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

Project Information

Project ID: PR-RGRW-01028

Project Name: José I Colón García

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Orocovis, PR

Preparer: Patricia Carmenatty

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

Consultant: Behar Ybarra & Associates LLC

Direct Comments to: Puerto Rico Department of Housing:

(environmentcdbg@vivienda.pr.gov)

Project Location:

Carr. 155, Ramal 566, Km 1.7, Bo. Saltos, Orocovis, PR 00720

Storage structure to be repair location: latitude 18.196144 longitude -66.420589

Land Conditioning location 1: latitude 18.196694 longitude -66.420961

Land Conditioning location 2: latitude 18.196189 longitude -66.423067

Parcel cadastral #: 245-000-007-05-000

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

The proposed activities for PR-RGRW-01028 consist of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres. The existing storage structure repairs will consists of installing windows, two doors, and repairing with

wood and zinc. The purpose of the storage repair is to serve as a warehouse where agricultural equipment will be stored. Before the hurricanes, the structure served as a warehouse and common space for the farm workers. The work to be done on the storage structure is repairs and installation of the roof, windows and doors. According to the previous owner of the land, the current storage structure was constructed in the early 1990s, meaning it's been standing for under 45 years. No water or power connection will be necessary for the storage, although power (LUMA) infrastructure exists close to the warehouse, but the power meter was stolen. The land conditioning activity includes the cleaning and plowing of 5 acres. These activities involve removing any existing vegetation, trees, rocks, or debris from the proposed planting area and leveling the ground to ensure proper accessibility. Perhaps heavy machinery will be used for the proposed work. Land conditioning is to prepare the area to plant plantain and orange trees. Land Conditioning area 1, situated on a sloping terrain exhibits an irregular topography, with grass, shrubs and trees. Meanwhile, the second area presented challenges to get there due to dense vegetation and a small creek dividing the parcel. Land Conditioning area 2, shares the same characteristics of a sloping landscape with abundant shrubs and trees. The storage repair and the land conditioning will require ground disturbance. Based on a review of historical aerial imagery, the general area has been used for plantain harvesting purposes since approximately 1995.

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

A site Map is included in Figure 1, illustrating the location of the storage structure and land conditioning 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 repair of an existing 30 feet x 20 feet storage and the land conditioning of approximately 5 acres 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 in a rural and mountainous area of Orocovis with abundant vegetation. The area directly around the existing building consists of grass and small bushes. It is located on a slight slope. Before the hurricanes, the structure served as a warehouse and common space for the farm workers. It is a previously impacted area,

therefore, there is little to no change in land use associated with this placement. The areas to be conditioned are characterized by dense vegetation and uneven terrain. To the proposed work, vegetation removal and road clearing will be required to access these locations prepare them for planting.

Funding Information

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

Estimated Total HUD Funded Amount: \$14,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$14,000.00.

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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres will have no impact on any Airports. The site is located 83175 feet from the nearest major civil airport (Mercedita Airport in Ponce) and

		165,619 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No	This project is not located in a CBRS Unit. The project is located 75,063 feet northeast of the nearest Coastal Barrier Resource System, PR-51. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No	The project is located in Zone X, Panel 72000C1135H, 4/19/2005 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4. The project is in compliance with the Flood Insurance without further evaluation.
STATUTES, EXECUTIVE ORDERS,	AND REGULATI	ONS LISTED AT 24 CFR 58.5
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural site located in the Municipio of Orocovis. The project is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each country by year for all criteria pollutants in Appendix 2.

Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)		The project is located 68,818 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.
Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)	Yes N	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural project. A visual site inspection of the project area and property was conducted and on-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. According to what was observed in the site inspection and what was searched on the NEPAssist page, there are no sites of environmental concern identified within 3,000 feet near the storage and the land conditioning location. HUD's environmental regulations at 24 CFR 58.5(i)(2)(i) and (ii)4 state that, [i]t is HUD's policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. For the proposed project, which involves the repair of a storage structure facility, radon analysis will not be required. This is because the facility qualifies for an exemption, as it is a non-residential

		building that will not be occupied for more than 4 hours per day. After conducting an aerial review history of the project site over the past 20 years, the use of the area has always been agricultural. It continues to be rural, with no significant changes during this period that raise any contamination concerns. According to the available information, the project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6. See Appendix 3 for Site Inspection Report.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the Puerto Rican boa (Chilabothrus inornatus), Puerto Rican broad-winged hawk (Buteo platypterus brunnescens), Puerto Rican parrot (Amazona vittata) and Puerto Rican sharp-shinned hawk (Accipiter striatus venator) could be found in the project area. The scope of work includes continued agricultural use of the property. The area where the land will be conditioned is an irregular topography. The terrain needs to be leveled and cleared, which will involve vegetation and tree removal. The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on March 2, 2024, were used to evaluate the

answers provided, a consistency letter was obtained for the Puerto Rican boa, Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk, which determined that the proposed actions for this project would have "May affect, but is not likely to adversely affect" (NLAA) for these species.

