

# **Environmental Assessment**

## **Determinations and Compliance Findings for HUD-assisted Projects**

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-01117

**Project Name:** HUERTO NUEVA ESPERANZA LLC

**Responsible Entity:** Puerto Rico Department of Housing

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

**State/Local Identifier:** Puerto Rico / Gurabo, PR

**Preparer:** Patricia Carmenatty

**Certifying Officer Name and Title:** Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, Ivelisse Lorenzo, Janette Cambrelen, Santa Ramirez, Limary Vélez Marrero, Juan Carlos Perez Bofill, and Mónica M. Machuca Ríos. María T. Torres Bregón - Environmental Manager, and Angel G. Lopez Guzman - Deputy Director, Aldo A. Rivera Vazquez-Director

**Consultant:** Behar Ybarra & Associates LLC

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

#### **Project Location:**

Carr.941 km.6.0 Barrio Jaguas Sector Richard Rivera, Gurabo, PR 00778

Greenhouse location: latitude 18.283123 longitude -66.011971

Parcel cadastral: 172-089-219-43-000

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

The proposed activities for PR-RGRW-01117 consist of the purchase and installation of a 40' x 8' Greenery Container for a Controlled Environment Vertical Harvest Module. The container will be used for protected cultivation, a process of growing crops in a controlled environment (where factors such as light, CO<sub>2</sub>, temperature/humidity, and airflow are regulated) and includes cultivation in vertical farming and greenhouses where environmental factors are tightly controlled. Because CEA grows crops indoors, it is labor-saving, allows for the reduced use of pesticides, and can be set up just about

anywhere. The container will be anchored to 8 concrete supports buried 2 feet deep. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing PRASA water intake on the property. The water line to supply the water to the container will be installed underground and will measure approximately 150 feet. The applicant should obtain any authorizations or permits necessary from PRASA prior to commencing construction to expand the water connections. The power needed to operate the module will come from an existing PREPA/LUMA connection and the line to supply power to the container will be installed above the ground. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel once the applicant obtains the authorization or permits required by LUMA to expand the existing connection. Since the system recycles the water, every 3 months the system must be cleaned disposing approximately 50 gallon of water that could be used for irrigation. No sewer connection is required for any discharge from the module. Based on a review of historical aerial imagery, the general area was a rural residential setting from at least 1967 through the present day.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the Greenery Container. 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 Greenery Container plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

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

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the purchase and installation of a 40' x 8' Greenery Container are in keeping with the overall objectives of the Economic Development Program.

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

The project area is located in the rural area of Gurabo with flat topography. The new container will be installed in an areas covered with grass. The area where the container will be installed is the applicant's yard. Therefore, there is little to no change in land use associated with these placements.

## Funding Information

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

**Estimated Total HUD Funded Amount:** \$ 100,000.00

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$ 150,000.00.

## 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.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is the purchase and installation of a 40' x 8' Greenery Container and will have no impact on any Airports. The site is located 56,287 feet from the nearest civil and 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.

<p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project is not located in a CBRS Unit. The project is located 53,536 feet southwest of the nearest Coastal Barrier Resource System, PR-87P. 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.</p>
<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The installation of the container is within Zone X, Panel 72000C0745J, 11/18/2009 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4. The project is in compliance with the Flood Insurance without further evaluation.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (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 of the purchase and installation of a 40' x 8' Greenery Container for an agricultural site located in the Municipio of Gurabo. The project is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each country by year for all criteria pollutants in Appendix 2.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project is located 44,876 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><b>Contamination and Toxic Substances</b></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 the purchase and installation of a 40' x 8' Greenery Container 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. After conducting an aerial review history of the project site over the past 20 years, the area has been preserved as green space. It continues to be rural/residential, with no significant changes during this period that raise any contamination concerns.</p> <p>There are two sites of environmental concern identified within 3,000 feet near the proposed container location.</p> <p>Hazardous Waste (RCRA Info) 110032659488 - All Imaging Radiology Complex. Address: 172 3 B 11 Villa Del Rey, Caguas, PR 00725. Coordinates: 18.282962, -66.019108. Distance: 2,606 ft.</p> <p>Water Dischargers (NPDES) 110071443820 - Carraizo Reservoir Dredge. Address: State Road #796 KM. 3.6, Caguas, PR 00725. Coordinates: 18.2772, -66.0101. Distance: 2,386 ft.</p> <p>Based on EPA Enforcement and Compliance History Online (EPA ECHO) there are no violations reported. See Appendix 3.</p> <p>The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6. See Appendix 3 for Site Inspection Report.</p>
<p><b>Endangered Species</b></p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources</p>

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

(DNER) database, the Puerto Rican boa (*Chilabothrus inornatus*) could be found in the project area. The scope of work includes continued agricultural use of the property with no intention of cutting down trees or vegetation removal where the container will be installed.

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on September 22, 2023, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "No Effect" determination on the Puerto Rican Boa. The project is 53,464 feet from the nearest final endangered species critical habitat. Therefore, the project has no critical habitats in the area.

If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.

<https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf>

This project is in compliance with the Endangered Species Act. See attached "No Effect" Memo and supporting

		documents in Appendix 4. See attached Endangered Species map, Figure 7.
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project consists of the purchase and installation of a 40' x 8' Greenery Container and 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.
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project is in an area designated as Farmland of statewide importance. The scope of work includes the purchase and installation of a container, and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The underground water lines associated with the installation of the container are located in Zone A on the Advisory Base Flood Elevation special flood hazard area. In accordance with the Department of Housing and Urban Development guidelines, practical alternatives to locating the proposed action in a floodplain were identified and evaluated. These included the following alternatives: moving the project away from or around the floodplain, moving the project to another site and impact of taking no action. For each of these alternatives, various factors were considered including cost, feasibility, technology, hazard reduction, and environmental impacts. The following mitigation measures will be taken to minimize adverse impacts and to restore

		<p>and preserve natural values: Follow best soil erosion management practices and a water pollution prevention plan. Take necessary safety precautions during construction. The project will comply with state and local floodplain protection procedures. Based on a review of the practical alternatives and their implementation wherever possible, the proposed action of the PR-RGRW-01117 project is deemed to be the most appropriate and is selected as the final action. This determination is made on the basis of feasibility, cost, enhancement of quality of life, features for the community, land availability, and lack of impacts to wetlands.</p> <p>The project is in compliance with Executive Order 11988. See attached ABFE Map (Figure 9). Refer to Appendix 5 for the Procedure for Making Determination on Floodplain Management and Wetlands Eight Step Process and Proof of publication.</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The site was visited on October 8, 2023, by SOI-qualified archaeologist. Based on the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to the installation of the new container. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated November 13, 2023, SHPO concurred with a finding of <b>No Historic Properties Affected</b> 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</p>



		in compliance with National Historic Preservation Act.
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase and installation of a 40' x 8' Greenery Container 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><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>There are no EPA Sole Source Aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation. See attached Sole Source Aquifers maps, Figure 11.</p>
<p><b>Wetlands Protection</b></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>Wetlands associated with an unnamed creek are located approximately 160 feet from the proposed location for the container and outside of the parcel. No wetland area will be impacted under this action. Standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (in any) around the areas of ground disturbance.</p> <p>A detailed summary of the eight-step process is in Appendix 5. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 12.</p>
<p><b>Wild and Scenic Rivers</b></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 77,455 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 13.</p>

ENVIRONMENTAL JUSTICE		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section. See Appendix 3 for EJScreen Report.

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

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

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and continued agricultural use of property which is compatible with a zoning code of R-G (Rural Genera) and existing land

Zoning / Scale and Urban Design		use of SRC (Common rustic soil). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>This project consists of the purchase and installation of a 40' x 8' Greenery Container and the soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. The soil in this area has been classified as Naranjito silty clay loam, 12 to 20 percent slopes, eroded (NaD2). This is a moderately steep, well-drained soil strongly dissected volcanic uplands.</p> <p>The landslide data indicates low landslide susceptibility; therefore, no erosion is expected to occur from this project. The project will not affect the drainage in the area. There will be no runoff associated with the project. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager or applicant should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities. See Landslide Susceptibility Map, Figure 14.</p>
Hazards and Nuisances including Site Safety and Noise	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container. There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area. Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container on an existing agricultural farm. The power needed to operate the module will come from an existing PREPA/LUMA connection and the line to supply power to the container will be installed above the ground. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel once the applicant obtains the authorization or permits required by LUMA to expand the existing connection. The proposed project will have no impact on the energy consumption.
Environmental Assessment Factor	Impact Code	

		Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and will result in short-term benefit to employment when contractors are hired for the construction of the storage structure. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and will not alter the demographic characteristics of Gurabo, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	<p>The project consists of the purchase and installation of a 40' x 8' Greenery Container. In the project area within a one-mile radius:</p> <ul style="list-style-type: none"> <li>• The people of color are 97% compared to PR average of 96%.</li> <li>• 33 % of the people are low income compared to PR average of 70%.</li> <li>• 6% of the people are unemployed compared to PR average of 15%.</li> </ul> <p>The proposed activities of the installation of the container will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJSscreen Report in Appendix 3.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
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## COMMUNITY FACILITIES AND SERVICES

Educational and Cultural Facilities	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and may aid in restoring the demand for local commercial services providing local products; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and this activity will not produce any wastewater. Based on the scope of work is not expected to result in any changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing PRASA water intake on the property. The water line to supply the water to the container will be installed underground and will measure approximately 150 feet. The applicant should obtain any authorizations or permits necessary from PRASA prior to commencing construction to expand the water connections. The proposed project will have no impact on the water supply.

Public Safety - Police, Fire and Emergency Medical	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and will have no impact on Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container. The proposed project will be situated on previous agriculture property. This property is located in a rural area with a slope towards the river. Therefore, the significant elevation acts as a protective measure, allowing the project to exist in relative proximity to the wetland while minimizing any adverse consequences on it.
Vegetation, Wildlife	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container and will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the container but no negative impact on wildlife.
Climate Change	2	The project consists of the purchase and installation of a 40' x 8' Greenery Container. The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production.

		<p>In terms of the project's susceptibility to climate change, the agricultural components may encounter challenges due to the potential impact of drought conditions. However, the applicant has water from PRASA on their property in case of need.</p>
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**Additional Studies Performed:** Not applicable.

**Field Inspection** (Date and completed by): October 8, 2023, Jaqueline Lopez, SOI-Qualified Archaeologist. Site Inspection performed by Patricia Carmenatty on September 22, 2023

**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](http://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](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf)

National Park Service, National Registry of Natural Landmarks.

[www.nature.nps.gov/nnl/docs/NNLRegistry.pdf](http://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](http://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/](http://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](http://www3.epa.gov/airquality/greenbook/anayo_pr.html)

US EPA, Environmental Topics, Air Topics: [www.epa.gov/environmental-topics/air-topics](http://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](http://www.fws.gov/wetlands/data/mapper.html) (compilation of numerous maps)

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

**List of Permits Obtained:** None.

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

**Cumulative Impact Analysis** [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the purchase and installation of a 40' x 8' Greenery Container for an agricultural site. The installation of this container for agricultural purposes can have potential impacts on floodplains and wetland. To mitigate these impacts, careful planning is essential, including erosion control during construction, maintaining natural buffers, and designing wildlife-friendly fencing. Consulting with environmental experts and regulatory agencies helps ensure environmentally responsible practices, preserving the integrity of these ecosystems while



meeting agricultural needs. Additionally, utility connections for the container need to be considered as part of the cumulative impact.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant would consider other locations for the container, however, other locations on the applicant's parcel may result in greater impact to the floodplains on site and would be farther from the existing utility connection which would result in a higher cost to the applicant. Any option that requires going off-site would not contribute to the improvement and growth of agricultural production or enable economic development for this applicant.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the purchase and installation of a 40' x 8' Greenery Container for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for economic development for this applicant.

**Summary of Findings and Conclusions:** The proposed activity has been found to not have any adverse effects on the 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
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities.
<p><b>Endangered Species</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</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.
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	Standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (in any) around the areas of ground disturbance.
Energy Consumption	The applicant is require to obtain any authorization or permits from PREPA/LUMA to expand the existing connection.
Water Supply	The applicant should obtain any authorizations or permits necessary from PRASA prior to commencing construction to expand the water connections.
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	The following mitigation measures will be taken to minimize adverse impacts and to restore and preserve natural values: Follow best soil erosion management practices and a water pollution prevention plan. Take necessary safety precautions during construction. The project will comply with state and local floodplain protection procedures.

**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: 7/10/2024

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

Certifying Officer Signature:  Date: 10/4/2024

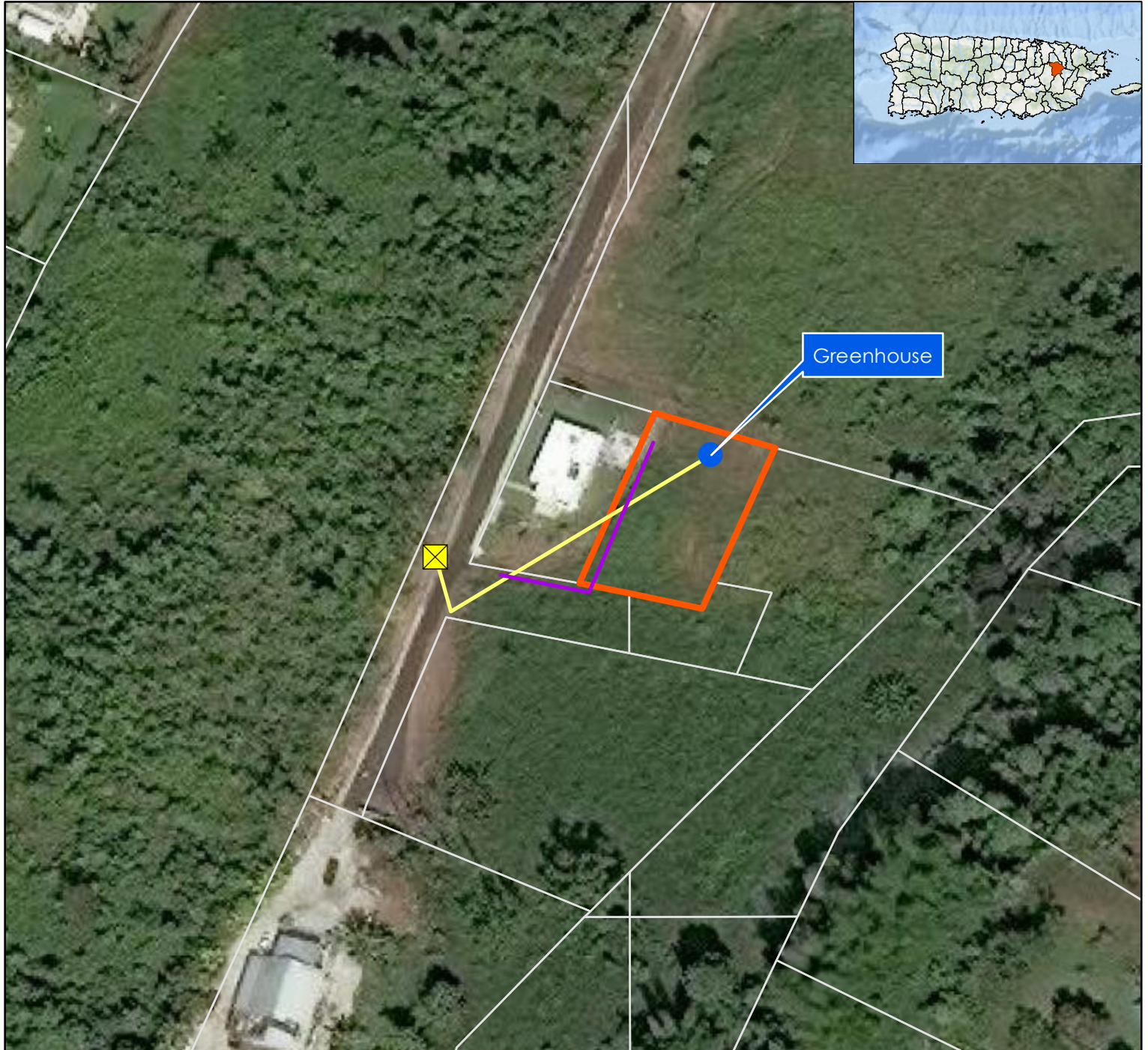
Name/Title: Janette I. Cambrelén, Permit and Environmental Compliance Specialist

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

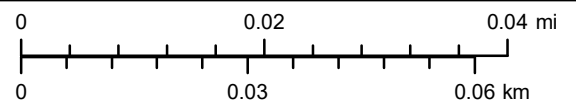
# Figure 1: Location: Aerial Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- ✕ PREPA Connection
- PRASA Connection
- 01117\_Con\_Luz
- 01117 Parcel
- CRIM\_PARCELAS\_2018



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



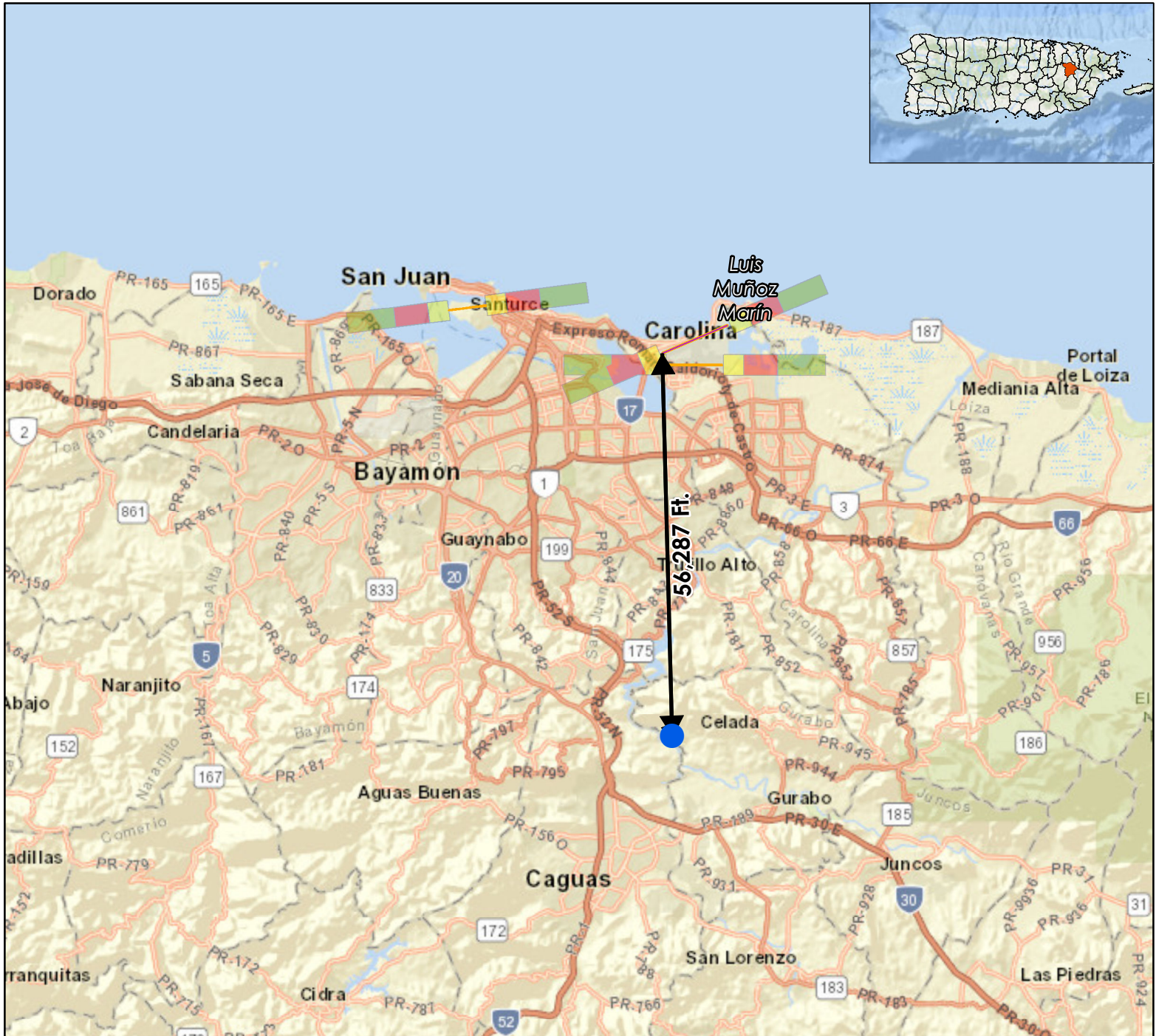
**Source**

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

Huerto Nueva Esperanza LLC.  
 Carr. 941 km.6.0 Bo. Jaguas  
 Sector Richard Rivera,  
 Gurabo, PR 00778  
 Catastro:172-089-219-43-000  
 Lat:18.283123, Long: -66.011971

