
- PR-RGRW-04079 Parcel
- CRIM Parcels
- Fruit Trees



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



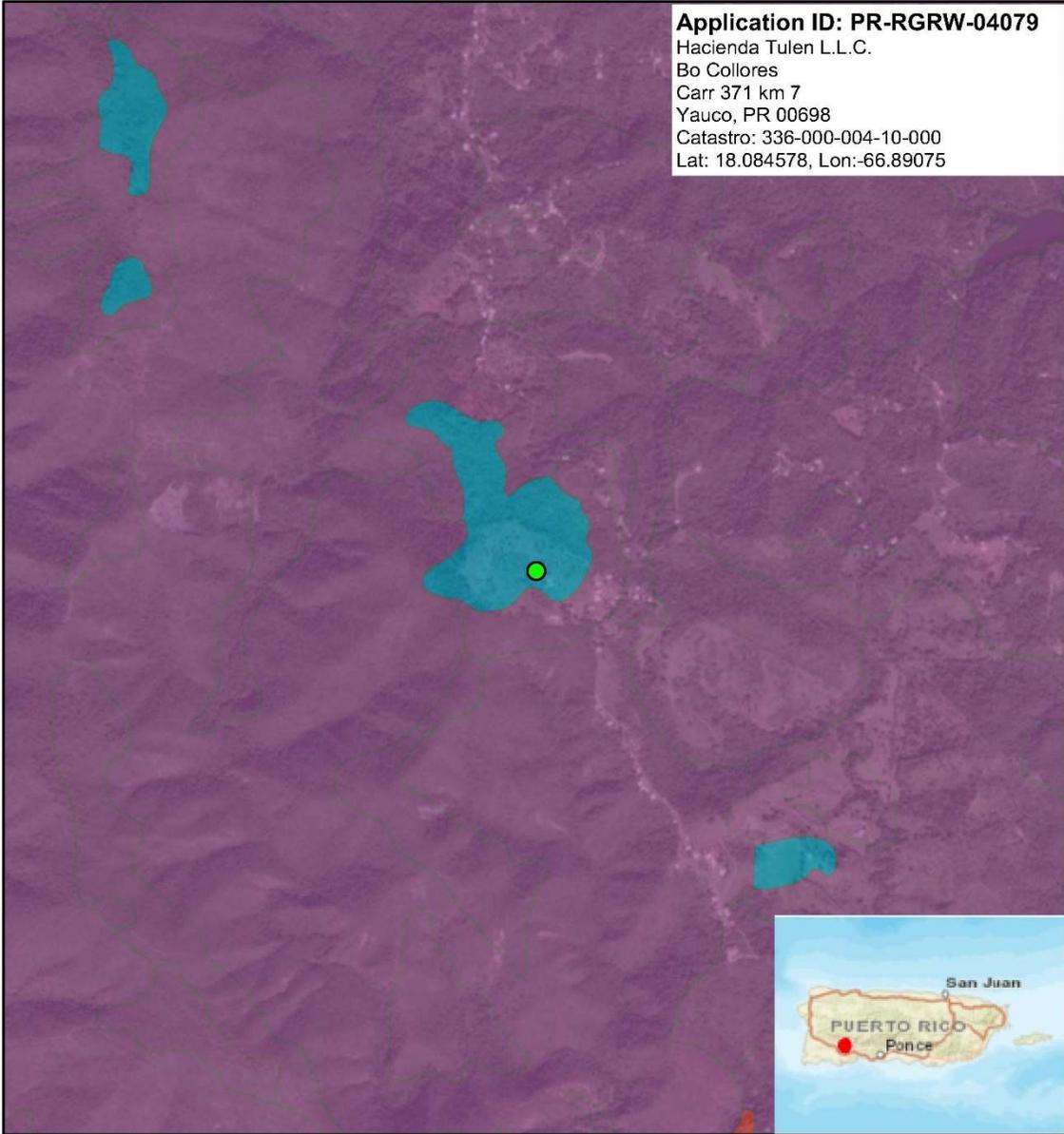
Source

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

Figure 4: Farmland Protection Map

Application ID: PR-RGRW-04079

Hacienda Tulen L.L.C.
Bo Collores
Carr 371 km 7
Yauco, PR 00698
Catastro: 336-000-004-10-000
Lat: 18.084578, Lon:-66.89075