An Informal Consultation was submitted to USFWS on 8/2/2024 and Concurrence Letter was received on 8/22/2024. The Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican boa Puerto Rican broadwinged hawk and Puerto Rican sharpshinned hawk.

Based on the nature of the project, scope of work, information available and existing habitat, the Service concur with PRDOH's determinations that the proposed project may affect but is not likely to adversely affect (NLAA) the Puerto Rican parrot since vegetation removal is expected.

The project is 57,701 feet from the nearest final endangered species critical habitat.

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

The US Fish and Wildlife Service (USFWS) has established the following

conservation measures for bird species in the event of an encounter:

- 1. Personnel Awareness: Αll personnel will be informed that civil and criminal penalties exist for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During the breeding seasons (detailed below), nest surveys must be conducted if the project occurs within the range of any listed species and if the habitat for those species will be affected by the proposed actions. Qualified personnel, with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER), must conduct nest searches before any work begins. If nesting activity is detected, all construction or human disturbance must be avoided within a 50meter buffer around any nest(s) located within the project area. This buffer must remain in place until fledglings permanently leave the nest.
- o Breeding Seasons:
 - Puerto Rican parrot: February– June
 - Puerto Rican broad-winged hawk:
 December-June
- 2. Outside Breeding Season: Nest surveys are not required outside the breeding season. However, if a nest is encountered, a 50-meter buffer must be maintained, and construction or human disturbance avoided until fledglings have left the nest. Additionally, if any of the listed species is observed within the project area (e.g., foraging or resting), disturbances to the individual(s) must be avoided, and birds must not be flushed until they leave on their own.

		3. Recording Sightings: For any nest sightings, the applicant must record the time, date, and specific location of the sighting. All sightings and reports of incidental lethal take must be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. This project is in compliance with the Endangered Species Act. See attached USWFS Informal Consultation Package and supporting documents in Appendix 4. See attached Endangered Species map, Figure 7. Conservation Measures for the listed species are in Appendix 4.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and does not include development, construction or rehabilitation that will increase residential density or the construction of a hazardous facility. This project is in compliance with Explosive and Flammable hazards without further evaluation.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No	This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in an area designated as not prime farmland. The scope of work includes the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres, 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.

Floodplain Management		
Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No	The Department of Housing and Urban Development (HUD) introduced new floodplain regulations under 89 FR 30850, effective June 24, 2024, establishing the Federal Flood Risk Management Standard (FFRMS). This project consists of the repair of an
		existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and was evaluated using the 0.2 Percent-Annual-Chance Floodplain Approach (0.2 PFA) to determine the extent of the FFRMS. The current project involves non-critical actions that are located outside the 0.2-percent-annual-chance floodplain (500-year flood elevation). This approach ensures compliance with the FFRMS, meaning no mitigation is required, and the project adheres to the regulations set forth in 24 CFR Part 55. The project is not located in the 100-year floodplain or ABFE special flood hazard area; therefore, no further action is required.
		PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan, Trujillo Alto and Rio Grande. The proposed project is located in the municipality of Orocovis; therefore, PFIRM information was not available for the area and therefore not considered in the review.
		The project is in compliance with Executive Order 11988, as amended by Executive Order 13690. See attached ABFE Map (Figure 9).
Historic Preservation National Historic Preservation Act of 1966,	Yes No	The site was visited on March 19, 2024, 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

		(attached Appendix 1). In a response from PR SHPO dated June 26, 2024, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with National Historic Preservation Act.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres 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.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	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.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No	The map shows an unnamed creek that runs from north to south and is located in the middle of the parcel where the proposed project, however, no wetland will be affected by the project undertaking because the plans do not

		involve direct interaction with the waterway or significant alterations to its surroundings. Standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (if any) around the areas of ground disturbance to minimizes any potential environmental impact on the creek and preserves its natural state. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 12.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	This project is not within proximity of the NWSRS river. The project is located 220,991 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 13.
ENVIRONMENTAL JUSTICE		
Executive Order 12898	Yes No	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section. Refer to Appendix 3 for EJ Screen 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 provide. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

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

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

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Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELOPM	ENT	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and is continued agricultural use of property which is compatible with a zoning code of A-P (Agricultural Productive) and existing land use of SREP-A (Rustic Specially Protected Agricultural Land). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	This project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres. 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. In the project area we have Naranjito silty clay loam 40 to 60 percent slopes (NaF) in the western part. This is a steep and very steep, well drained soils on strongly dissected uplands. In the eastern part we have Maricao clay soils, 20 to 60 percent slopes (MoF). This is a steep to very steep, well-drained soil on side slopes and narrow hilltops of the strongly dissected uplands.
		The landslide data indicates low to moderate to very high landslide susceptibility; however, no erosion is expected to occur from this project. The project will not affect the drainage in the area. 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