# Figure 2: Airports

Puerto Rico Department of Housing ReGrow

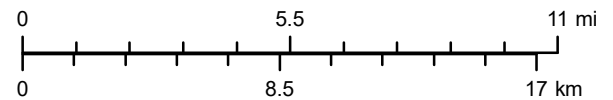


### Legend:

- PR-RGRW-01117
- SJU Military Runway
- SJU Civil Runway

### Accident Potential Zone

- APZ 1
- APZ 2
- Clear Zone



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

### Source

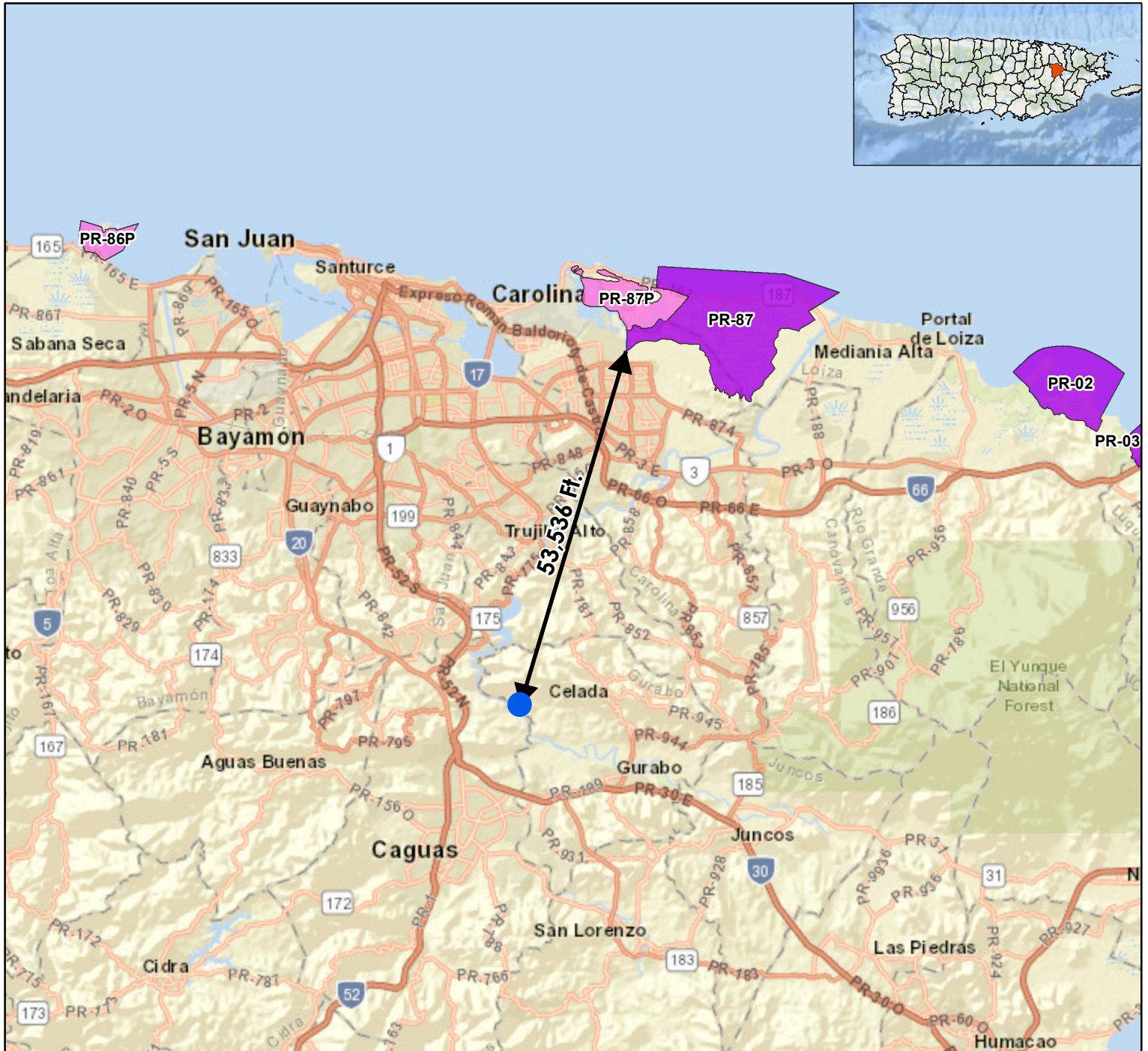
Federal Aviation Administration (FAA)  
<https://adds-faa.opendata.arcgis.com/>



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 Sector Richard Rivera,  
 Gurabo, PR 00778  
 Catastro:172-089-219-43-000  
 Lat:18.283123, Long: -66.011971

# Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow

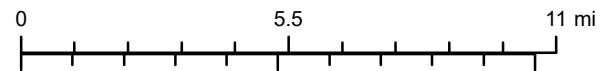


**Legend:**

● PR-RGRW-01117

**Coastal Barrier Resources System (CBRS)**

- Otherwise Protected Area
- System Unit



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



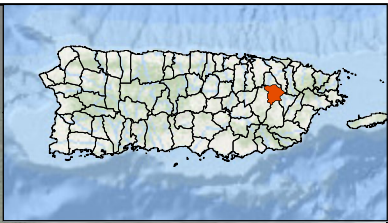
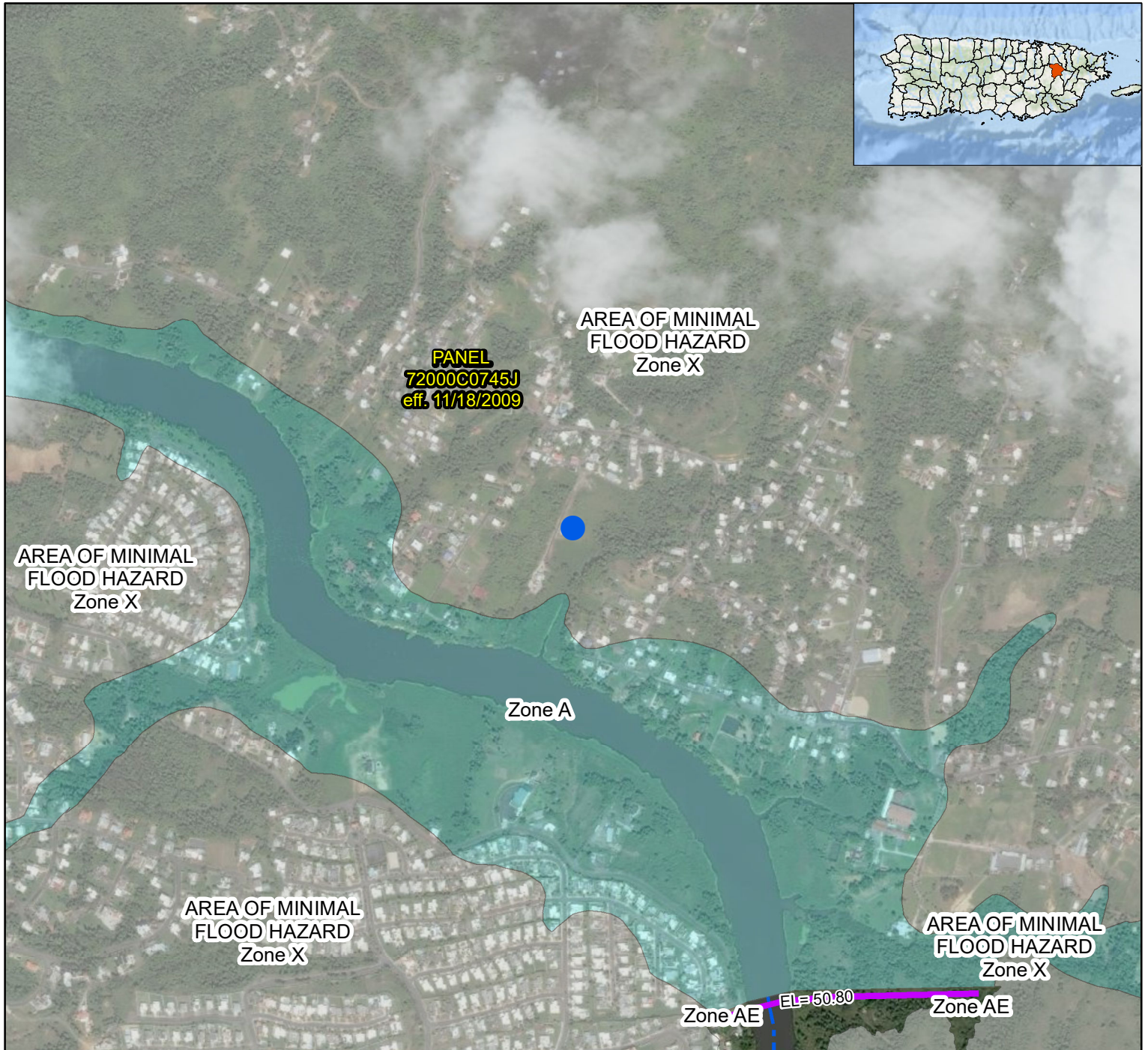
1:250,000

**Source**

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

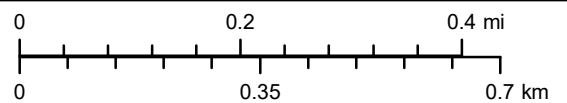
# Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- Without Base Flood Elevation (BFE)-Zone A, V, A99 Zone A, V, A99
- Area of Minimal Flood Hazard Zone X
- Base Flood Elevation (m)
- Profile Baseline
- FIRM Panel



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



**Source**

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

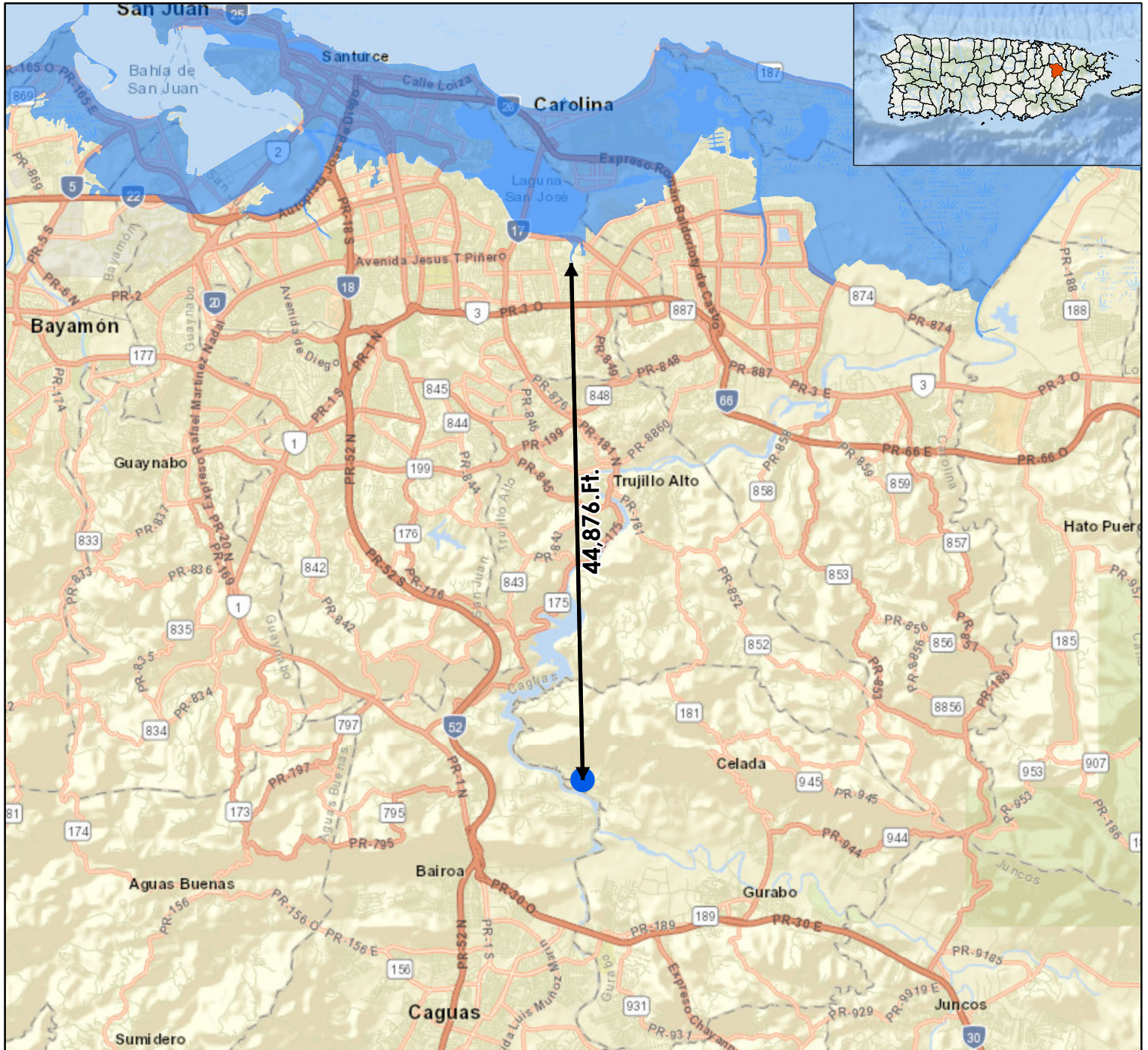
1:11,000



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 Sector Richard Rivera,  
 Gurabo, PR 00778  
 Catastro:172-089-219-43-000  
 Lat:18.283123, Long: -66.011971

# Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- Coastal Zone Management Act Boundary



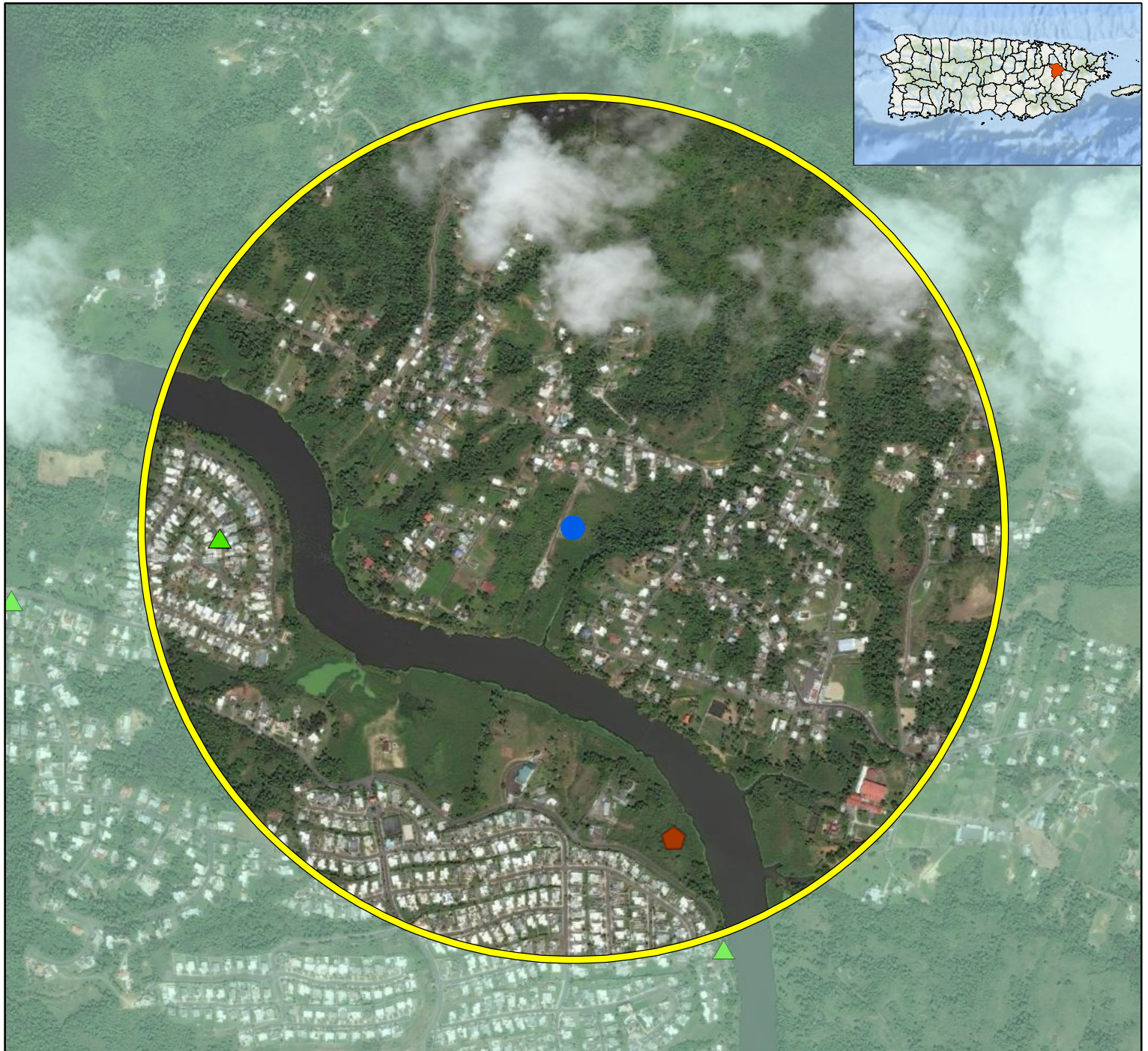
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



**Source**  
 NOAA Office for Coastal Management (NOAA/OCM)  
<https://www.fisheries.noaa.gov/inport/item/53132>  
 1:150,000

# Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- 3,000 Ft. (914.4 Mts.) Buffer
- ▲ RCRA
- ▲ RCRA INACTIVE
- ▲ RCRA LQG
- FACILITY INTERESTS
- ICIS
- NCDB
- ▭ NPDES