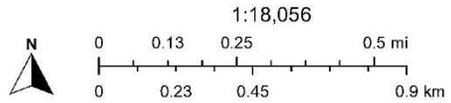
8/3/2023, 3:08:53 PM

Farmland Protection ● PR-RGRW-04079

All areas are prime farmland

Farmland of statewide importance

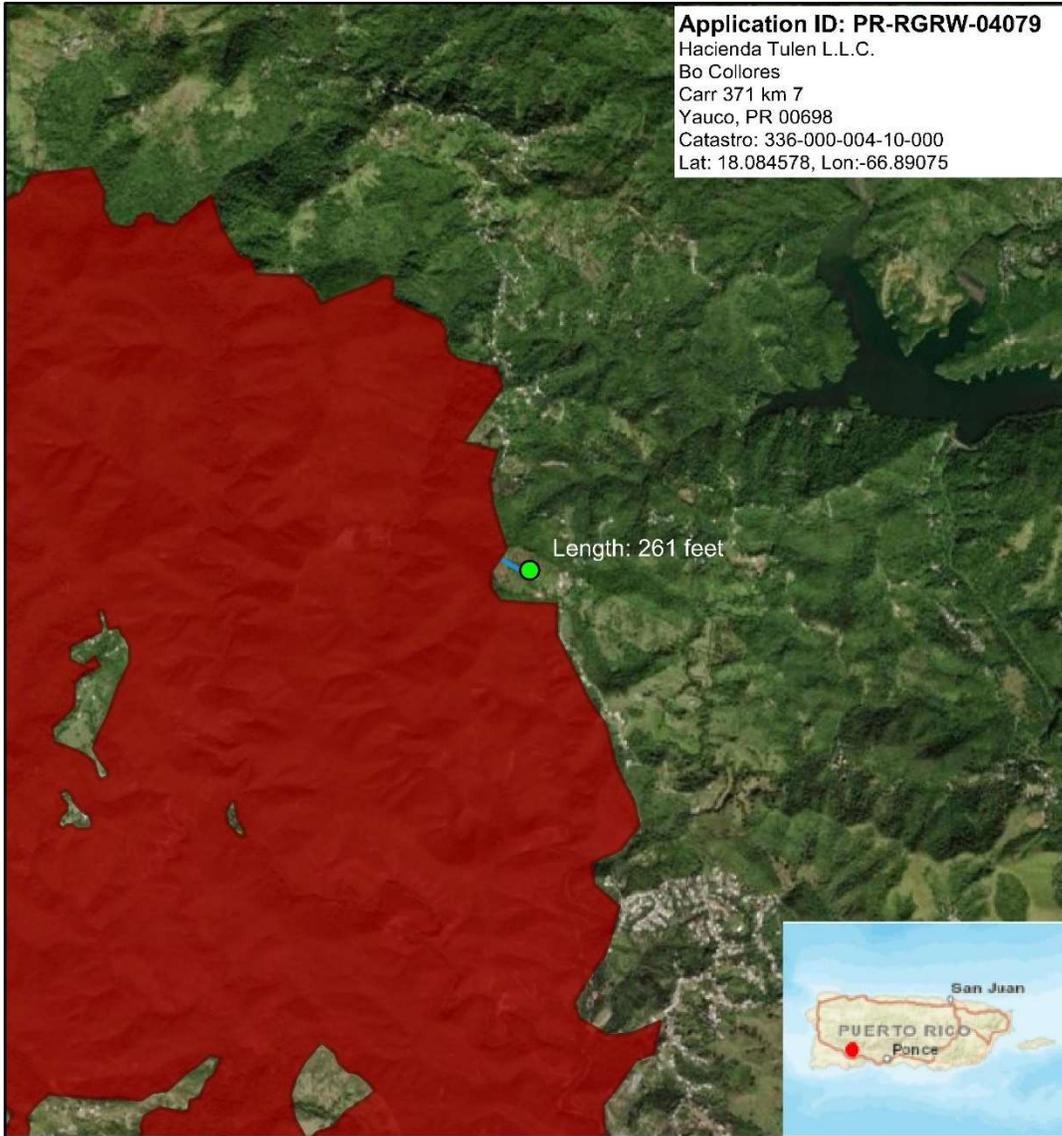
Not prime farmland



Source

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

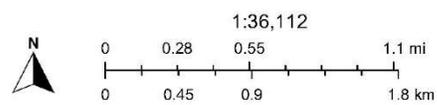
Figure 5: Critical Habits Map



8/3/2023, 3:06:44 PM

 USFWS Critical Habitat - Final

 PR-RGRW-04079



Source

National Oceanic and Atmospheric Administration (NOAA)
Office of Response and Restoration
<https://response.restoration.noaa.gov/>

Appendix B: Information for Planning and Consultation (IPaC)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Caribbean Ecological Services Field Office
Post Office Box 491
Boqueron, PR 00622-0491
Phone: (787) 834-1600 Fax: (787) 851-7440
Email Address: CARIBBEAN_ES@FWS.GOV

In Reply Refer To:
Project Code: 2024-0002686
Project Name: PR-RGRW-04079

October 09, 2023

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

To Whom It May Concern:

THE FOLLOWING SPECIES LIST IS NOT A SECTION 7 CONSULTATION. PLEASE CONTACT OUR OFFICE TO COMPLETE THE CONSULTATION PROCESS

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

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". The enclosed species list provides information to assist with the U.S. Fish and Wildlife Service (Service) consultation process under section 7 of the Act. However, **the enclosed species list does not complete the required consultation process**. The species list identifies threatened, endangered, proposed and candidate species, as well as proposed and designated critical habitats, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. A discussion between the Federal agency and the Service should include what types of listed species may occur in the proposed action area and what effect the proposed action may have on those species. This process initiates informal consultation.