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		investigate if a DNER authorization is required for any land alteration associated with the proposed project activities. There will be no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 14.
Hazards and Nuisances including Site Safety and Noise	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres. There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area. The project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres on an existing agricultural farm. No electricity connection will be necessary since the purpose of the storage will be to store agricultural equipment, although power (LUMA) infrastructure exists close to the warehouse, but the power meter was stolen. The proposed project will have no impact on the energy consumption.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMI	С	
Employment and Income Patterns	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and will result in short-term benefit to employment when contractors are hired for the repair of the storage and the cleaning of the terrains. 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 repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and will not alter the demographic characteristics of Orocovis, 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	 In the project area within a one-mile radius: The people of color are 100% compared to PR average of 97%. 80 % of the people are low income compared to PR average of 70%. 37 % of the people are unemployed compared to PR average of 14%.
		The proposed activities of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJ Screen Report in Appendix 3.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FAC	CILITIES AN	ND SERVICES
Educational and Cultural Facilities	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and will not have any negative impact on commercial facilities since the purpose of the storage is for storage of agricultural equipment.
Health Care and Social Services	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres 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 repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres 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 repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres 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 repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres. No water connection will be necessary since the purpose of the storage will be to store agricultural equipment. The proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres warehouse 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 repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation

NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and will be situated on previous agriculture property and will have no impact on unique natural features or water resources. There is a creek within the parcel, but the project activities are isolated from any existing water bodies, further reducing the likelihood of impact. In addition, the project does not involve extracting water from any existing water sources such as rivers, lakes, or groundwater. Therefore, the project will have no impact on water resources.
Vegetation, Wildlife		The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres and will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the storage but no negative impact on wildlife. For the land conditioning the removal of vegetation
	2	(grass, shrubs and trees), rocks, or debris from the proposed planting area) will be necessary. The contractor must have Best Management Practices (BMPs) to minimize environmental impacts, particularly to prevent erosion, sedimentation, and habitat disruption. DNER authorization is required for tree clearing or pruning. The landowner and/or the contractor will contact the Permit Management Office to determine permits and authorizations required prior to construction.
Climate Change	2	The project consists of the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres. 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.
		In terms of the project's susceptibility to climate change, the agricultural components may encounter

	challenges due to the potential impact of drought
	conditions. This is a small agricultural project with no
	measurable impact on climate change factors.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): March 19, 2024, Jaqueline Lopez, SOl-Qualified Archaeologist. Field Site Inspection performed by Yazmin Acevedo on March 2, 2024.

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

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

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

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

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

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

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

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

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

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

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

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

Federal Emergency Management Agency, Flood Mapping Service:

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

List of Permits Obtained: None.

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

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural site. The activities involved, such as storage restauration, infrastructure additions and land conditioning, are discrete and confined to the immediate project area. They do not extend beyond the boundaries of the site, minimizing the potential for cumulative effects on surrounding environments. The project's location on an existing agricultural site suggests that the area may have already undergone land use changes and modifications.

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

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the repair of an existing 30 feet x 20 feet storage structure and the land conditioning of approximately 5 acres for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for economic development for this applicant.

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

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

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

Law, Authority, or Factor	Mitigation Measure
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER

authorization is required for any land alteration associated with the proposed project activities.

Endangered Species

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 The USFWS has developed the following conservation measures for the Boa:

- 1.Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A preconstruction 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 immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #s: (787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.
- 5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should

- also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior. Last Revised: January 2024
- 6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.
- 7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.
- 8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles are left on site, we recommend they be placed in areas that will not be disturbed in the future.
- 9. If a dead PR boa is found, immediately cease all work in that area and record the
- information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been
- implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
- 10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

The US Fish and Wildlife Service (USFWS) has established the following conservation measures for bird species in the event of an encounter:

- 1. Personnel Awareness: All personnel will be informed that civil and criminal penalties exist for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During the breeding seasons (detailed below), nest surveys must be conducted if the project occurs within the range of any listed species and if the habitat for those species will be affected by the proposed actions. Qualified personnel, with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER), must conduct nest searches before any work begins. If nesting activity is detected, all construction or human disturbance must be avoided within a 50meter buffer around any nest(s) located within the project area. This buffer must remain in place until fledglings permanently leave the nest.
 - Breeding Seasons:
 - Puerto Rican parrot: February-June
 - Puerto Rican broad-winged hawk: December-June
- 2. Outside Breeding Season: Nest surveys are not required outside the breeding season. However, if a nest is encountered, a 50-meter buffer must be maintained, and construction or human disturbance avoided until fledglings have left the nest. Additionally, if any of the listed species is observed within the project area (e.g., foraging or resting), disturbances to the individual(s) must be avoided, and birds must not be flushed until they leave on their own.

	3. Recording Sightings: For any nest sightings, the applicant must record the time, date, and specific location of the sighting. All sightings and reports of incidental lethal take must be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean es@fws.gov .
	Conservation Measures for the listed species are in Appendix 4.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (if any) around the areas of ground disturbance to minimizes any potential environmental impact on the creek and preserves its natural state.
Vegetation, Wildlife	The contractor must have Best Management Practices (BMPs) to minimize environmental impacts, particularly to prevent erosion, sedimentation, and habitat disruption. DNER authorization is required for tree clearing or pruning. The landowner and/or the contractor will contact the Permit Management Office to determine permits and authorizations required prior to construction.
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	The proposed action is continued agricultural use of property, which is compatible with the existing land use.