0 0.25 0.5 mi  
 0 0.4 0.8 km

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

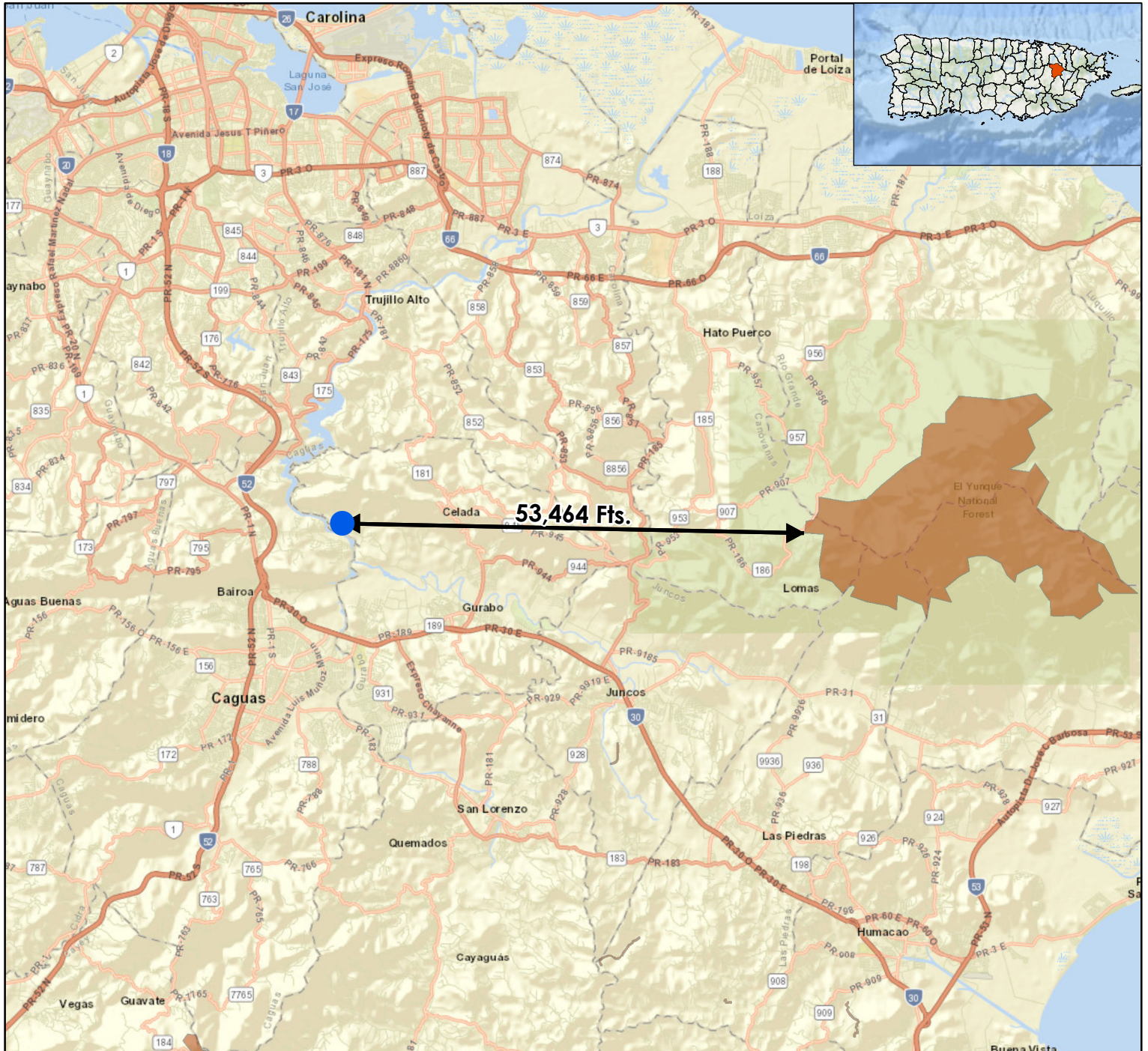
1:12,000

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

Huerto Nueva Esperanza LLC.  
 Carr. 941 km.6.0 Bo. Jaguas  
 Sector Richard Rivera,  
 Gurabo, PR 00778  
 Catastro:172-089-219-43-000  
 Lat:18.283123, Long: -66.011971

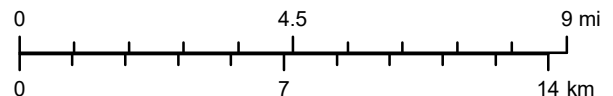
# Figure 7:Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- Critical Habitat



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



1:200,000

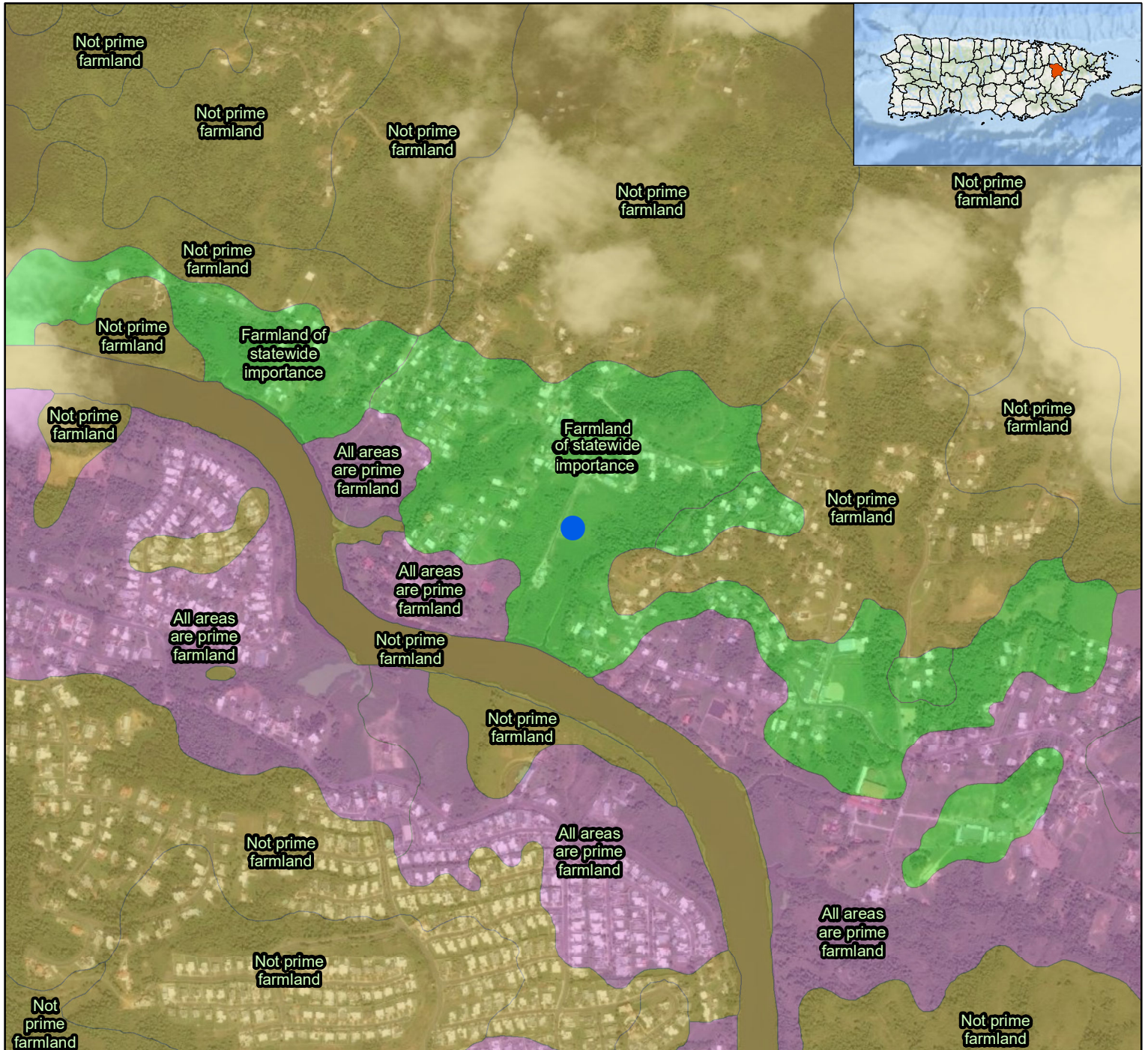
**Source**

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

Huerto Nueva Esperanza LLC.  
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 Sector Richard Rivera,  
 Gurabo, PR 00778  
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# Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow



**Legend:**

● PR-RGRW-01117

**Farm Class**

- Not prime farmland
- All areas are prime farmland
- Farmland of statewide importance

0 0.25 0.5 mi

0 0.4 0.8 km

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



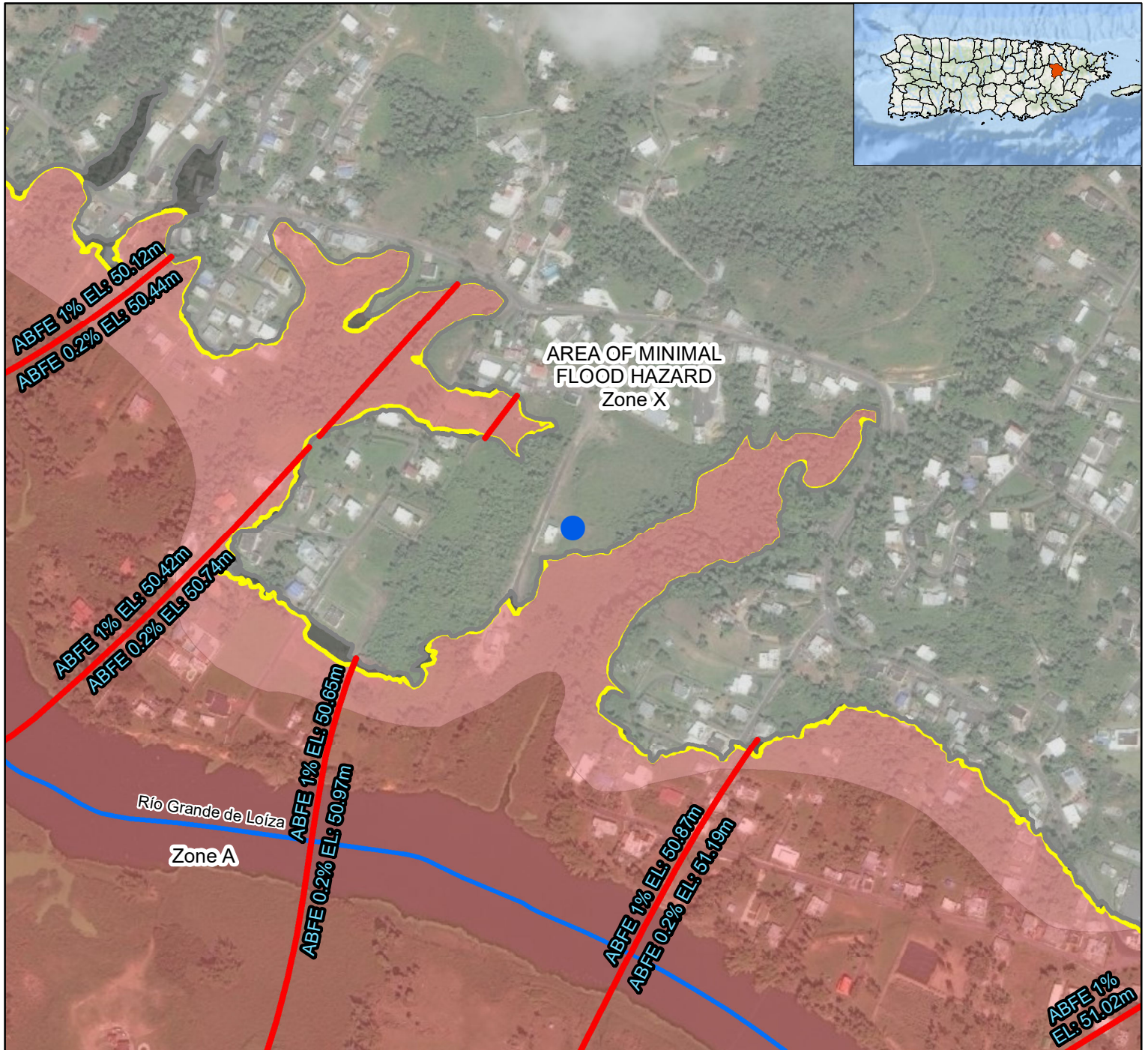
1:12,000

**Source**

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

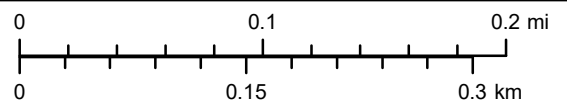
# Figure 9: Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
  - Advisory Base Flood Elevations (ABFE)
  - Hydrography
  - 0.2-percent annual chance flood
  - 1-percent annual chance flood
- | Flood Zone                                |                                     |
|---|-------------------------------------|
| <span style="color: lightcoral;">■</span> | A                                   |
| <span style="color: gray;">■</span>       | 0.2% Annual Chance Flood            |
| <span style="color: lightgray;">■</span>  | Area of Minimal Flood Hazard Zone X |



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

**Source**

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

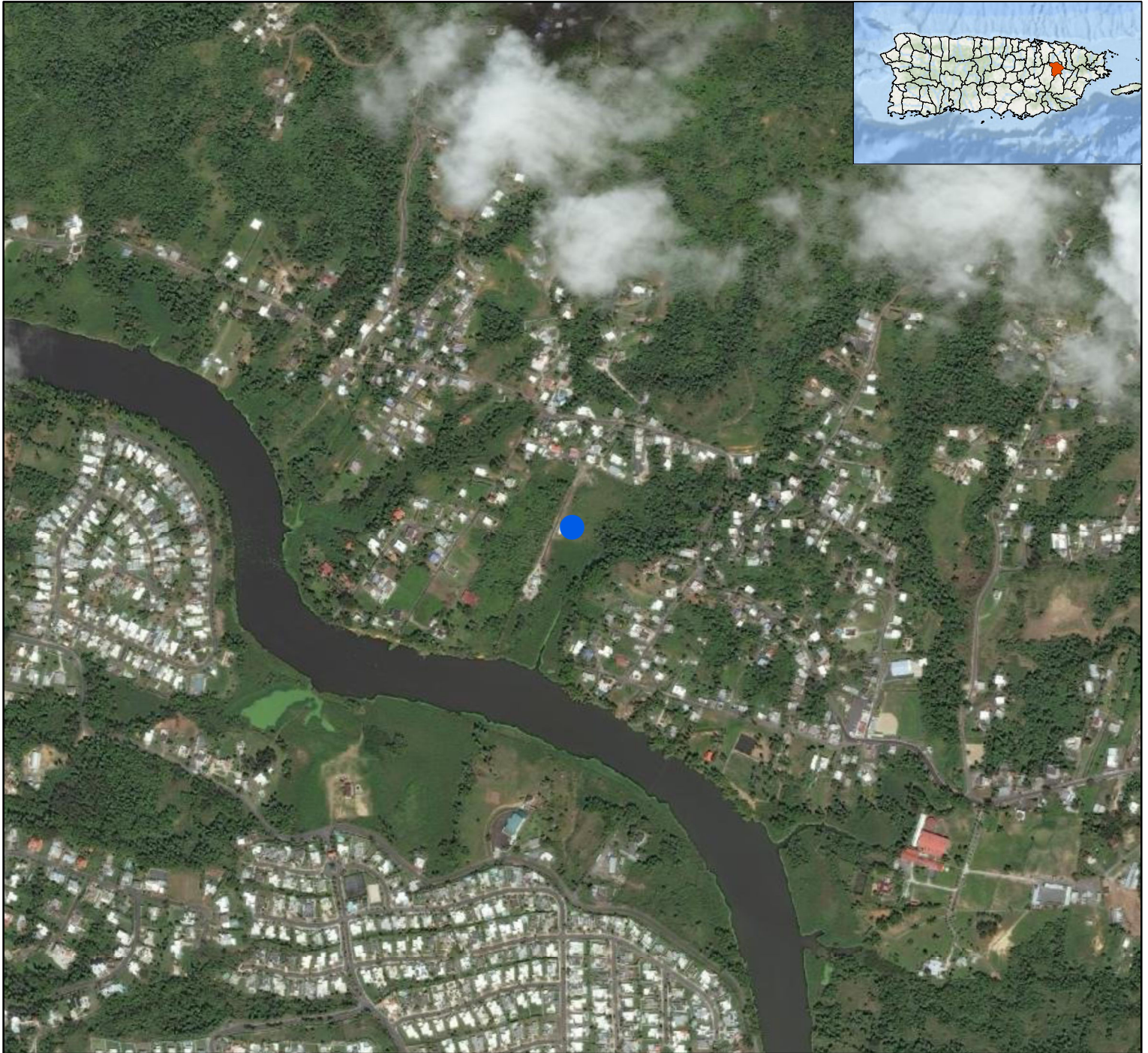


1:5,000

Huerto Nueva Esperanza LLC.  
 Carr. 941 km.6.0 Bo. Jaguas  
 Sector Richard Rivera,  
 Gurabo, PR 00778  
 Catastro:172-089-219-43-000  
 Lat:18.283123, Long: -66.011971

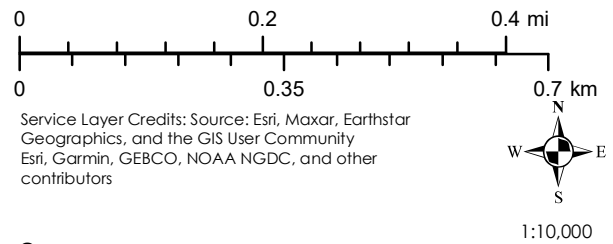
# Figure 10: Historic Preservation Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- Archaeological Resource Zones
- Traditional Urban Center
- Historic Communities
- Cultural\_Resources - Public Plaza
- Cultural\_Resources - Registry ICP
- Cultural\_Resources - Historic Places JP
- ▲ Cultural\_Resources - Scenic Places
- Cultural\_Resources - Cultural Value Places
- Cultural\_Resources - Railway Vestiges



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

**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://oehc.pr.gov/Pages/default.aspx>

1:10,000



Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro:172-089-219-43-000  
Lat:18.283123, Long: -66.011971

# Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow




**Legend:**

-  PR-RGRW-01117
-  EPA Sole Source Aquifers

0 260 520 mi  
0 420 840 km

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



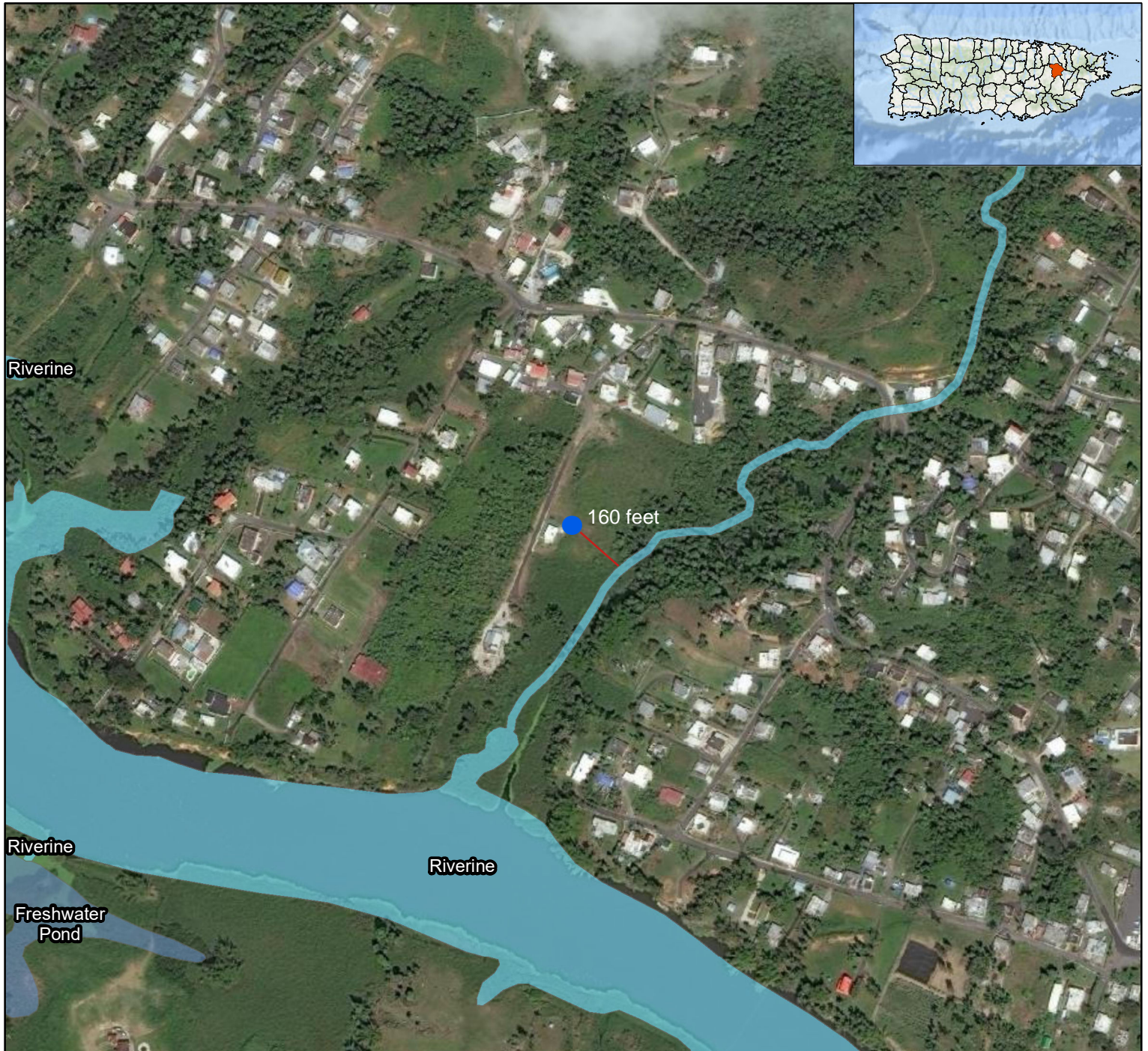
1:12,000,000

**Source**

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

# Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

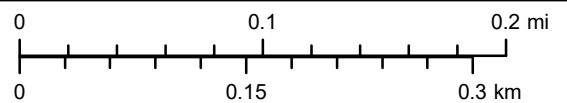


**Legend:**

● PR-RGRW-01117

**National Wetlands Inventory**

- Freshwater Pond
- Riverine



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



1:5,000

**Source**

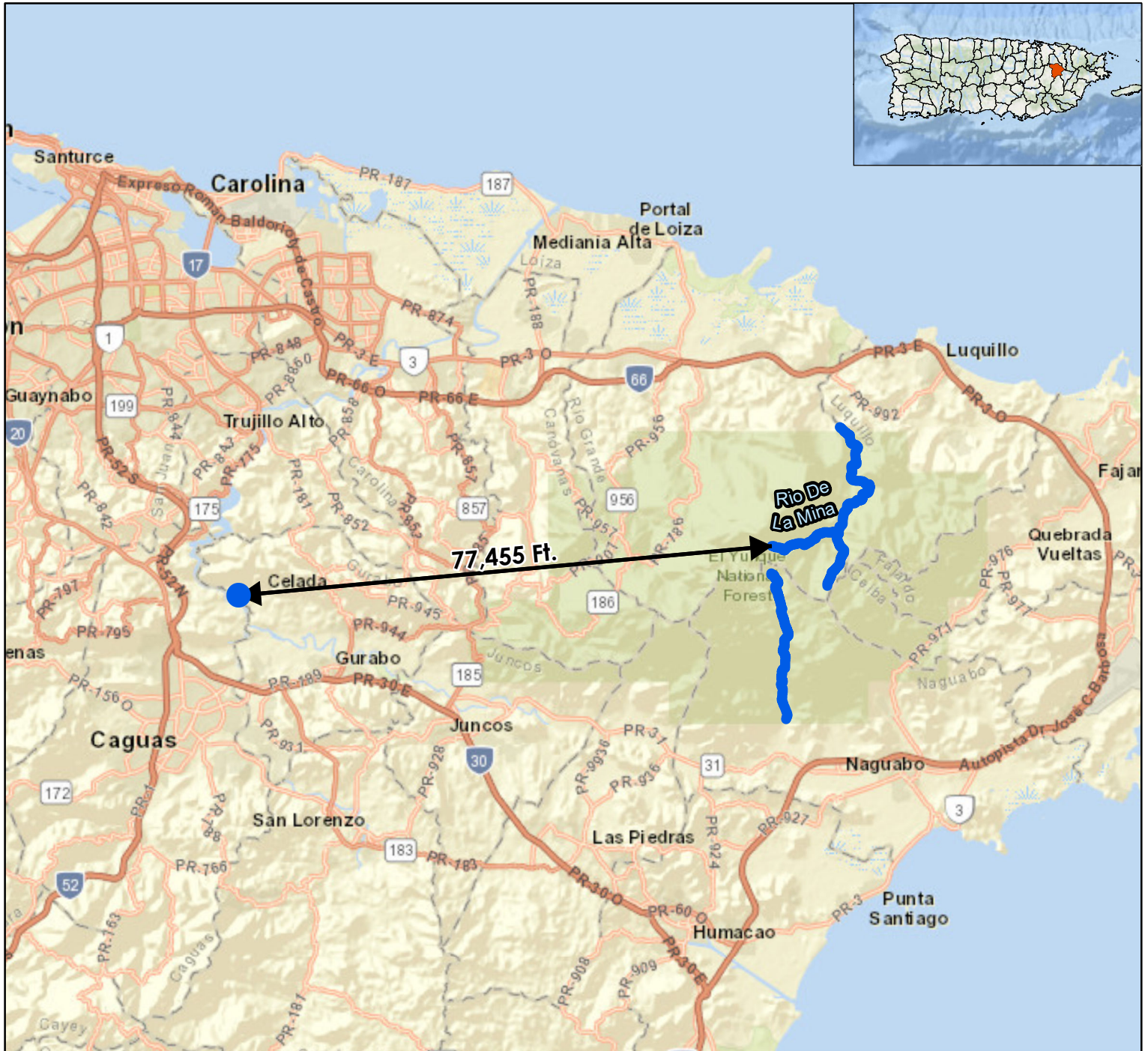
U.S. Fish and Wildlife Service - National Wetlands Inventory  
<https://www.fws.gov/program/national-wetlands-inventory>



Huerto Nueva Esperanza LLC.  
 Carr. 941 km.6.0 Bo. Jaguas  
 Sector Richard Rivera,  
 Gurabo, PR 00778  
 Catastro:172-089-219-43-000  
 Lat:18.283123, Long: -66.011971

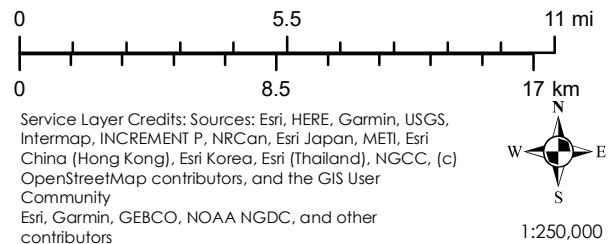
# Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- Wild and Scenic Rivers



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

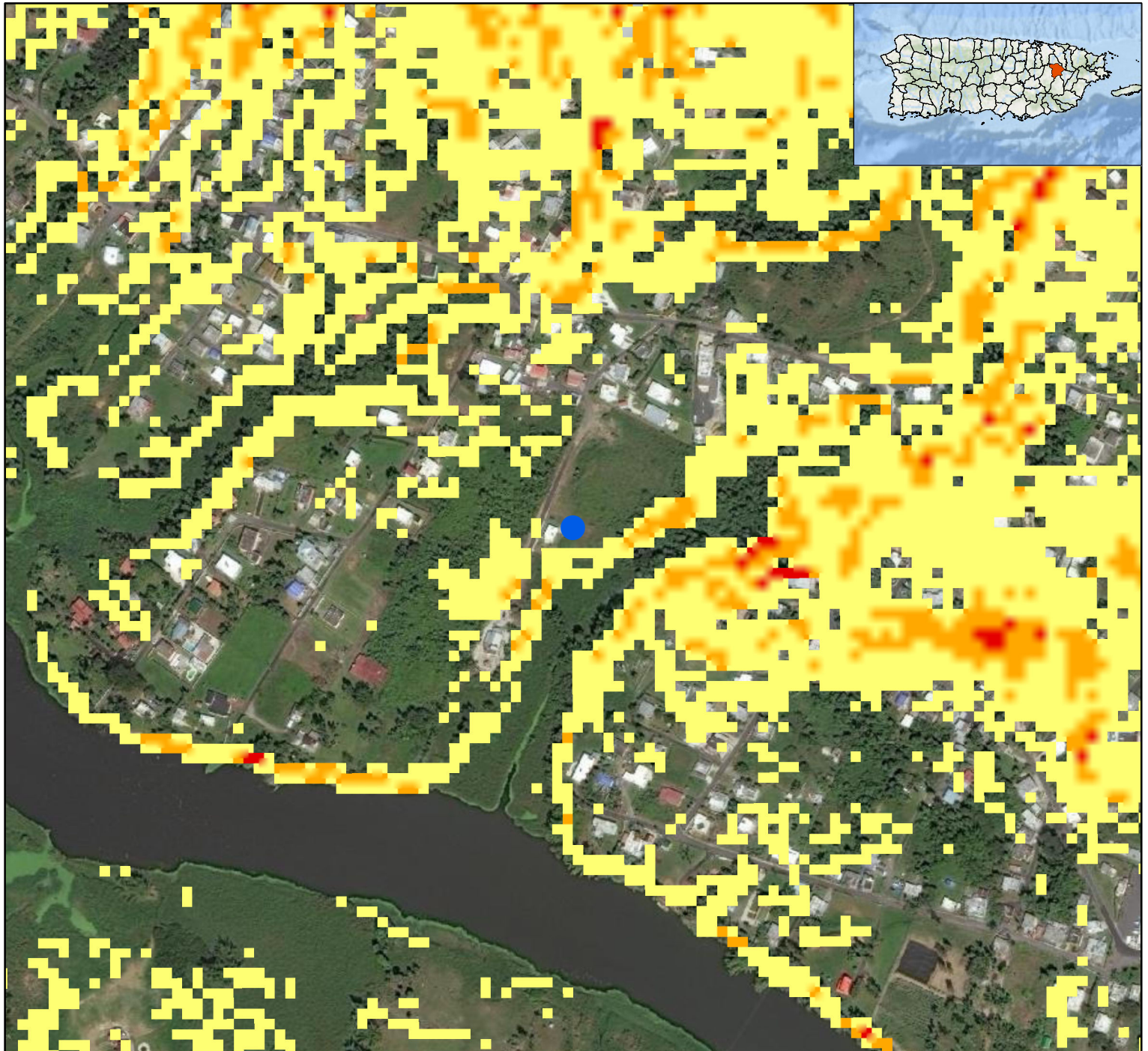
**Source**

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







1:250,000

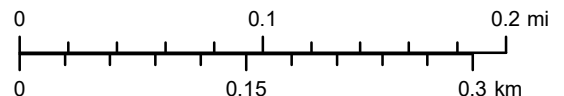
# Figure 14: Landslide Susceptibility

Puerto Rico Department of Housing ReGrow



**Legend:**

-  PR-RGRW-01117
-  Low
-  Moderate
-  High
-  Very High
-  Extremely High



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



1:5,000

**Source**

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

## **Appendix 1: SHPO Consultation Package**



# GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

November 13, 2023

**Lauren Bair Poche**

HORNE

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

**SHPO 10-27-23-10 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:  
PR-RGRW-01117 – HUERTO NUEVA ESPERANZA, LLC – CARRETERA 941 KM 6.0,  
BO. JAGUAS SECTOR RICHARD RIVERA, GURABO, 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



October 27, 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-01117 – Huerto Nueva Esperanza LLC. – Carr. 941 Km. 6.0 Bo. Jaguas Sector Richard Rivera, Gurabo, 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 Huerto Nueva Esperanza LLC. located at Carr. 941 Km. 6.0 Bo. Jaguas Sector Richard Rivera, in the municipality of Gurabo. The undertaking for this project includes the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module (Farm in the City). The container will be anchored to 8 supports buried 2 feet deep. Water for cultivation will be taken from an existing PRASA water intake on the property; new underground lines will supply the water to the greenhouse and will involve ground disturbance. The power needed to operate the module will come from an existing PREPA/LUMA connection. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel; all new electric lines will be aerial.

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](mailto: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

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
<b>Applicant: Huerto Nueva Esperanza LLC.</b>		
<b>Case ID: PR-RGRW-01117</b>		<b>City: Gurabo</b>

<b>Project Location:</b> Carr. 941 Km. 6.0 Bo. Jaguas Sector Richard Rivera	
<b>Project Coordinates:</b> 18.283123 -66.011971	
<b>TPID (Número de Catastro):</b> 172-089-219-43-000	
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b> n/a	<b>Property Size (acres):</b> 0.17

<b>SOI-Qualified Archaeologist:</b> Jaqueline López Meléndez
<b>Date Reviewed:</b> October 8, 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-01117 consist of the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module. The container will be used for protected cultivation, a process of growing crops in a controlled environment (where factors such as light, CO<sub>2</sub>, temperature/humidity, and airflow are regulated) and includes cultivation in vertical farming and greenhouses where environmental factors are tightly controlled. Because CEA grows crops indoors, it is labor-saving, allows for the reduced use of pesticides, and can be set up just about anywhere. The container will be anchored to 8 supports buried 2 feet deep. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing PRASA water intake on the property, but the lines to supply the water to the greenhouse will be underground so it will involve ground disturbance. The power needed to operate the module will come from an existing PREPA/LUMA connection. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel; all electric lines will be aerial. Since the system recycles the water, every 3 months the system must be cleaned disposing approximately 50 gallon of water that could be used for irrigation. No sewer connection is required for any discharge from the module. The project area is located at Carr. 941 Km. 6.0 Bo. Jaguas, Sector Richard Rivera within the Municipality of Gurabo. Based on a review of historical aerial imagery, the general area was a rural residential setting from at least 1967 through the present day.

### 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

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Huerto Nueva Esperanza LLC.</b>	
<b>Case ID: PR-RGRW-01117</b>	<b>City: Gurabo</b>

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 greenhouse and underground utility connections plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

### **Identification of Historic Properties - Archaeology**

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are one (1) reported archaeological site within a half-mile radius of the project location: a pre-Columbian site ICP: CS-49, located 0.34 miles southeast (see table).


The proposed project is located in Gurabo, at an altitude of 180 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Naranjito silty clay loam. The project area APE is in NaD2. The nearest bodies of water are: Río Grande de Loíza river, located 0.12 miles southwest and unnamed creek located 0.05 miles east from the project area. The coast is approximately 11.10 miles north from the project area.

There are six (6) archaeological surveys conducted within 0.50 miles of the project area, all with negative results.

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 September 6, 2023, we visually inspected the project area. The property is located in the mountainous area of Gurabo. The topography of the project area is steep. Surface visibility is medium. The vast majority of the surface area is covered with vegetation, mostly pasture and shrubs. No cultural remains can be observed on the surface of the parcel.


The soil in this area has been classified as Naranjito silty clay loam, 12 to 20 percent slopes, eroded (NaD2). This is a moderately steep, well drained soil strongly dissected volcanic uplands. Permeability and the available water capacity are moderate in this soil. Runoff is rapid, and erosion is a hazard. The root zone is moderately deep. Natural fertility is medium.



<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
<b>Applicant: Huerto Nueva Esperanza LLC.</b>	
<b>Case ID: PR-RGRW-01117</b>	<b>City: Gurabo</b>

**Determination**

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. Within the 0.50 miles radius of the PR-RGRW-01117 project there are one reported historic site. A pre-Columbian archaeological site known as CS-49 located 0.34 miles southeast of the project area, has been reported. The archaeological site is not within the project area. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-01117 is located. Therefore, no historic properties will be affected by the proposed project.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGRW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Huerto Nueva Esperanza LLC.</b>	
<b>Case ID: PR-RGRW-01117</b>	<b>City: Gurabo</b>


**Recommendation**

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

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

**This Section is to be Completed by SHPO Staff Only**

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

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGRROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
<b>Applicant: Huerto Nueva Esperanza LLC.</b>		
<b>Case ID: PR-RGRW-01117</b>	<b>City: Gurabo</b>	

**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)
-	-	CS-49	0.34 mi SE	Pre-Columbian site. Residuary	No data

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

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/ Direction
María Cashion	IA-IB/ Desarrollo de Interés Social	1995	ICP/CAT-GR-95-03-03	Negative	0.13 mi NE
Juan González	IA-IB/ Lotificación Finca	1995	ICP/CAT-CS-95-11-04	Negative	0.28 mi S
Juan González	IA-IB/ Urbanización Verde Luz	1995	ICP/CAT-CS-95-11-03	Negative	0.28 mi S
Juan J. Ortíz	IA-IB/ Para el Dragado del Lago Carraízo	1996	ICP/CAT-GR-96-04-06	Positive. Pre-Columbian site CS-49	0.34 mi SE
Agamemnon Gus Pantel	IA/ Relocalización, Ensanche y Mejoras a la Carretera PR-796	2009	ICP/CAT-CS-09-35-01, SHPO: 07-09-09-03	Negative	0.37 mi S
Antonio Daubón	IA-IB/ Urbanización Paseos del Lago	1997	ICP/CAT-CS-9713-03	Negative	0.46 mi NW



Applicant: Huerto Nueva Esperanza LLC.

Case ID: PR-RGRW-01117

City: Gurabo

### Project (PR-RGRW-01117) Location – Area of Potential Effect Map (Aerial)

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERING ARCHITECTS AND PLANNERS  
Corporation, Suite 1000, J. D. Estrella Plaza, 55A, Alhambra, San Juan, P.R. 00906 Tel: (787) 769-3233

Application ID: PR-RGRW-01117

Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR. 00778  
Catastro:172-089-219-43-000  
Lat:18.283143, Long: -66.012026

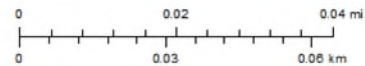
## Area of Potential Effect

Puerto Rico Department of Housing ReGrow



**Legend:**

- PREPA Connection
- PRASA Connection
- Area of Potential Effect (15 Mts.)
- 01117 Parcel
- CRIM\_Parcels
- Applicant Structure



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGIS, (c) OpenStreetMap contributors, and the GIS User Community  
Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community and Google Earth



**Source**

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



### Project (PR-RGRW-01117) Location - Aerial Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING CIVIL ENGINEERS AND ARCHITECTS  
CORP. BOULEVARD 23, CALLE PONCE 554, ADEMPIA, SAN JUAN, P.R. 00909 TEL (787) 953-3232

Application ID: PR-RGRW-01117

Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro:172-089-219-43-000  
Lat:18.283143, Long: -66.012026

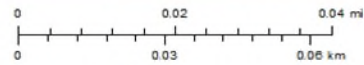
### Location: Aerial Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- X PREPA Connection
- PRASA Connection
- 01117 Parcel
- CRIM\_Parcels



Service Layer Credits Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, (c) OpenStreetMap contributors, and the GIS User Community Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community and Google Earth



**Source**

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



Applicant: Huerto Nueva Esperanza LLC.

Case ID: PR-RGRW-01117

City: Gurabo

### Project (PR-RGRW-01117) Location - USGS Topographic Map



CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Carr. 100, P.O. Box 100, San Juan, PR 00901-0100

Application ID: PR-RGRW-01117

Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro: 172-089-219-43-000  
Lat: 18.283143, Long: -66.012026

### Location: USGS Topographic Map

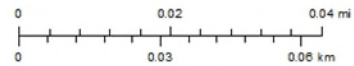
Puerto Rico Department of Housing ReGrow



**Legend:**

- PREPA Connection
- PRASA Connection
- PR-RGRW-01117
- 01117 Parcel
- Contour Interval 20 Feet

Quadrangle: Aguas Buenas



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community and Google Earth



**Source**

United States Geological Survey (USGS)  
National Geographic Map Database  
[https://ngmdb.usg.gov/ngmdb/ngmdb\\_home.html](https://ngmdb.usg.gov/ngmdb/ngmdb_home.html)



Project (PR-RGRW-01117) Location – Soils Map

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

Central, Suite 1, Suite 218, Calle Florida 85A, Alamo, San Juan, PR 00908 Tel: (787) 763-3220

Application ID: PR-RGRW-01117

Huerto Nueva Esperanza LLC.  
Carr. 941 km.6,0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro:172-089-219-43-000  
Lat:18.283143, Long: -66.012026

**Soils Map**

Puerto Rico Department of Housing ReGrow

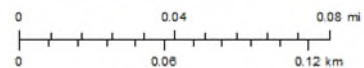


**Legend:**

- PR-RGRW-01117
- X PREPA Connection
- PRASA Connection
- 01117 Parcel
- Soil Map Unit Symbol

**Soil Map Unit Symbol**

- AaC - Aceitunas clay, 5 to 12 percent slopes
- HIE - Humatas clay, 20 to 40 percent slopes
- NaD2- Naranjito silty clay loam, 12 to 20 percent slopes, eroded
- NaE- Naranjito silty clay loam, 20 to 40 percent slopes



Service Layer Credits: Sources: Esri, HERE, Garmin, LEAG, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, Swisstopo, Mapbox, contributors, and the GIS User Community  
Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community and Google Earth



**Source**

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



Applicant: Huerto Nueva Esperanza LLC.