Once a species list is obtained for the proposed project, an effect determination for endangered and threatened species should be made. The applicant could make an effect determination by using available keys on IPaC for specific species. For species with no determination keys, the applicant should request concurrence from the Service by sending a project package

to caribbean_es@fws.gov. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

<https://www.fws.gov/sites/default/files/documents/consultation-under-section-7-of-the-endangered-species-act-with-the-caribbean-ecological%20Services-field-office-template-letter.pdf>

When a federal agency, after discussions with the Service, determines that the proposed action is not likely to adversely affect any listed species, or adversely modify any designated critical habitat, and the Service concurs, the informal consultation is complete, and the proposed project moves ahead. If the proposed action is suspected to affect a listed species or modify designated critical habitat, the Federal agency may then prepare a Biological Assessment (B.A.) to assist in its determination of the project's effects on species and their habitat. However, a B.A. is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a B.A. where the agency provides the Service with an evaluation on the likely effects of the action to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a B.A. are described at 50 CFR 402.12.

If a federal agency determines, based on its B.A. or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to further consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation process. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species.

This list is provided pursuant to Section 7 of the Endangered Species Act and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". Please use this list to determine whether your project requires consultation and to make your effects determination. For more guidance, use the Guideline for Consultation under Section 7 of the Endangered Species Act with the Caribbean Ecological Services Field Office by clicking [here](#).

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(787) 834-1600

PROJECT SUMMARY

Project Code: 2024-0002686

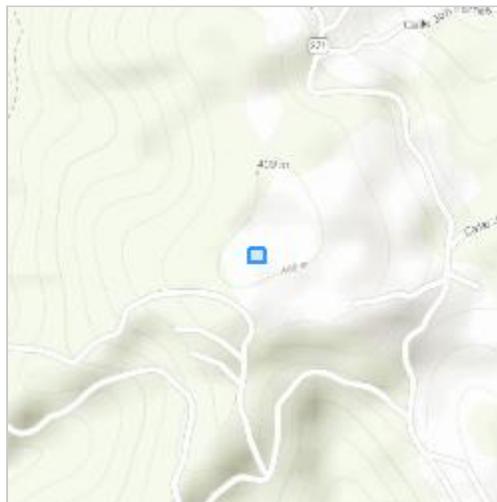
Project Name: PR-RGRW-04079

Project Type: Restoration / Enhancement - Agricultural

Project Description: The proposed activities for PR-RGRW-04079 consist of the purchase and installation of a new water well. The new well will require an excavation 6 inches in diameter by 250 feet deep, although the first 20 feet will be 8 inches in diameter. The well installation includes a 3hp submersible water pump that will be powered by solar energy that will be provided by the applicant. Two locations for the well are being considered. The first location is at latitude 18.084578, longitude -66.89075. The alternative location is at latitude 18.084536, longitude -66.890888. The 6" water well will also be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The project area is located at PR-371 km. 7 Int within the Municipality of Yauco. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 40 years.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.08458285,-66.8907617,14z>



Counties: Yauco County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

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

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

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

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

BIRDS

| NAME | STATUS |
|--|------------|
| Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5512 | Endangered |
| Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3067 | Endangered |

REPTILES

| NAME | STATUS |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/IUJKA5T7UBBWLGQ5C356NXJPGY/documents/generated/6941.pdf | Endangered |

INSECTS

| NAME | STATUS |
|--|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9005 | Threatened |

FLOWERING PLANTS

| NAME | STATUS |
|--|------------|
| Cordia bellonis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7228 | Endangered |
| Higuero De Sierra <i>Crescentia portoricensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6800 | Endangered |
| Palo De Rosa <i>Ottoschulzia rhodoxylon</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5741 | Threatened |

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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 OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

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 habitats³ 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.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

WETLANDS

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](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Patricia Carmenatty
Address: Perseo St. 554 Cond. Iberia Suite J-3
City: San Juan
State: PR
Zip: 00920
Email: patricia.carmenatty@byaea.com
Phone: 7877830290

Appendix C: Field Visit Photos



Photo #: 1

Date: August 11, 2023

Description (include direction): Area where the alternate well will be installed, looking west.



Photo #: 2

Date: August 11, 2023

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