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:
Name/Title/Organization: <u>Patricia Carmenatty / Environmental Specialist/ Behar Ybarra & Associates LLC</u>
Certifying Officer Signature:Date:Date:
Name/Title: Abdul X. Feliciano Plaza, Permits and Environmental Specialist

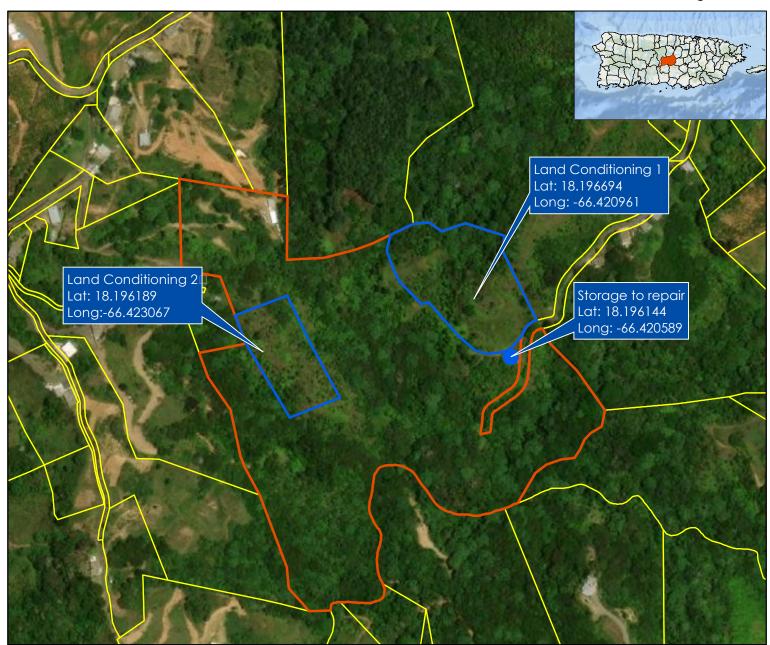
This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



Figures

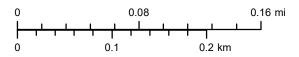
Figure 1: Location Aerial Map Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: See Below. Long: See Below



Legend:





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



Source

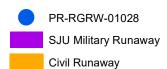
Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.crimpr.net/cdprpc/

Figure 2: Airports Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589

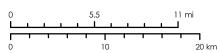


Legend:



Accident Potential Zone





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1:400,000

Source

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

Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



Legend:



PR-RGRW-01028

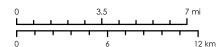
Coastal Barrier Resources System (CBRS)



Otherwise Protected Area



System Unit



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



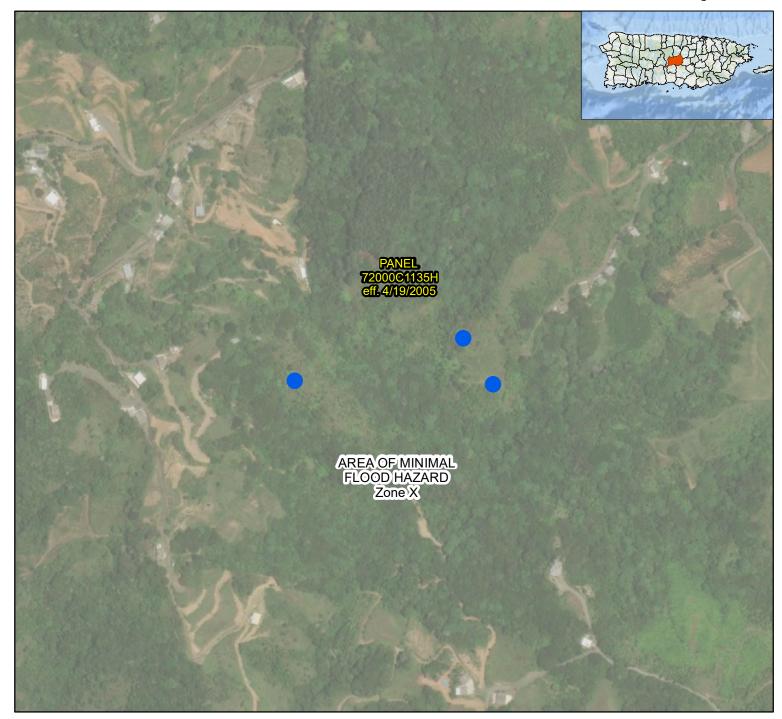
Source

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

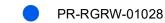
1:250,000

Figure 4: Flood Insurance Rate Map Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



Legend:



Area of Minimal Flood Hazard Zone X

FIRM Panel



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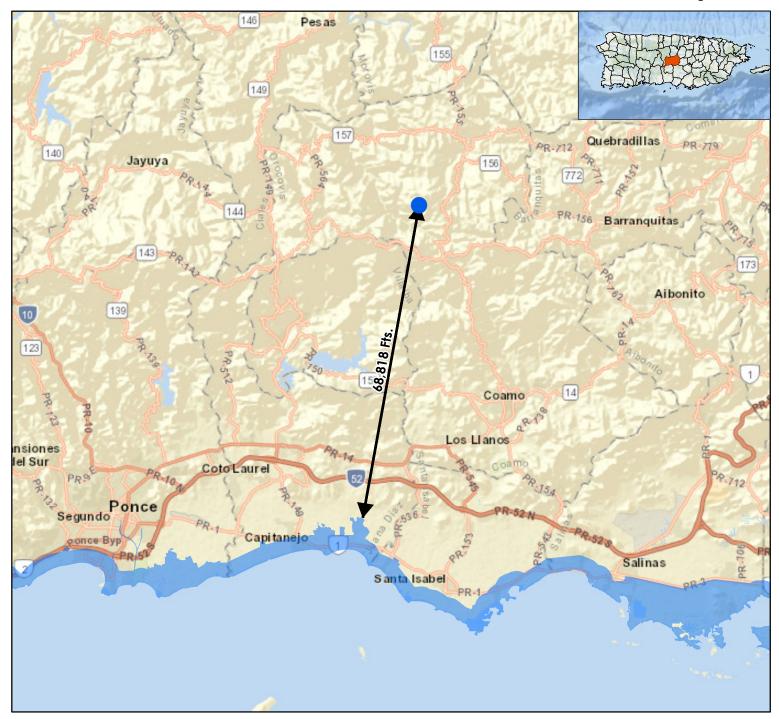


Source

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

Figure 5: Coastal Zone Management Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



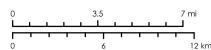
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PR-RGRW-01028



Coastal Zone Management Act Boundary



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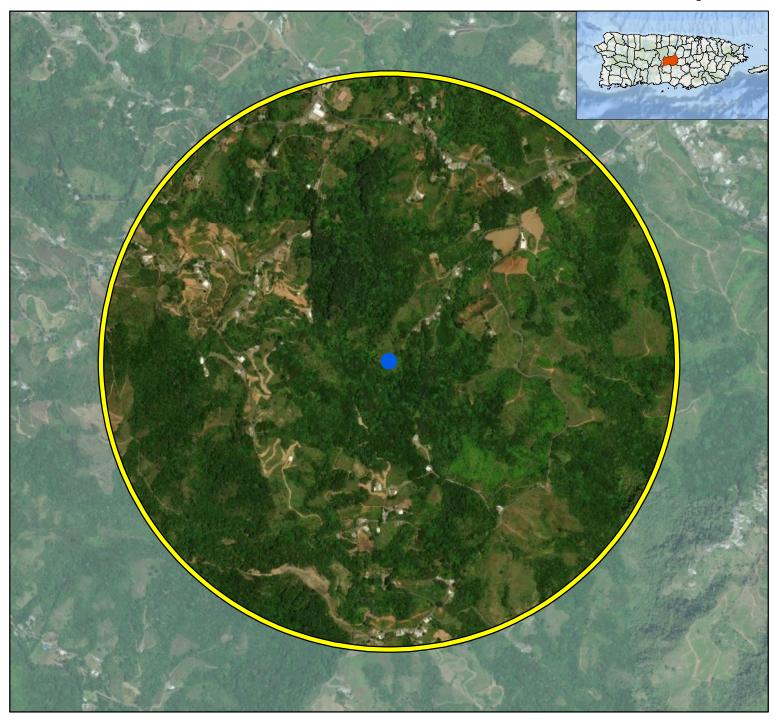


Source

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

Figure 6: Toxic and Hazardous Facilities Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



Legend:



PR-RGRW-01028



3,000 Ft. Buffer





NCDB

NPDES



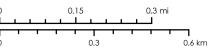






Source

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



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1:12,000

Figure 7:Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



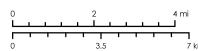
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PR-RGRW-01028