Case ID: PR-RGRW-01117

City: Gurabo

### Project (PR-RGRW-01117) Location with Previous Investigations - Aerial Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Corral, Garage 1, Suite J-3, Calle Ponce 554, Arterriba, San Juan, P.R. 00920 Tel: (787) 753-5290

Application ID: PR-RGRW-01117

Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro: 172-089-219-43-000  
Lat: 18.283143, Long: -66.012026

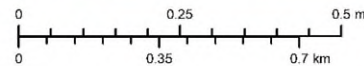
## Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- 0.50 Mile (0.8 Km) Buffer
- PR-RGRW-01117\_Parcel



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Ireland), Esri GCC, Esri 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.crim.pr.net/cadpirc/>





**Project (PR-RGRW-01117) Location with Previous Investigations - Topographic Map**

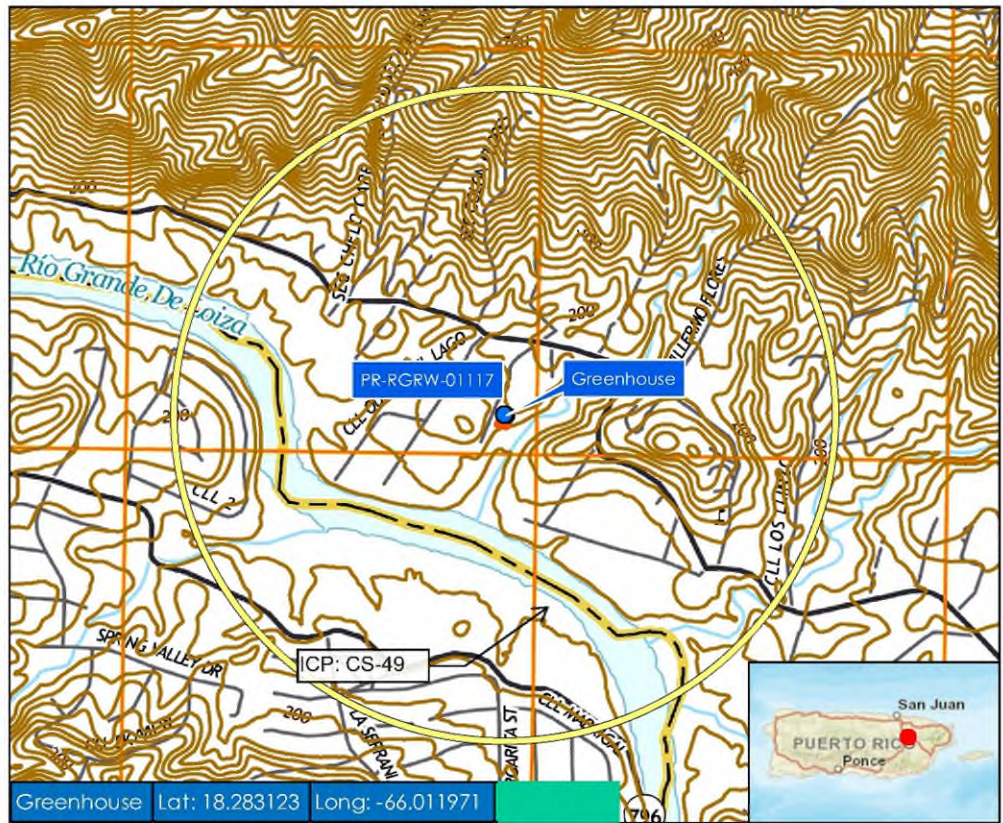
**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Corporación Juan Y Barahona & Asociados, Inc. Puerto Rico, San Juan, P.R. 00907-1427/717321-0200

Application ID: PR-RGRW-01117

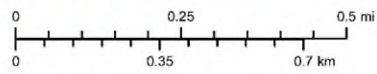
Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro:172-089-219-43-000  
Lat:18.283143, Long: -66.012026

**Previous Investigations: USGS Topographic Map**

Puerto Rico Department of Housing ReGrow



- Legend:**
- PR-RGRW-01117
  - PR-RGRW-01117 Greenhouse
  - 0.50 Mile (0.8 Km) Buffer
  - PR-RGRW-01117\_Parcel
  - Contour Interval 20 Feet



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community and Google Earth



**Quadrangle: Aguas Buenas**

**Source**  
United States Geological Survey (USGS)  
National Geographic Map Database  
<https://ngmdb.usgs.gov/ngmdb/home.htm>



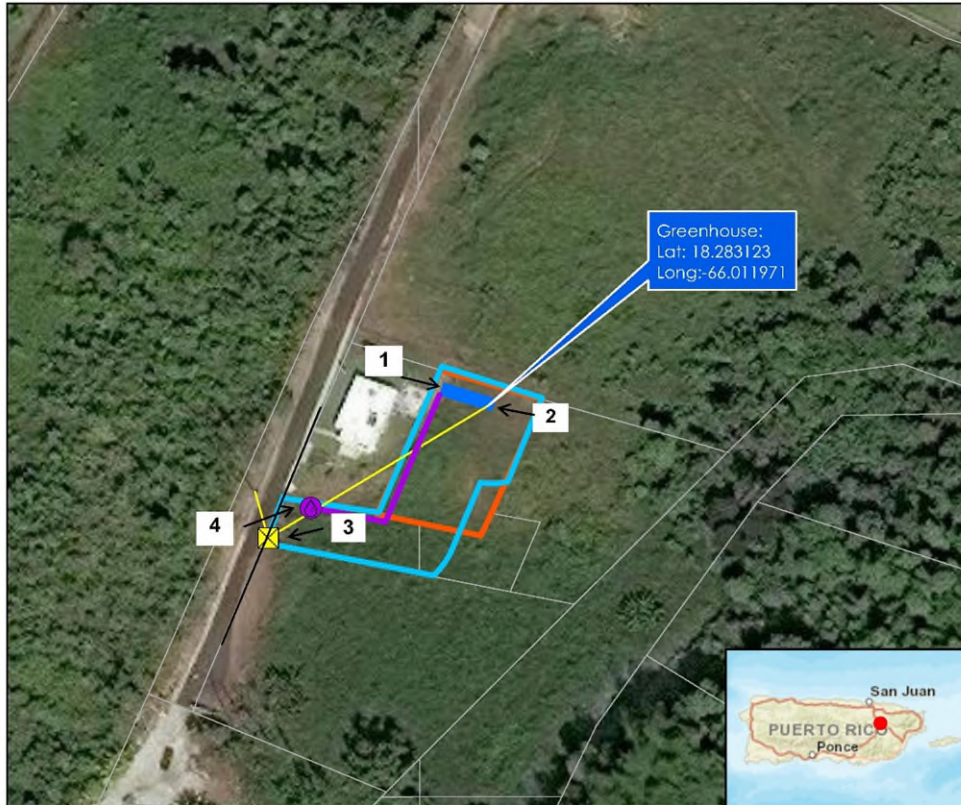
Photograph Key

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Calle Ibera 1 Suite 203, Calle Perico 524, Arterios, San Juan, PR. 00920 Tel: (787) 989-0290







Application ID: PR-RGRW-01117

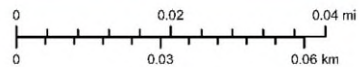
Huerto Nueva Esperanza LLC.  
Carr. 941 km.6.0 Bo. Jaguas  
Sector Richard Rivera,  
Gurabo, PR 00778  
Catastro: 172-089-219-43-000  
Lat: 18.283143, Long: -66.012026

**Area of Potential Effect**  
Puerto Rico Department of Housing ReGrow



**Legend:**

-  PREPA Connection
-  PRASA Connection
-  Area of Potential Effect (15 Mts.)
-  01117 Parcel
-  CRIM\_Parcels
-  Applicant Structure



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) 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.crim.net/cdpppc/>



**Applicant: Huerto Nueva Esperanza LLC.**

**Case ID: PR-RGRW-01117**

**City: Gurabo**



**Photo #: 1**

**Description (include direction): General area where the greenhouse will be installed, looking southeast.**


**Date: September 6 2023**



**Photo #: 2**

**Description (include direction): General area where the greenhouse will be installed, looking northwest.**

**Date: September 6, 2023**

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Huerto Nueva Esperanza LLC.</b>	
<b>Case ID: PR-RGRW-01117</b>	<b>City: Gurabo</b>



<b>Photo #: 3</b>	<b>Description (include direction): General area where the electrical connection will be installed, looking southwest.</b>
<b>Date: September 6 2023</b>	



<b>Photo #: 3</b>	<b>Description (include direction): General area where the water intake is located, looking northeast.</b>
<b>Date: September 6, 2023</b>	



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



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

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

Data is current as of March 31, 2023

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

\* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m<sup>3</sup>) 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
<b>PUERTO RICO</b>								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11121314151617181920212223	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	181920212223	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	52,441	72/137

Important Notes

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



APPLICANT/LOCATION INFORMATION	
Applicant ID:	PR-RGRW-01117
Name:	Huerto Nueva Esperanza LLC.
Parcel ID:	172-089-219-43-000
Latitude:	18.283143
Longitude:	-66.012026
Elevation:	58.27901078366682
Development	
Street Address:	Carr. 941 km.6.0 Bo. Jaguas Sector Richard Rivera
Municipio:	Gurabo
Zip Code:	00778
Site Inspector:	Patricia Carmenatty
Date of Visit:	September 22, 2023
Time of Visit:	08:56

**FIELD OBSERVATIONS**

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

Front of Structure

Photo Direction: South

Comments:



Facing Away from Front

Photo Direction: Northwest

Comments:



Side #1 of Structure

Photo Direction: Southeast

Comments:



Facing Away From Side #1

Photo Direction: South

Comments:



**Back of Structure**

Photo Direction: Northwest

Comments:



**Facing Away from Back**

Photo Direction: Southeast

Comments:



Side #2 of Structure

Photo Direction: Southeast

Comments:



Facing Away from Side #2

Photo Direction: East

Comments:



**Evidence Photo 1**

Photo Direction: N/A

Photo Description: Entrance and power post



**Evidence Photo 2**

Photo Direction: N/A

Photo Description: Entrance



Evidence Photo 3

Photo Direction: N/A

Photo Description: PRASA Water intake



Evidence Photo 4

Photo Direction: N/A

Photo Description:



# Detailed Facility Report

Facility Summary

**CARRAIZO RESERVOIR DREDGE**

**STATE ROAD #796 KM. 3.6, CAGUAS, PR 00725**

**FRS (Facility Registry Service) ID:** 110071443820

**EPA Region:** 02

**Latitude:** 18.2772

**Longitude:** -66.0101

**Locational Data Source:** NPDES

**Industries:** --

**Indian Country:** N

## Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
<b>Compliance Status</b>	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

## Regulatory Information

**Clean Air Act (CAA):** No Information

**Clean Water Act (CWA):** Non-Major, Permit Effective (PRR1000HJ)

**Resource Conservation and Recovery Act (RCRA):** No Information

**Safe Drinking Water Act (SDWA):** No Information

Go To Enforcement/Compliance Details

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

## Other Regulatory Reports

**Air Emissions Inventory (EIS):** No Information

**Greenhouse Gas Emissions (eGGRT):** No Information

**Toxic Releases (TRI):** No Information

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



Facility/System Characteristics

### Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110071443820					N	18.2772	-66.0101
ICIS-NPDES	CWA	PRR1000HJ	Non-Major: General Permit Covered Facility	Effective	Construction Stormwater	02/16/2027	N	18.2772	-66.0101

### Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110071443820	CARRAIZO RESERVOIR DREDGE	STATE ROAD #796 KM. 3.6, CAGUAS, PR 00725	Caguas Municipio
ICIS-NPDES	CWA	PRR1000HJ	CARRAIZO RESERVOIR DREDGE	STATE ROAD #796 KM. 3.6, CAGUAS, PR 00725	

### Facility SIC (Standard Industrial Classification) Codes Facility NAICS (North American Industry Classification System) Codes

System	Identifier	SIC Code	SIC Description	System	Identifier	NAICS Code	NAICS Description
No data records returned				No data records returned			

### Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description	Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned						

### Facility Tribe Information

Enforcement and Compliance

### Compliance Monitoring History

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

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

### Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	PRR1000HJ	No	03/31/2024	0	06/28/2024

### Three-Year Compliance History by Quarter

Statute	Program/ Pollutant/ Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA (Source ID: PRR1000HJ)		04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24	04/01-06/28/24
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	Undetermined
	Quarterly Noncompliance Report History													

### Informal Enforcement Actions

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

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

### Formal Enforcement Actions

Statute	System	Law/ Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/ Filed Date	Settlements/ Actions	Settlement/ Action Date	Federal Penalty Assessed	State/ Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
No data records returned															

Environmental Conditions

### Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
--	---	---	---------------------------------	--------------------------------------	--	---

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
210100050409	Rio Grande de Loiza at Carraizo Dam	CARRAIZO LAKE, CARRAIZO LAKE (LAGO LOIZA), RIO GURABO, RÍO GRANDE DE LOÍZA	No	No	--	Yes

## Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
PR	2022	PREL14A1	LAKE LOIZA	Impaired - 303(d) Listed - With Restoration Plan	METALS (OTHER THAN MERCURY)   NUTRIENTS   ORGANIC ENRICHMENT/OXYGEN DEPLETION   PATHOGENS   PH/ACIDITY/CAUSTIC CONDITIONS   TEMPERATURE   TURBIDITY	Not Supporting	Not Supporting	--	Not Supporting	--

## Air Quality Nonattainment Areas

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

No data records returned

Pollutants

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

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

No data records returned

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

Chemical Name
---------------

No data records returned

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

DMR and TRI Multi-Year Loading Report

NPDES ID	Description
----------	-------------

No data records returned

## Environmental Justice

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

### Potential Environmental Justice Concerns

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

### EJScreen Indexes Shown

Index Type

### Related Reports

EJScreen Community Report

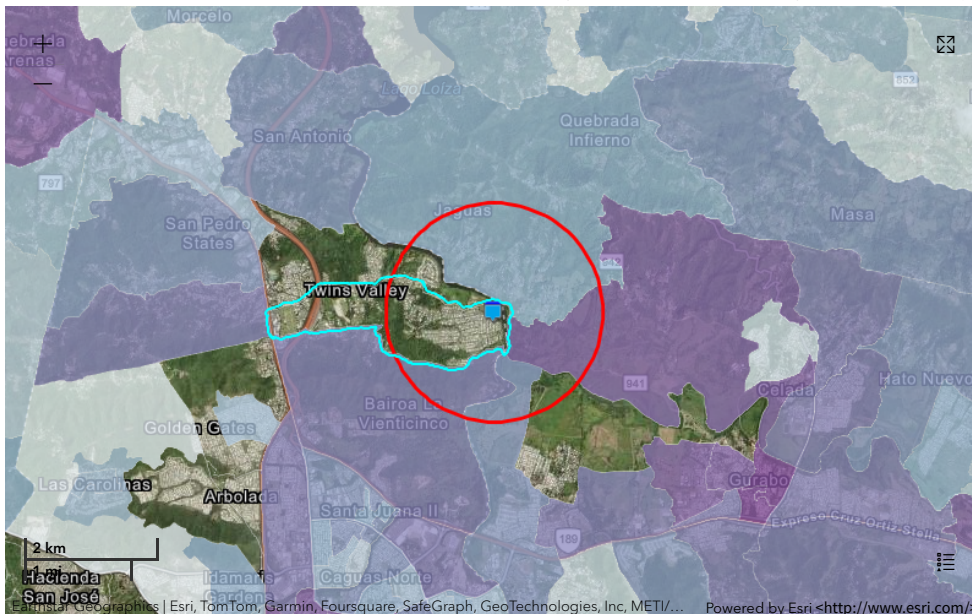
Download Data

Census Block Group ID: 720252001003	US (Percentile)			State (Percentile)		
	Facility Census Block Group	1-mile Avg	1-mile Max	Facility Census Block Group	1-mile Avg	1-mile Max
<b>Supplemental Indexes</b>						
<b>Count of Indexes At or Above 90th Percentile</b>	<b>0</b>	<b>3</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>
Particulate Matter 2.5	--	N/A	--	--	N/A	--
Ozone	--	N/A	--	--	N/A	--
Diesel Particulate Matter	8	10	19	27	43	74
Air Toxics Cancer Risk	41	52	99	18	39	99
Air Toxics Respiratory Hazard Index	25	30	37	19	27	73
Toxic Releases to Air	68	84	96	13	23	40
Traffic Proximity	67	66	99	23	19	75
Lead Paint	38	67	92	0	32	65
Risk Management Plan (RMP) Facility Proximity	79	90	98	28	45	73
Hazardous Waste Proximity	76	85	99	35	42	89
Superfund Proximity	77	91	99	24	37	74
Underground Storage Tanks (UST)	67	50	93	61	0	77
Wastewater Discharge	79	90	99	25	36	77

Map Display Based on:  US  State

Display Map Layer

Facility 1-mile Radius  Facility Census Block Group



## Demographic Profile of Surrounding Area (1-Mile Radius)

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

General Statistics (U.S. Census)	
Total Persons	3,530
Population Density	1,188/sq.mi.
Housing Units in Area	1,325

General Statistics (ACS (American Community Survey))	
Total Persons	2,766
Percent People of Color	97%
Households in Area	964
Households on Public Assistance	31
Persons With Low Income	956
Percent With Low Income	35%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.2772
Center Longitude	-66.0101
Land Area	94%
Water Area	6%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	140 (14.55%)
\$15,000 - \$25,000	58 (6.03%)
\$25,000 - \$50,000	135 (14.03%)
\$50,000 - \$75,000	128 (13.31%)
Greater than \$75,000	501 (52.08%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	218 (6%)
Minors 17 years and younger	985 (28%)
Adults 18 years and older	2,545 (72%)
Seniors 65 years and older	402 (11%)

Race Breakdown (U.S. Census) - Persons (%)	
White	2,802 (79%)
African-American	368 (10%)
Hispanic-Origin	3,502 (99%)
Asian/Pacific Islander	8 (0%)
American Indian	18 (1%)
Other/Multiracial	334 (9%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	134 (6.42%)
9th through 12th Grade	88 (4.21%)
High School Diploma	283 (13.55%)
Some College/2-year	197 (9.43%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	1,201 (57.52%)



# Detailed Facility Report

## Facility Summary

**ALL IMAGING RADIOLOGY COMPLEX**

**172 3 B 11 VILLA DEL REY, CAGUAS, PR 00725**

**FRS (Facility Registry Service) ID:** 110032659488

**EPA Region:** 02

**Latitude:** 18.282962

**Longitude:** -66.019108

**Locational Data Source:** FRS

**Industries:** --

**Indian Country:** N

## Enforcement and Compliance Summary

Statute	RCRA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
<b>Compliance Status</b>	<b>No Violation Identified</b>
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

## Regulatory Information

**Clean Air Act (CAA):** No Information

**Clean Water Act (CWA):** No Information

**Resource Conservation and Recovery Act (RCRA):** Inactive Other, (PRN008016784)

**Safe Drinking Water Act (SDWA):** No Information

## Other Regulatory Reports

**Air Emissions Inventory (EIS):** No Information

**Greenhouse Gas Emissions (eGGRT):** No Information

**Toxic Releases (TRI):** No Information

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

Go To Enforcement/Compliance Details

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

## Facility/System Characteristics

### Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110032659488					N	18.282962	-66.019108
RCRAInfo	RCRA	PRN008016784	Other	Inactive ( )			N		

## Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110032659488	ALL IMAGING RADIOLOGY COMPLEX	172 3 B 11 VILLA DEL REY, CAGUAS, PR 00725	Caguas Municipio
RCRAInfo	RCRA	PRN008016784	ALL IMAGING RADIOLOGY COMPLEX	172 3 B 11 VILLA DEL REY, CAGUAS, PR 00725	Caguas Municipio

## Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

## Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

## Facility Tribe Information

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

### Enforcement and Compliance

## Compliance Monitoring History

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

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

## Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	PRN008016784	No	06/29/2024	0	06/28/2024

## Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
RCRA (Source ID: PRN008016784)		07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24	04/01-06/30/24
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified
	Violation Agency												

## Informal Enforcement Actions

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

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

## Formal Enforcement Actions

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/ Filed Date	Settlements/ Actions	Settlement/ Action Date	Federal Penalty Assessed	State/ Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
No data records returned															