Critical Habitat



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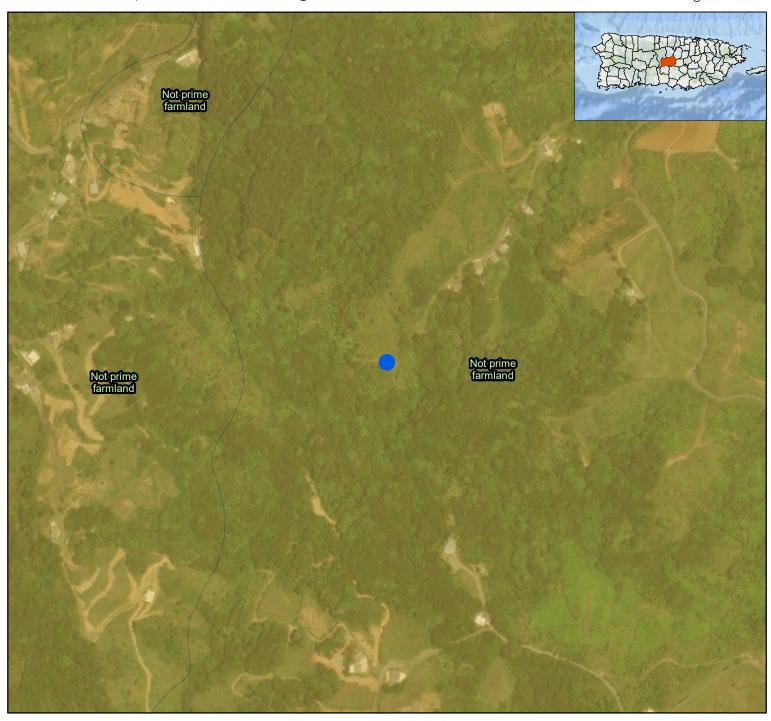


Source

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

Figure 8: Farmland Protection Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



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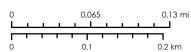


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Farm Class



Not prime farmland



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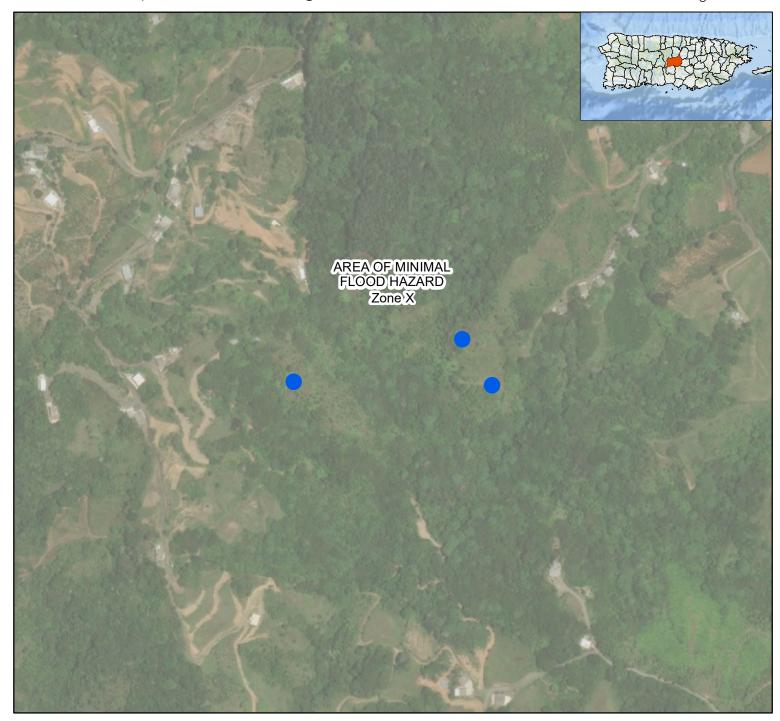


Source

National Resources Conservations 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

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



Legend:



PR-RGRW-01028



Area of Minimal Flood Hazard Zone X



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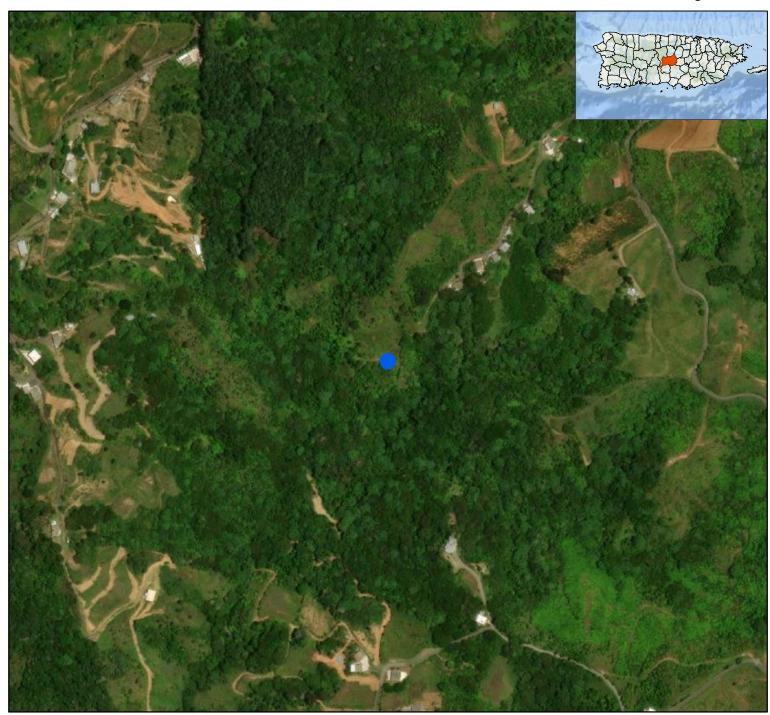