### Environmental Conditions

## Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
No data records returned						

## Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

## Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

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

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

No data records returned

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

Chemical Name
---------------

No data records returned

---

## Environmental Justice

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

### Potential Environmental Justice Concerns

US Territory

#### EJScreen Indexes Shown

Index Type

#### Related Reports

EJScreen Community Report

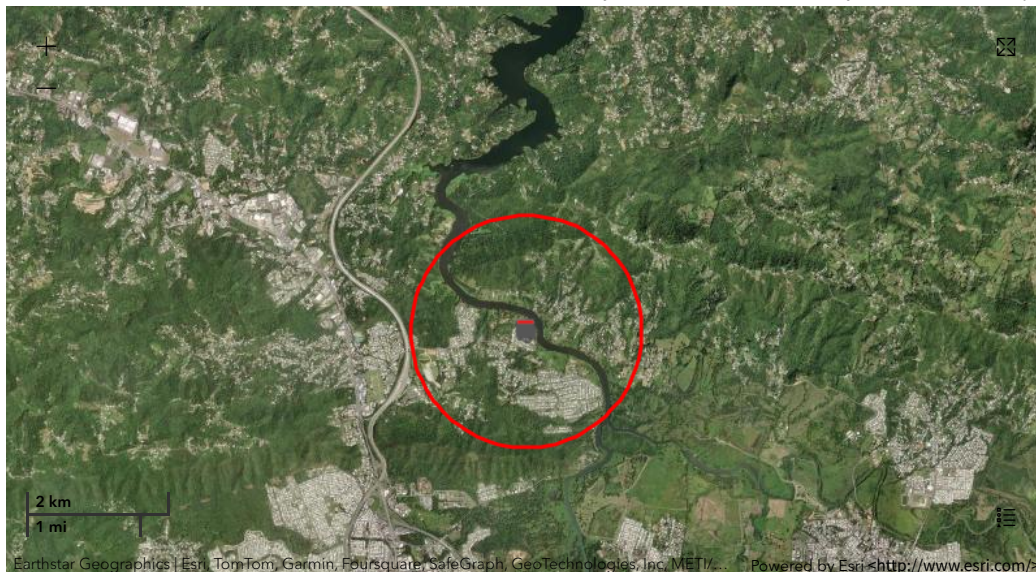
#### Download Data

Census Block Group ID: 720252001002	US (Percentile)			State (Percentile)		
	Facility Census Block Group	1-mile Avg	1-mile Max	Facility Census Block Group	1-mile Avg	1-mile Max
<b>Count of Indexes At or Above 90th Percentile</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>2</b>
Particulate Matter 2.5	--	N/A	--	--	N/A	--
Ozone	--	N/A	--	--	N/A	--
Diesel Particulate Matter	4	9	26	13	38	83
Air Toxics Cancer Risk	20	32	99	0	0	99
Air Toxics Respiratory Hazard Index	12	29	37	17	24	76
Toxic Releases to Air	40	80	97	7	19	44
Traffic Proximity	64	66	99	20	19	90
Lead Paint	0	60	92	0	27	65
Risk Management Plan (RMP) Facility Proximity	63	88	99	17	41	93
Hazardous Waste Proximity	52	82	99	16	39	89
Superfund Proximity	48	87	99	10	33	74
Underground Storage Tanks (UST)	44	50	92	0	0	77
Wastewater Discharge	44	87	99	9	32	77

Map Display Based on:  US  State

Display Map Layer

Facility 1-mile Radius  Facility Census Block Group





## Demographic Profile of Surrounding Area (1-Mile Radius)

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

General Statistics (U.S. Census)	
Total Persons	3,456
Population Density	1,181/sq.mi.
Housing Units in Area	1,307

General Statistics (ACS (American Community Survey))	
Total Persons	3,094
Percent People of Color	97%
Households in Area	1,164
Households on Public Assistance	43
Persons With Low Income	768
Percent With Low Income	25%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.282962
Center Longitude	-66.019108
Land Area	93%
Water Area	7%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	141 (12.13%)
\$15,000 - \$25,000	68 (5.85%)
\$25,000 - \$50,000	141 (12.13%)
\$50,000 - \$75,000	137 (11.79%)
Greater than \$75,000	675 (58.09%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	202 (6%)
Minors 17 years and younger	963 (28%)
Adults 18 years and older	2,493 (72%)
Seniors 65 years and older	400 (12%)

Race Breakdown (U.S. Census) - Persons (%)	
White	2,805 (81%)
African-American	341 (10%)
Hispanic-Origin	3,417 (99%)
Asian/Pacific Islander	7 (0%)
American Indian	14 (0%)
Other/Multiracial	289 (8%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	90 (3.77%)
9th through 12th Grade	88 (3.68%)
High School Diploma	288 (12.06%)
Some College/2-year	152 (6.36%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	1,607 (67.27%)



# EJScreen Community Report

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

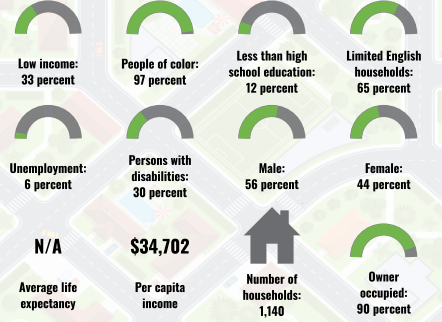
## Gurabo Municipio, PR

1 mile Ring Centered at 18.283123,-66.011969  
Population: 3,040  
Area in square miles: 3.14

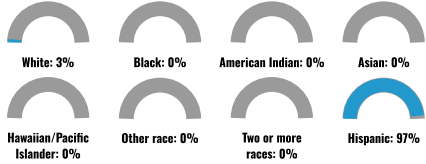
A3 Landscape



### COMMUNITY INFORMATION



### BREAKDOWN BY RACE



### BREAKDOWN BY AGE



### LIMITED ENGLISH SPEAKING BREAKDOWN



### LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	3%
Spanish	97%
Total Non-English	97%

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

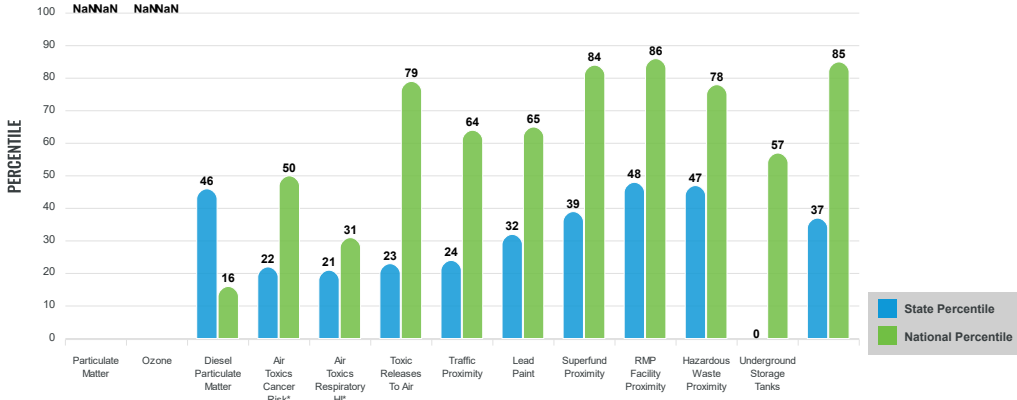
# Environmental Justice & Supplemental Indexes

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

## EJ INDEXES

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

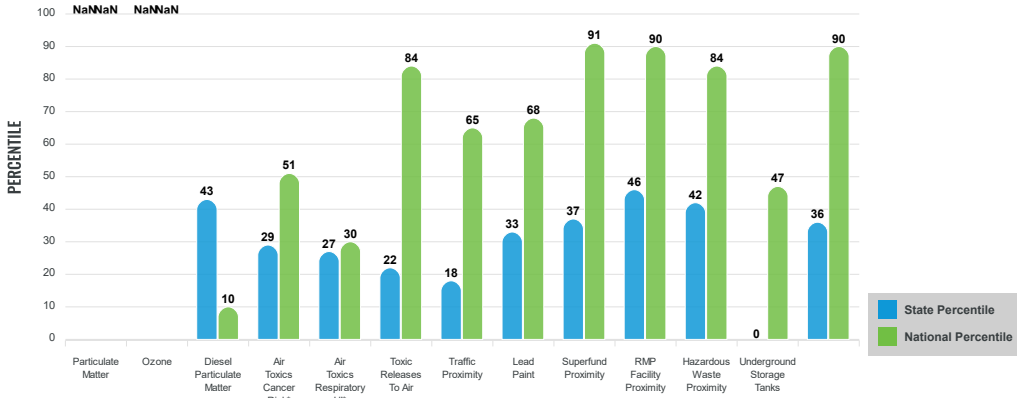
### EJ INDEXES FOR THE SELECTED LOCATION



## SUPPLEMENTAL INDEXES

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

### SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



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

Report for 1 mile Ring Centered at 18.283123,-66.011969

# EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
<b>POLLUTION AND SOURCES</b>					
Particulate Matter ( $\mu\text{g}/\text{m}^3$ )	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter ( $\mu\text{g}/\text{m}^3$ )	0.053	0.0667	60	0.261	4
Air Toxics Cancer Risk* (lifetime risk per million)	20	20	15	25	5
Air Toxics Respiratory HI*	0.2	0.19	17	0.31	4
Toxic Releases to Air	460	4,300	29	4,600	45
Traffic Proximity (daily traffic count/distance to road)	57	180	44	210	43
Lead Paint (% Pre-1960 Housing)	0.066	0.16	40	0.3	29
Superfund Proximity (site count/km distance)	0.078	0.15	48	0.13	58
RMP Facility Proximity (facility count/km distance)	0.28	0.47	63	0.43	66
Hazardous Waste Proximity (facility count/km distance)	0.67	0.76	66	1.9	54
Underground Storage Tanks (count/km <sup>2</sup> )	0.59	1.7	64	3.9	41
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.0046	2.3	52	22	61
<b>SOCIOECONOMIC INDICATORS</b>					
Demographic Index	65%	83%	7	35%	86
Supplemental Demographic Index	29%	43%	13	14%	94
People of Color	97%	96%	12	39%	94
Low Income	33%	70%	8	31%	59
Unemployment Rate	6%	15%	29	6%	64
Limited English Speaking Households	65%	67%	38	5%	99
Less Than High School Education	12%	21%	28	12%	65
Under Age 5	3%	4%	50	6%	30
Over Age 64	21%	22%	47	17%	70
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

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

### Sites reporting to EPA within defined area:

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

### Other community features within defined area:

Schools .....	0
Hospitals .....	0
Places of Worship .....	0

### Other environmental data:

Air Non-attainment .....	No
Impaired Waters .....	Yes

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

Report for 1 mile Ring Centered at 18.283123,-66.011969

## EJScreen Environmental and Socioeconomic Indicators Data

### HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	N/A	N/A	N/A	20%	N/A
Heart Disease	N/A	N/A	N/A	6.1	N/A
Asthma	N/A	N/A	N/A	10	N/A
Cancer	N/A	N/A	N/A	6.1	N/A
Persons with Disabilities	32%	21.6%	91	13.4%	99

### CLIMATE INDICATORS

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

### CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	15%	32%	17	14%	61
Lack of Health Insurance	6%	7%	52	9%	46
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for 1 mile Ring Centered at 18.283123,-66.011969

## **Appendix 4: USFWS "No Effect" Memo and supporting documentation**

## Technical Memorandum

July 3, 2024

For: Puerto Rico Department of Housing  
CDBG-DR & CDBG-MIT Program  
ReGrow Environmental Assessment

From: Behar Ybarra & Associates

***RE: Threatened and Endangered Species Review for Case PR-RGRW-01117 at Carr. 941 Km. 6.0 Bo. Jaguas Sector Richard Rivera, Gurabo, PR, 00778.***

---

This Threatened and Endangered Species Review evaluates the installation of a 40' x 8 feet Greenery Container at the coordinates: latitude 18.283123, longitude -66.011971 on Carr. 941 Km. 6.0 Bo. Jaguas Sector Richard Rivera, Gurabo, PR, 00778. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-01117 consist of the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module. The container will be used for protected cultivation, a process of growing crops in a controlled environment (where factors such as light, CO<sub>2</sub>, temperature/humidity, and airflow are regulated) and includes cultivation in vertical farming and greenhouses where environmental factors are tightly controlled. Because CEA grows crops indoors, it is labor-saving, allows for the reduced use of pesticides, and can be set up just about anywhere. The container will be anchored to 8 supports buried 2 feet deep. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing PRASA water intake on the property, but the lines to supply the water to the greenhouse will be underground so it will involve ground disturbance. The power needed to operate the module will come from an existing PREPA/LUMA connection. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel. Since the system recycles the water, every 3 months the system must be cleaned disposing approximately 50 gallon of water that could be used for irrigation. No sewer connection is required for any discharge from the module. The project area is located at Carr. 941 Km. 6.0 Bo. Jaguas, Sector Richard Rivera within the Municipality of Gurabo. Based on a review of historical aerial imagery, the general area was a rural residential setting from at least 1967 through the present day.

### **Existing Conditions and Trends:**

For the proposed project parcel 172-089-219-43-000, the area is designated as Farmland of statewide importance. The proposed project is located in a rural area of Gurabo. The area for the proposed container has a flat topography, covered in grass. Photos of the proposed project area are included in the

Site Inspection Report, See Appendix 3. The proposed project will not change the land use associated with these placements. The closer Final Critical Habitat is located 53,464 feet from the project location. Wetlands associated with an unnamed creek are located approximately 160 feet from the proposed location, See Figures 7 and 12.

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

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

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated June 28, 2024, in the US Fish and Wildlife Service’s online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have “No Effect” determination on the Puerto Rican Boa. Vegetation removal will not be necessary for the proposed project.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa ( <i>Chilabothrus inornatus</i> )	No Effect (NE)	USFWS Puerto Rican Boa Conservation Measures (Revised January 2024)
<b>Critical Habitats</b>		
There are no critical habitats within the project area.		

If a Puerto Rican Boa is found in the project activity site, work shall cease until it 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.

For any questions or concerns, we can be reached by phone 787-783-0290 or email (patricia.carmenatty@byaea.com).

Patricia Carmenatty Santiago



B.S. Biologist, Behar Ybarra & Associates



**EXHIBIT A**



## United States Department of the Interior



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

In Reply Refer To:  
Project Code: 2024-0110326  
Project Name: PR-RGRW-01117

06/28/2024 19:19:20 UTC

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](mailto: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](mailto: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

(939) 320-3135

## PROJECT SUMMARY

Project Code: 2024-0110326

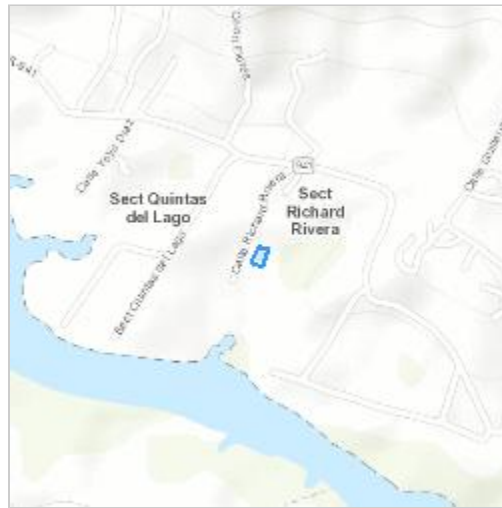
Project Name: PR-RGRW-01117

Project Type: Disaster-related Grants

Project Description: The proposed activities for PR-RGRW-01117 consist of the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.2830412,-66.01200445505566,14z>



Counties: Gurabo County, Puerto Rico

## ENDANGERED SPECIES ACT SPECIES

There is a total of 1 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 Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/P6GFE6KSQ5EPNP5CYCWVJ7F2CQ/documents/generated/7159.pdf">https://ipac.ecosphere.fws.gov/project/P6GFE6KSQ5EPNP5CYCWVJ7F2CQ/documents/generated/7159.pdf</a>	Endangered

## 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 Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

- 
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 Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

---

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



## United States Department of the Interior



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

In Reply Refer To:  
Project code: 2024-0110326  
Project Name: PR-RGRW-01117

06/28/2024 19:57:36 UTC

Subject: Consistency letter for the project named 'PR-RGRW-01117' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On June 28, 2024, Patricia Carmenatty used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01117'. The project is located in Gurabo County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.2830412,-66.01200445505566,14z>



The following description was provided for the project 'PR-RGRW-01117':

The proposed activities for PR-RGRW-01117 consist of the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module.

Based on your answers and the assistance of the Service's Caribbean DKey, you determined the proposed Action will have "No Effect" on the following species:

Species	Listing Status	Determination
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered	No effect

Thank you for informing the Service of your "No Effect" determination(s) for this project. No further consultation/coordination for this project is required for these species. However, be aware that reinitiation of consultation may be necessary if later modifications are made to the project so that it no longer meets the criteria or outcome described above, or if new information reveals effects of the action that could affect listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed.

This letter serves as documentation of your consideration of the federally listed species as required under section 7 of the ESA. However, effects to the other federally listed species or critical habitat as listed below from the "IPaC print-out for the project" (see below) should be considered as part of your ESA review for the project.

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "No Effect" (NE) determination for Federally listed species in the Caribbean. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NE concurrence provided here. This verification period allows the Caribbean Ecological Services Field Office to apply local knowledge to evaluate the Action, as we may identify a small subset of actions having unanticipated impacts. In such instances, the Caribbean Ecological Services Field Office may request additional information to verify the effects determination reached through the DKey.

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

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

We appreciate your interest in protecting endangered species and their habitats. It is the Service's mission to work with others to conserve, protect, and enhance fish, wildlife, and plants and their

habitats for the continuing benefit of our people. If you have any questions or require additional information, please contact our office at [Caribbean\\_es@fws.gov](mailto:Caribbean_es@fws.gov).

## Action Description

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

### 1. Name

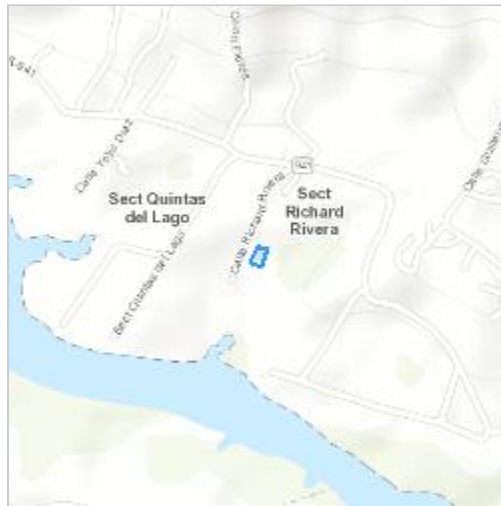
PR-RGRW-01117

### 2. Description

The following description was provided for the project 'PR-RGRW-01117':

The proposed activities for PR-RGRW-01117 consist of the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.2830412,-66.01200445505566,14z>



## QUALIFICATION INTERVIEW

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

*No*

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

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

*No*

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

*No*

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

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

*Yes*

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

**Automatically answered**

*Yes*

## **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

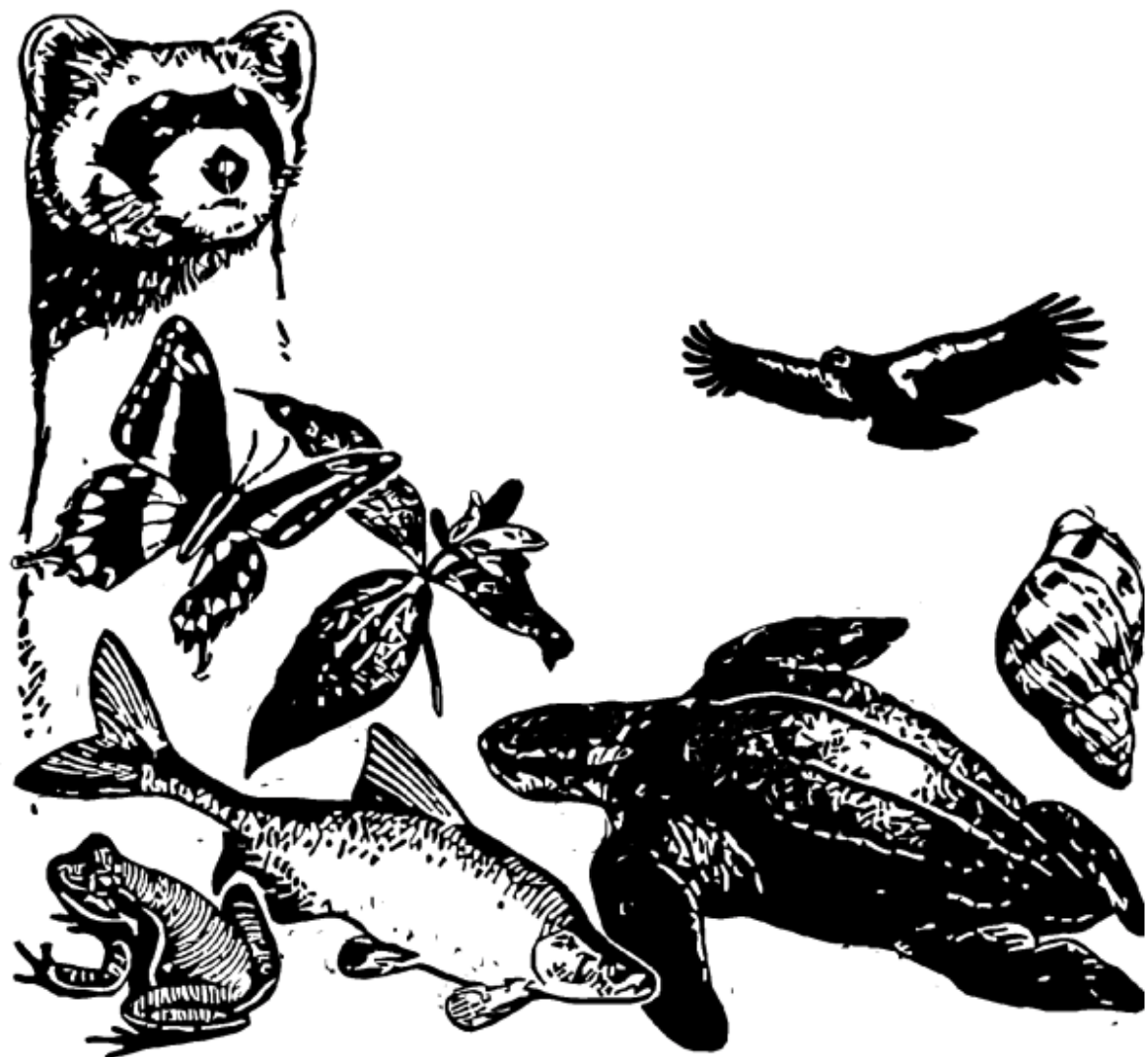


# Caribbean ES Puerto Rican Boa

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## *Puerto Rican Boa*

Generated July 03, 2024 07:55 PM UTC, IPaC v6.111.0-rc1





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

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

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

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



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

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

#### Conservation Measures:

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

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

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

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

## **Appendix 5: Procedure for Making Determination on Floodplain Management and Wetlands Eight Step Process**

PUERTO RICO DEPARTMENT OF HOUSING

HUERTO NUEVA ESPERANZA LLC

**PR-RGRW-01117**

Carr.941 km.6.0 Barrio Jaguas Sector Richard Rivera, Gurabo, PR 00778

**Procedure for Making Determination on Floodplain Management and Wetlands Eight Step Process**

The Puerto Rico Department of Housing (PRDOH) intends to use U.S. Department of Housing and Urban Development (HUD) - Community Development Block Grant (CDBG) funding to engage in works to improve a farm affected by hurricanes. The PR-RGRW-01117 project is proposed to take place at Carr.941 km.6.0 Barrio Jaguas Sector Richard Rivera, Gurabo, PR 00778; latitude 18.283123, longitude - 66.011971, see Figure 1.

**Introduction and Overview**

The area of the Project where activities will take place is rural and considered farmland of statewide importance. The undertaking consists of the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module. The container will be used for protected cultivation, a process of growing crops in a controlled environment (where factors such as light, CO<sub>2</sub>, temperature/humidity, and airflow are regulated) and includes cultivation in vertical farming and greenhouses where environmental factors are tightly controlled. Because CEA grows crops indoors, it is labor-saving, allows for the reduced use of pesticides, and can be set up just about anywhere. The container will be anchored to 8 supports buried 2 feet deep. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing PRASA water intake on the property, but the lines to supply the water to the greenhouse will be underground so it will involve ground disturbance. The power needed to operate the module will come from an existing PREPA/LUMA connection. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel. Since the system recycles the water, every 3 months the system must be cleaned disposing approximately 50 gallon of water that could be used for irrigation. No sewer connection is required for any discharge from the module. The project area is located at Carr. 941 Km. 6.0 Bo. Jaguas, Sector Richard Rivera within the Municipality of Gurabo.

Pursuant to Executive Orders (EOs) 11988 and 11990, the PRDOH has determined portions of this project be in the one-hundred-year floodplain. The EOs were enacted to “*avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative*”. Based on the FEMA FIRM and/or Advisory Base Flood Elevation (ABFE) map, the improvement location lies within the 100-year floodplain, in a ABFE Zone A Special Flood Hazard Area associated to the Grande de Loiza River, see Figure 2. However, floodplain impacts are expected to be minimal since the proposed action involves the purchase and installation of 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module.

Detailed below is a summary of the eight-step process and how the PRDOH has or will comply with EO 11988 and EO 11990, as the project site occurs within the 100-year floodplain.

### **Step 1- Determination of whether the proposed action is located within a 100-year floodplain**

Regarding EO 11988, based on the FEMA FIRM and/or ABFE map, part of the parcel is located within the 100-year floodplain. The Proposed Project is shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 72000C0745J dated 11/18/2009, see Figure 3. Floodplain impacts are expected to be minimal as a result of this action. The existing area for the proposed project is used for agricultural purposes, therefore there is no change in land use associated with this project. The project improvements will not alter the drainage runoff flow. Therefore, the floodplain will maintain its preconstruction state. Regarding EO 11990, the project area does not include wetland areas, see Figure 4.

### **Step 2- Early Notification and Involvement of the Public in the Decision-Making Process**

The Re-grow PR Urban-Rural Agriculture Program, under the Puerto Rico Community Development Block Grant Program for Disaster Recovery (CDBG-DR) allocated funds to help shape and implement the future vision in communities that were affected by Hurricanes Irma and María.

Based on the program goals, it was determined for Gurabo that this project, the purchase and installation purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module, would be beneficial to the surrounding community. For the improvements, PRDOH notified the public of the proposed actions located within the 100-year floodplain through an Early Floodplain Notice in the Primera Hora local and regional paper, on February 1, 2024, for purposes of eliciting public comments for consideration during this review.

Copies of the Early Floodplain Notice were sent to potentially interested parties, such as the Environmental Protection Agency, State Environmental Natural Resources Department, Puerto Rico Planning Board, Puerto Rico Department of Economic Development Commerce, Federal Emergency Management Agency, the National Oceanic and Atmospheric Administration, U.S. Department of Housing and Urban Development, Fish and Wildlife Service, the United States Department of Agriculture Natural Resource Conservation Service, the State Department of Transportation and Public Works. A copy of the Early Floodplain Notice has been included within the Environmental Review Record for this action. No comments were received during the 15-day public comment period applicable to the Early Floodplain Notice (See attachment #1). As required by regulation, the notice also included the name, proposed location and description of the activity, total number of floodplain acres involved, and the HUD official or responsible entity contact for information as well as the location and hours of the office at which a full description of the proposed action can be viewed.

### **Step 3- Identification and Evaluation of Practicable Alternatives.**

This project includes the purchase and installation of a 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module. The container will be anchored to 8 supports buried 2 feet deep. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing PRASA water intake on the property, but the lines to supply the water to the greenhouse will be underground so it will involve ground disturbance. The power needed to operate the module will come from an existing PREPA/LUMA connection. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUMA personnel. In accordance with the Department of Housing and Urban Development guidelines, practical alternatives to locating the proposed action in a floodplain were identified and evaluated. These included the following alternatives:

- 1) Moving the project away from or around the floodplain,
- 2) Moving the project to another site and;

### 3) Impact of taking no action.

For each of these alternatives, various factors were considered including cost, feasibility, technology, hazard reduction, and environmental impacts. The evaluation of each alternative is summarized below.

#### **Alternative 1**

Moving the project away from or around the floodplain is not possible due to the way it transects the project area and the location of the existing utilities intakes. Even that the proposed location for the container is outside the floodplain, the installation of the lines to supply the water and power to the greenhouse will be within the floodplain, thus, there is no possible way of moving the project outside of the floodplain.

#### **Alternative 2**

Moving the project to another site will result in the acquisition of a new lot which will increase the costs of the proposed project.

#### **Alternative 3**

No Action - Under the No Action Alternative, the applicant would not receive federal funding for the 40' x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module. Consequently, the applicant may not be able to continue agricultural production. Given the degree of need for greater agricultural capacity in Puerto Rico following Hurricanes Irma and Maria, the costs of foregoing the project would exceed the benefits.

### **Step 4- Potential Direct and Indirect Impact of the Proposed Action on the Floodplain and Wetlands**

Potential direct and indirect impacts resulting from the proposed action on the floodplain are anticipated to be negligible. The existing area for the proposed project is used for agricultural purposes, therefore there is no change in land use associated with this project. The topography of the project area is steep. Surface visibility is medium. Most of the surface area is covered with vegetation, mostly pasture and shrubs. The project improvements will not alter the drainage runoff flow. Therefore, the floodplain will maintain its preconstruction state. The project is expected to have no significant impact. The project area does not have cultural resources that are included in or eligible for the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District.

Wetlands associated with an unnamed creek are located approximately 160 feet from the proposed location for the water pump and outside of the parcel. No wetland area will be impacted under this action.

### **Step 5- Minimization of Potential Adverse Impacts via Design or Modifications to the Proposed Actions**

The following mitigation measures will be taken to minimize adverse impacts and to restore and preserve natural values: Follow best soil erosion management practices and a water pollution prevention plan. Take necessary safety precautions during construction. The project will comply with state and local floodplain protection procedures.

### **Step 6- Reevaluation of the Proposed Action**

Although potential adverse impacts to the 100-year floodplain may be reduced by prohibiting any future construction or renovation within it, this option is not practical due to existing severe need within Puerto



Rico for developing agricultural capacity and the costs and logistics prohibiting the re-establishment of entire agricultural businesses outside of the floodplain. With respect to wetlands and waters of the United States, the property does not include wetlands identified by the National Wetlands Inventory (NWI).

Based on a review of the practical alternatives and their implementation wherever possible, the proposed action of the PR-RGRW-01117 project is deemed to be the most appropriate and is selected as the final action. This determination is made on the basis of feasibility, cost, enhancement of quality of life, features for the community, land availability, and lack of impacts to wetlands.

### **Step 7- Publication of the Final Notice**

In our reevaluation we have determined that there is no other practical alternative to the proposed actions. Therefore, a Final Floodplain Explanation Notice for the PR-RGRW-01117 project was published in the local newspapers in San Juan, Puerto Rico. This notice cites the reasons why the proposed actions must be located within the floodplain, a list of the alternatives considered, and the design modifications taken to minimize adverse impacts.

### **Step 8- Implementation of the Proposed Action**

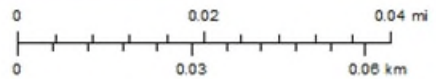
The proposed action is anticipated to begin in calendar year 2024.

**Location: Aerial Map**  
 Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-01117
- ✕ PREPA Connection
- PRASA Connection
- 01117 Parcel
- CRIM\_Parcels



Service Layer Credits: Sources: Esri, HERE, Garmin, LEAG, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community and Google Earth



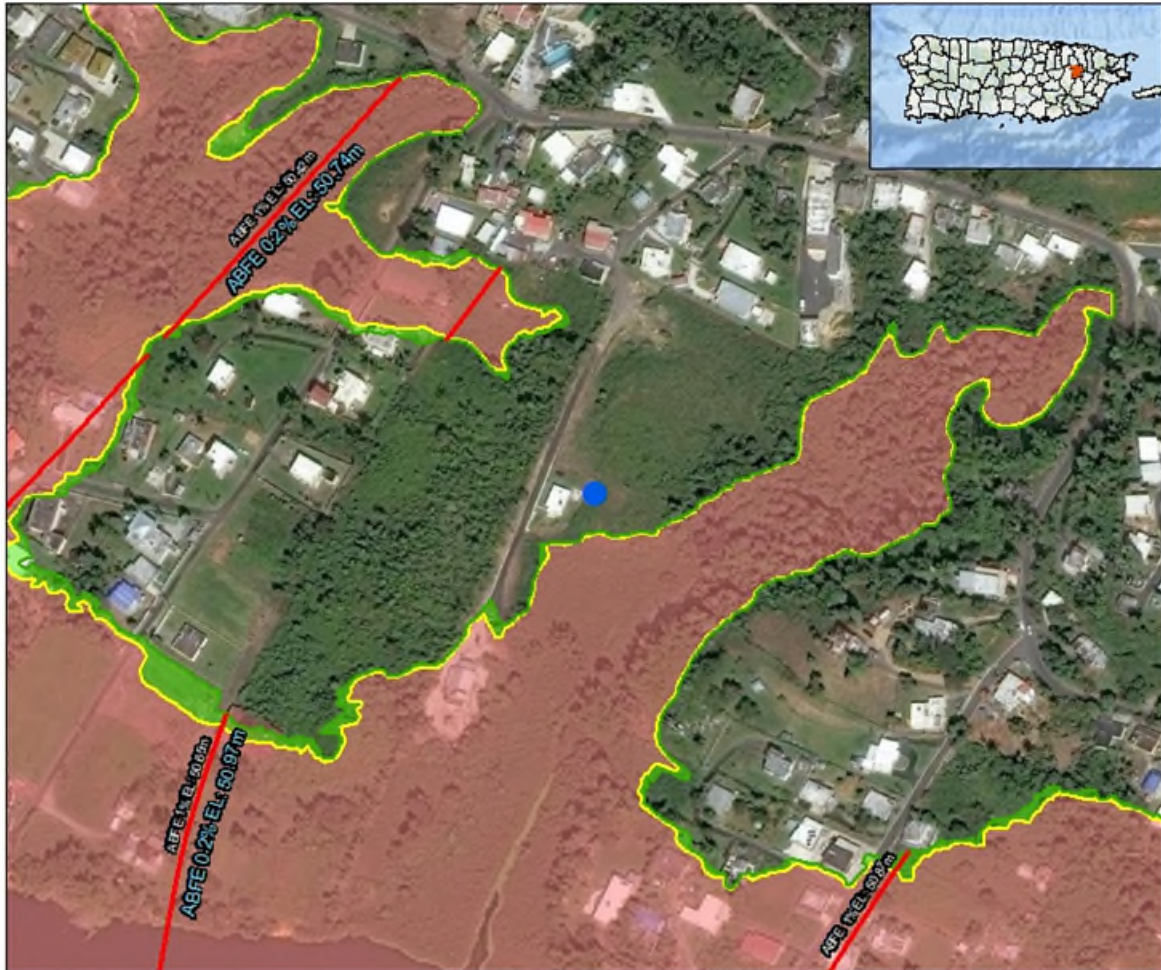
**Source**

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

Figure 1: Location Map

# Advisory Base Flood Elevation Map

Puerto Rico Department of Housing ReGrow

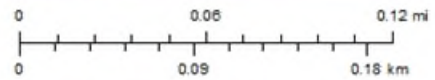


**Legend:**

- PR-RGRW-01117
- Advisory Base Flood Elevations (ABFE)
- Hydrography
- 0.2-percent annual chance flood
- 1-percent annual chance flood

**Flood Zone**

- A
- 0.2% Annual Chance Flood



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

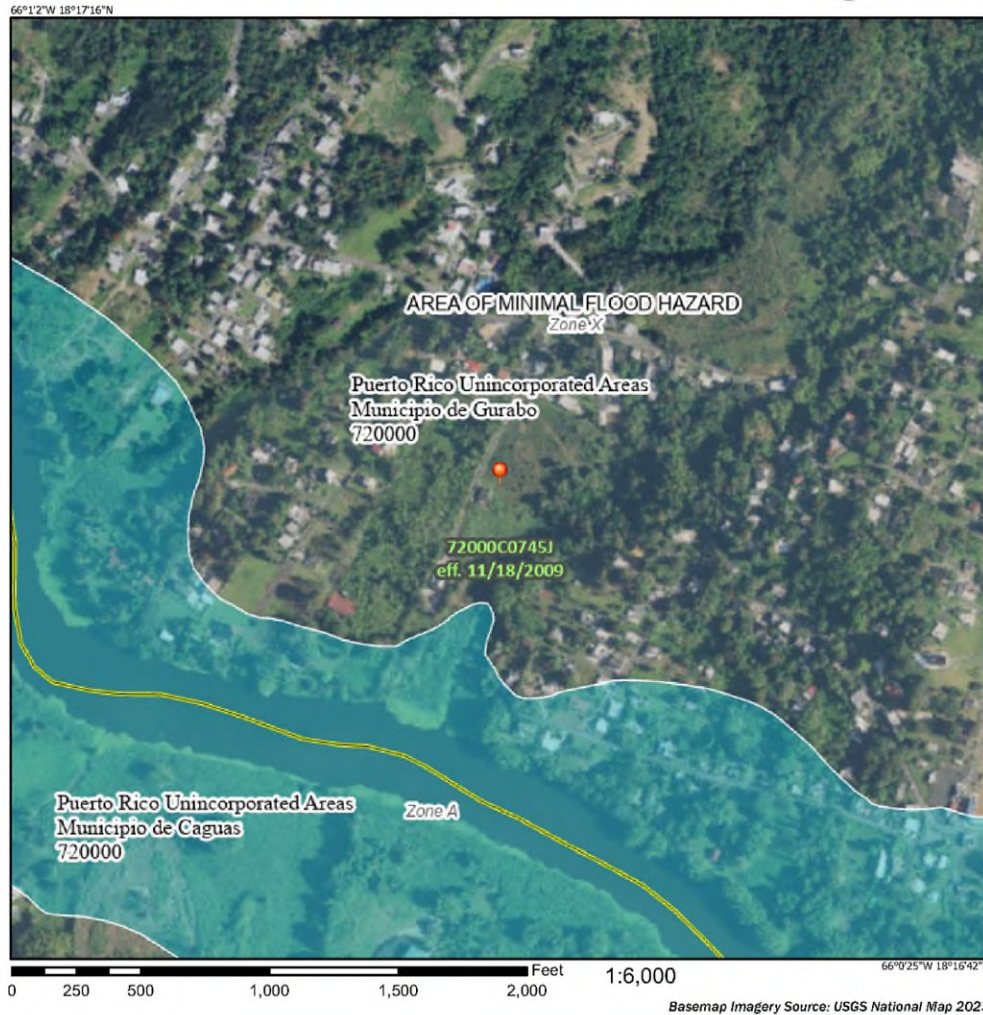


**Source**

Federal Emergency Management Agency (FEMA)  
 Junta de Planificación de Puerto Rico (JPR)  
 Mapas de Niveles de Inundación Base Recomendados  
<https://maps.jp.pr.gov/>

Figure 2: Advisory Base Flood Elevations

# National Flood Hazard Layer FIRMMette



### Legend

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

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, A59
- With BFE or Depth Zone AE, AO, AH, VE, AR
- 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 Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- 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.

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.

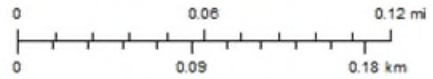
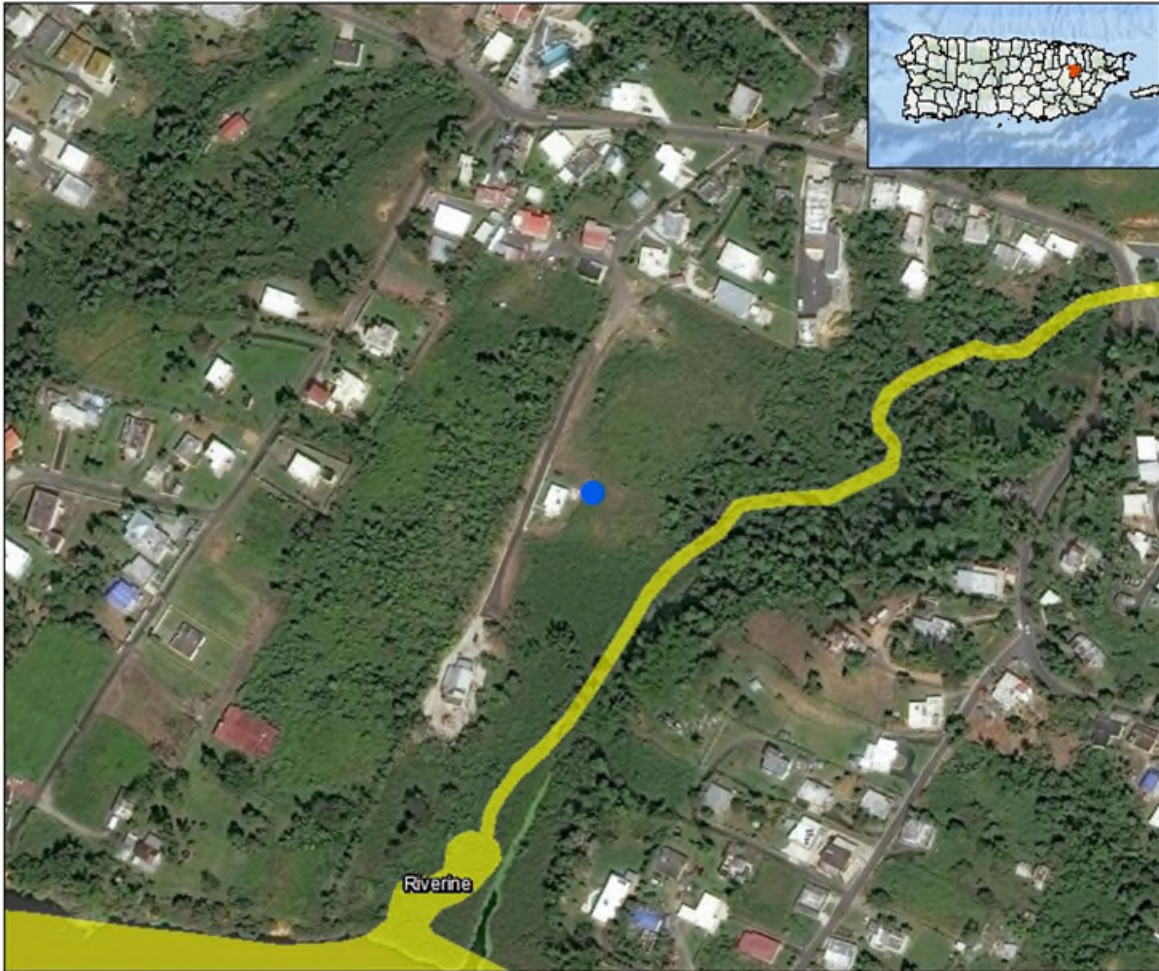
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/25/2023 at 12:07 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by 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.

Figure 3: Flood Hazard Map

# Wetlands

Puerto Rico Department of Housing ReGrow



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

**Legend:**

● PR-RGRW-01117

**National Wetlands Inventory**

■ Riverine



1:3,000

**Source**

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

Figure 4: Wetland Map

**FLOODPLAIN PUBLICATIONS**  
**Attachment #1**

utilizando la siguiente dirección electrónica: https://tribunalelectronico.ramajudicial... en cuyo caso deberá presentar su alegación responsive en la secretaría del tribunal con copia de dicha contestación al abogado de la parte demandante...

6535164 Estado Libre Asociado De Puerto Rico Tribunal De Primera Instancia Sala Superior De Caguas

ANA ELISA BONILLA DONES Demandante

vs. GEORGE NEIL ASENCIO NEGRÓN, et als. Demandados

Civil Núm.: CG2023CV02898 Sala Nueva. Sobre División de Comunidad de Bienes EMPLAZAMIENTO POR EDICTO A: George Luis Asencio González. Usted deberá presentar su alegación responsive a través del Sistema Unificado de Administración y Manejo de Casos (SUMAC)...

6535138 Estado Libre Asociado de Puerto Rico Tribunal de Primera Instancia Centro Judicial De Humacao Sala Superior De Humacao

MIGUEL ANGEL NARVAEZ MORALES Demandante vs. PAN AMERICAN FINANCIAL CORPORATION Y OTROS Demandado Civil Núm.: HU2023CV01405 (Salon 208) Sobre: Cancelación O Restricción De Pagare Entrasvado RICHARDO ANDRÉS ACEVEDO BIANCHI ACEVEDOBIANCHI@GMAIL.COM NOTIFICACION DE SENTENCIA POR EDICTO A: Pan American Financial Corporation, Fulano De Tal, Fulana De Tal Dirección: 1303 De La Avenida Roosevelt, Segundo Piso, Guaynabo, PR 00970 El Secretario(a) que suscribe la notificación a usted que el 23 de enero de 2024, este Tribunal ha dictado Sentencia, Sentencia Parcial o Resolución en este caso...

6535143 Estado Libre Asociado de Puerto Rico Tribunal de Primera Instancia Centro Judicial De Guaynabo Sala Superior De Guaynabo

MARCOS VALENTIN CARABALLO Demandante vs. MARIA SOCORRO SANTILAGO SANTIAGO Demandado Civil Núm.: GM2023RF00162 (SALON 201) Sobre: Divorcio Ruptura Inseparable CANDIDO L. CORDERO PUEYO

SALGADO\_CORDERO@YAHOO.COM MARCOS VALENTIN CARABALLO PO BOX 831 ARROYO PUERTO RICO 00714 NOTIFICACION DE SENTENCIA POR EDICTO A: MARCOS VALENTIN CARABALLO El Secretario(a) que suscribe la notificación a usted que el 23 de enero de 2024, este Tribunal ha dictado Sentencia, Sentencia Parcial o Resolución en este caso...

6535147 Estado Libre Asociado de Puerto Rico Tribunal de Primera Instancia Centro Judicial De Aguadilla Sala Superior De Aguadilla

JOSE MIGUEL PEREZ VILLANUEVA Demandante vs. OLGA AUGUSTA DE LA CRUZ Y OTROS Demandado Civil Núm.: AG2023CV00983 (Salon 603 CIVIL). Sobre: Daños Eduardo Vélez Collozo EDUARDOVELEZ@PUCPR.EDU NOTIFICACION DE SENTENCIA POR EDICTO A: Olga Augusta De La Cruz, Dirección Desconocida Caminos Try De La Cruz Dirección: 1149 York Avenue, Staten Island, NY 10301 El Secretario(a) que suscribe la notificación a usted que el 26 de enero de 2024, este Tribunal ha dictado Sentencia, Sentencia Parcial o Resolución en este caso...

6535143 Estado Libre Asociado de Puerto Rico Tribunal de Primera Instancia Centro Judicial De Guaynabo Sala Superior De Guaynabo

MARCOS VALENTIN CARABALLO Demandante vs. MARIA SOCORRO SANTILAGO SANTIAGO Demandado Civil Núm.: GM2023RF00162 (SALON 201) Sobre: Divorcio Ruptura Inseparable CANDIDO L. CORDERO PUEYO

aviso público

Aviso Preliminar y Revisión Pública de una Actividad Propuesta en un valle inundable de 100 años

Huerto Nueva Esperanza LLC PR-RGRW-0117

Para: Todas las partes interesadas, grupos e individuos

Este aviso notifica que el Departamento de la Vivienda de Puerto Rico (Vivienda, en adelante) ha determinado que la siguiente acción propuesta bajo el Programa Renacer Agrícola de Puerto Rico - Agricultura Urbana y Rural, Subvención en Bloque para el Desarrollo Comunitario - Recuperación ante Desastres (CDBG-DR), número de subvención B-17-DM-72-0001 y B-18-DP-72-0001, se encuentra en un valle inundable de 100 años. Vivienda está evaluando e identificando alternativas prácticas para realizar la acción propuesta y el impacto potencial en la llanura de inundación debido a la acción propuesta...

Este aviso tiene tres propósitos principales. En primer lugar, las personas que puedan verse afectadas por las actividades en el valle inundable y aquellos que tengan interés en la protección del ambiente natural deben tener la oportunidad de expresar sus inquietudes y proveer información sobre estas áreas. Se exhorta a la comunidad a ofrecer ubicaciones alternas fuera del valle inundable, métodos alternos para cumplir el mismo propósito del proyecto y métodos para minimizar y mitigar los impactos.

Vivienda considerará todos los comentarios recibidos en o antes de 16 de febrero de 2024. Pueden enviar los comentarios de forma impresa a la siguiente dirección: Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918-8466, Atención: Janette Cambrelén, Especialista en Permisos y Cumplimiento Ambiental. Una descripción completa del proyecto está disponible al público para revisión de 8:30 a.m. a 4:00 p.m. en el Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918.

Fecha: 1 de febrero de 2024

Lcd. William O. Rodríguez Rodríguez Secretario del Departamento de la Vivienda

primerahora#communicationscdbg@vivienda.pr.gov

Autorizado por la Oficina del Contralor Electoral OCE-SA-2023-00076

public notice

Early Notice and Public Review of a Proposed Activity in the 100-year Floodplain

Huerto Nueva Esperanza LLC PR-RGRW-0117

To: All Interested Parties, Groups & Individuals

This is to give notice that the Puerto Rico Department of Housing (PRDOH) has determined that the following proposed action under the Community Development Block Grant - Disaster Recovery (CDBG-DR), Re-Grow Puerto Rico Urban-Rural Agriculture Program, Grant number B-17-DM-72-0001 and B-18-DP-72-0001, is located in a 100-year floodplain. PRDOH will be identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action, as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commentaries are encouraged to offer alternative sites outside of the floodplain, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts.

PRDOH will consider all comments received on or before February 16, 2024. Written comments can be sent to the following address: Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918-8466, Attention: Janette Cambrelén, Permits and Environmental Compliance Specialist. A complete description of the project is available to the public for review from 8:30 am to 4:00 pm at the Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918. The number to get information is (787)274-2527 ext. 4320. In the alternative, comments may also be sent to PRDOH by email at environmentcdbg@vivienda.pr.gov.

Date: February 1, 2024

William O. Rodríguez Rodríguez, Esq. Secretary of the Department of Housing

Authorized by the Office of the Electoral Comptroller OCE-SA-2023-00076

## aviso público

### Aviso Final y Explicación Pública de una Actividad Propuesta en un valle inundable de 100 años

Huerto Nuevo Esperanza LLC  
PR-AGRW-0377

Para: Todos las partes interesadas, grupos e individuos

Este aviso notifica que el Departamento de la Vivienda de Puerto Rico (Vivienda, en adelante **completo**) una evaluación según establece la Orden Ejecutiva 1988, de acuerdo con los reglamentos de HUD en 24 CFR 58.20 Subparte C - Procedimientos para hacer determinaciones sobre el manejo del valle inundable y la protección de humedales. La actividad de subsidio con fondos del Programa de Renovar Agricultura de PR - Agricultura Urbana y Rural, Subvención en Brique para el Desarrollo Comunitario - Incautación ante Desastres (CDRG-D), Grant numbers B-17-DM-17-001 y B-18-DP-17-001. El proyecto propuesto, PR-AGRW-0377, está localizado en la carretera PR-941 en G-1, barrio Jaguas, sector Richard Rives, Guayama, PR 00778, coordenadas: N:283232 - 850791. El proyecto consiste en la compra e instalación de un contenedor de 40 pies por 8 pies para un módulo de cosecha vertical de ambiente controlado. El contenedor estará anclado a 8 soportes enterrados a 2 pies de profundidad. La poca agua necesaria (5 galones de agua por día) para el cultivo se tomará de una toma de agua existente de la AAA en la propiedad, pero las líneas para suministrar agua al invernadero serán subterráneas, por lo que implican perturbación del suelo. Se espera perturbación adicional del terreno para la instalación del medidor eléctrico que será realizado por personal de LUIMA. La actividad propuesta está situada en un valle inundable de 100 años, zona de inundación A, asociado al Río Grande de Loiza, con dimensiones de 207 acres. El valle inundable se puede encontrar en el mapa de niveles de inundación base (ABFE), por sus siglas en inglés, como se indica en el Nivel de Inundación Base Recomendado de FEMA para Puerto Rico en Puerto Rico Advisory Base Flood Elevations (ABFE) | FEMA Region II Hub (english.com).

Vivienda ha considerado las siguientes alternativas y medidas de mitigación a tomar para minimizar los impactos adversos y restaurar y preservar los valores naturales y beneficiosos: (1) elevar el proyecto diez a alrededor del valle inundable; (2) mover el proyecto a otro sitio; y (3) no tomar ninguna medida. Bajo la alternativa 1, elevar el proyecto de a alrededor del valle inundable no es posible debido a la forma en que atraviesa el área del proyecto y la ubicación de las tomas de servicios públicos exteriores. Incluso si la ubicación propuesta para el contenedor está fuera del valle inundable, la instalación de las líneas para suministrar agua y energía al invernadero se realizarán dentro del valle inundable, por lo que no hay forma posible de mover el proyecto fuera del valle inundable. Las alternativas 2 y 3 tampoco son viables. Mover el proyecto a otro sitio resultaría en la adquisición de un nuevo lote que aumentaría los costos del proyecto propuesto. Dado que ninguna acción es posible que el sitio sea un terreno agrícola, se está considerando la opción de agricultura, ya que no recibiría fondos federales para el contenedor. Dado el grado de necesidad de una mayor capacidad agrícola en Puerto Rico después de los huracanes Irma y María, los costos de renunciar al proyecto excederían los beneficios. El área existente para el proyecto propuesto se utiliza para fines agrícolas, por lo tanto, no hay ningún cambio en el uso del suelo asociado con este proyecto. Las mejoras del proyecto no alterarán el flujo de escorrentía del drenaje. Por lo tanto, el valle inundable mantendrá su estado previo a la construcción. Se espera que el proyecto no tenga un impacto significativo. Los humedales asociados con una quebrada sin nombre están ubicados aproximadamente a 160 pies de la ubicación propuesta del contenedor y fuera de la parcela. Ninguna zona de humedal se verá afectada por esta acción.

Vivienda revisó las alternativas para construir en el valle inundable y determinó que no cuenta con alternativas prácticas. La documentación ambiental que evidencia el cumplimiento de los pasos 3 a 6 de la Orden Ejecutiva 1988 está disponible para inspección, revisión y reproducción de parte del público, de un horario y lugar indicado en el último párrafo sobre recibir comentarios de esta acción.

Este aviso tiene los propósitos principales. Primero, las personas que pueden verse afectadas por actividades en el valle inundable y aquellos que tengan interés en la protección del ambiente natural deben recibir la oportunidad de expresar sus inquietudes y proveer información sobre sus ideas. Segundo, un programa adecuado de avisos públicos puede ser una importante herramienta de educación pública. La divulgación de información y solicitud de comentarios sobre los valles inundables puede facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y alteración de estas áreas especiales. Tercero, como materia de justicia, cuando el gobierno federal determine participar en acciones ubicadas en el valle inundable, debe informarse a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Vivienda consideró todos los comentarios recibidos en o antes del 21 de junio de 2024. Pueden enviar los comentarios de forma impresa a la siguiente dirección: Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Davila, 606 Avenida Barbosa, Río Piedras, PR 00986-8460, Atención: Janette Cambalín, Especialista en Permisos y Cumplimiento Ambiental. Una descripción completa del proyecto está disponible al público para revisión de \$30.00 a 4:00 pm, en el Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Davila, 606 Avenida Barbosa, Río Piedras, PR 00986. El número para obtener información es (787)24-2527 ext. 4330. Como alternativa, también pueden enviar los comentarios a Vivienda por medio electrónico a [environmental@vivienda.gov](mailto:environmental@vivienda.gov).

Fecha: 14 de junio de 2024

  
Ldo. William O. Rodríguez Rodríguez  
Secretario del Departamento de la Vivienda

Autorizado por el Oficina del Contador  
Electoral OCE-SA-2023-00076

## public notice

### Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

Huerto Nuevo Esperanza LLC  
PR-AGRW-0377

To: Interested Parties, Groups & Individuals

This is to give notice that the Puerto Rico Department of Housing (PRDOH) has conducted an evaluation as required by the Executive Order 1988, in accordance with HUD regulations at 24 CFR 58.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the Re-Grow PR Urban-Rural Agriculture Program, Community Development Block Grant - Disaster Recovery (CDRG-D), Grant numbers B-17-DM-17-001 and B-18-DP-17-001. The proposed project, PR-AGRW-0377, is located PR-941 Road Km 6.5, Jaguas Ward, Richard Rives Sector, Guayama, PR 00778, coordinates: 8333323, -850791. The project consists of the purchase and installation of a 40 feet x 8 feet Greenery Container for a Controlled Environment Vertical Harvest Module. The container will be anchored to 8 supports buried 2 feet deep. The little water needed (5 gallons of water per day) for cultivation will be taken from an existing FRASA water intake on the property, but the lines to supply the water to the greenhouse will be underground so it will involve ground disturbance. Additional ground disturbance is expected for the installation of the electrical meter which will be carried out by LUIMA personnel. The proposed activity is situated in a 100-year floodplain, flood zone A, associated with the Río Grande de Loiza, with dimensions of 207 acres. The floodplain in the project area can be found at the Advisory Base Flood Elevation Map (ABFE), as indicated on the FEMA Advisory Base Flood Elevation for Puerto Rico at Puerto Rico Advisory Base Flood Elevations (ABFE) | FEMA Region II Hub (english.com).

PRDOH has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: (1) moving the project away from or around the floodplain; (2) moving the project to another site; and (3) take no action. Under alternative 1, moving the project away from or around the floodplain is not possible due to the way it traverses the project area and the location of the existing utilities intakes. Even though the proposed location for the container is outside the floodplain, the installation of the lines to supply the water and power to the greenhouse will be within the floodplain, thus, there is no possible way of moving the project outside of the floodplain. Alternative 2 and 3 are also not feasible. Moving the project to another site will result in the acquisition of a new lot which will increase the costs of the proposed project. If no action is taken, the applicant may not be able to continue agricultural production, as they would not receive federal funding for the container. Given the degree of need for greater agricultural capacity in Puerto Rico following hurricanes Irma and María, the costs of foregoing the project would exceed the benefits. The existing area for the proposed project is used for agricultural purposes, therefore there is no change in land use associated with this project. The project improvements will not alter the drainage runoff flow. Therefore, the floodplain will maintain its preconstruction state. Wetlands associated with an unnamed creek are located approximately 160 feet from the proposed location for the container and outside of the parcel. No wetland area will be impacted under this action.

PRDOH has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 1988 are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public education tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in the floodplain, it must inform those who may be put at greater or continued risk.

PRDOH will consider all comments received on or before June 21, 2024. Written comments can be sent to the following address: Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Davila Building, Río Piedras, PR 00986-8460, Attention: Janette Cambalín, Permits and Environmental Compliance Specialist. A complete description of the project is available to the public for review from 8:30 am to 4:00 pm at the Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Davila Building, Río Piedras, PR 00986. The number to get information is (787)24-2527 ext. 4320. In the alternative, comments may also be sent to PRDOH by email at [environmental@vivienda.gov](mailto:environmental@vivienda.gov).

Date: June 14, 2024

  
William O. Rodríguez Rodríguez, Esq.  
Secretary of the Department of Housing

Autorizado by the Office of the Electoral  
Comptroller OCE-SA-2023-00076

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## Validation Letter

June 25, 2024

To whom it may concern,

This letter is to validate that no comments were received in the Permits and Environmental Compliance Division e-mail: [environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov), for the project **Huerto Nueva Esperanza LLC (PR-RGRW-01117)**, as part of the CDBG-DR Re-Grow PR Urban-Rural Agriculture Program. The Early Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain was published in the *Primera Hora* newspaper of Puerto Rico on June 14, 2024, with a comment period that concluded on June 21, 2024.

Cordially,

Permits and Environmental Compliance Division  
Disaster Recovery Office  
[environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov) | 787.274.2527 ext. 4320