Source

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

Figure 10: Historic Preservation Map Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



Legend:



PR-RGRW-01028



Traditional Urban Center



Archaeological Resource Zones

Cultural Resourses - Public Plaza



Cultural Resourses - Registry ICP



Cultural_Resourses - Historic Places JP



Cultural_Resourses - Scenic Places



Cultural_Resourses - Cultural Value Places

Cultural_Resourses - Railway Vestiges



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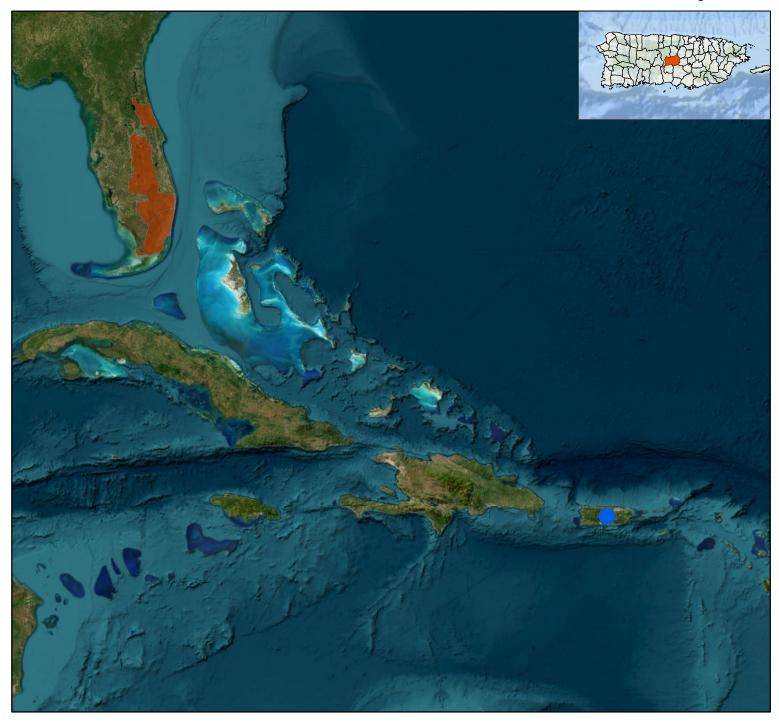


Source

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

Figure 11: EPA Sole Source Aquifers Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



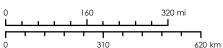
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PR-RGRW-01028



EPA Sole Source Aquifers



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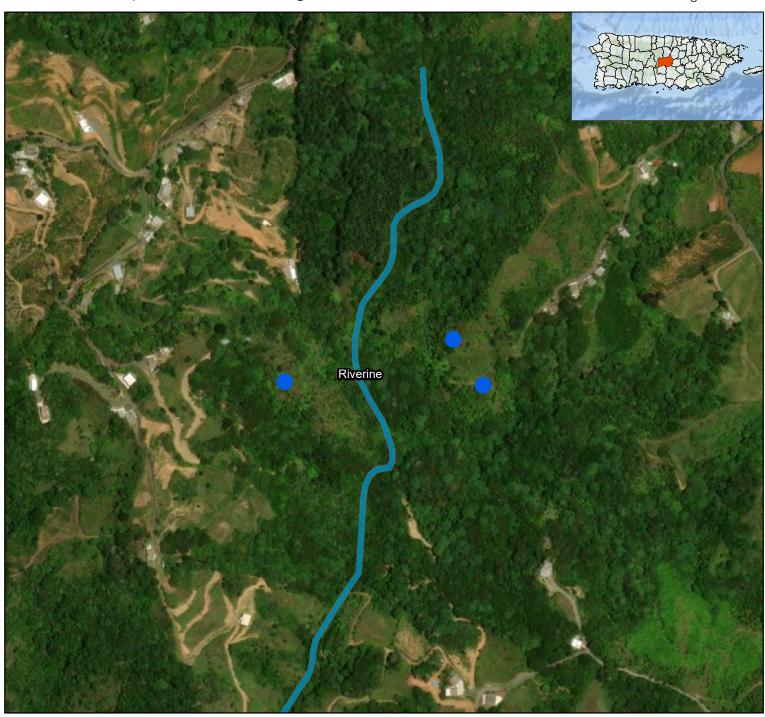


Source

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

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



Legend:

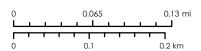


PR-RGRW-01028

National Wetlands Inventory



Riverine



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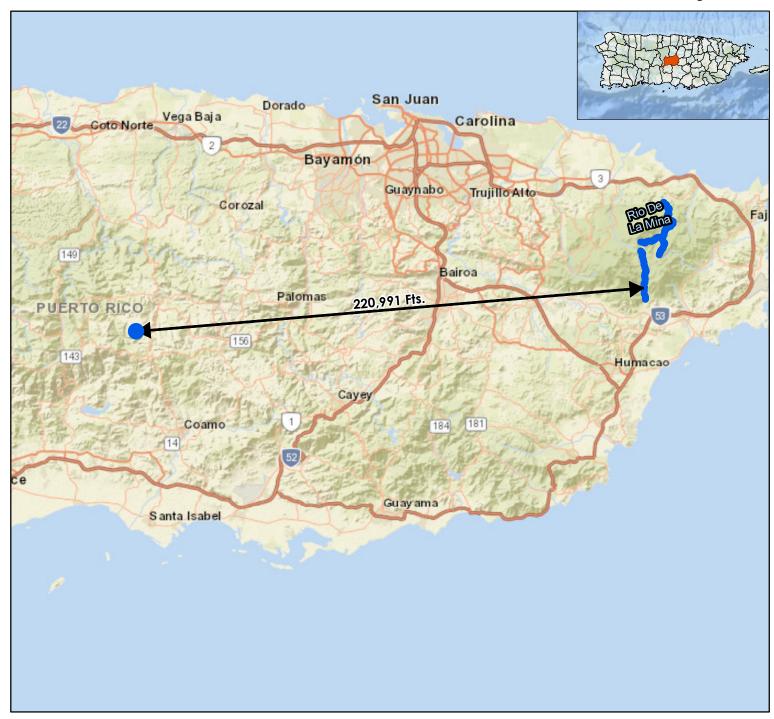


Source

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

Figure 13: Wild and Scenic Rivers Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589



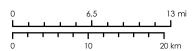
Legend:



PR-RGRW-01028



Wild and Scenic Rivers



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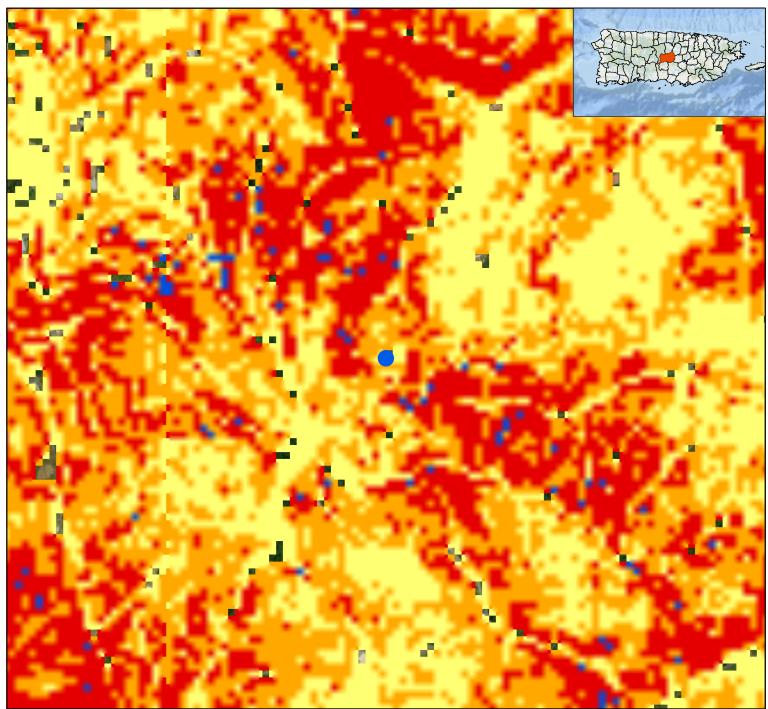


Source

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

Figure 14: Landslide Susceptibility Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589





PR-RGRW-01028

Low

High

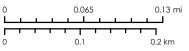
Very High

Extremely High

Moderate

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

Source



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
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Appendix 1: SHPO Consultation Package



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Wednesday, June 26, 2024

Lauren B Poche

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

SHPO-CF-06-07-24-03 PR-RGRW-01028 (Orocovis), Jose I Colón Garcia

Ms. Poche,

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

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

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

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

only afartis

CARC/GMO/ OJR







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 June 7, 2024

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-01028 – José I Colón García – Carretera 155, Ramal 566, km 1.7, Bo. Saltos, Orocovis, 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 were 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 José I Colón García. located at Carretera 155, Ramal 566, km 1.7, Bo. Saltos, in the municipality of Orocovis. The undertaking for this project consists of the repair of an existing 30 x 20 feet storage building (ca. 1990) and the land conditioning of approximately 5 acres. For the existing building, the roof will be repaired with wood and zinc and windows, and two doors will be installed. The purpose of the storage repair is to serve as a warehouse where agricultural equipment will be stored. The work to be done on the structure is reparation and installation of the roof, windows, and doors. No water or power connection will be necessary for the storage. The land conditioning activity includes the cleaning and plowing of 5 acres. These activities involve removing any existing vegetation, rocks, or debris from the proposed planting area and leveling the ground to ensure proper accessibility. Perhaps heavy machinery will be used for the proposed work.

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

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

Januar B. Pocke

Kindest regards,

Lauren Bair Poche, M.A. Architectural Historian, EHP Senior Manager LBP/JLE

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: José I Colón García	
Case ID: PR-RGRW-01028	City: Orocovis

Project Location: Carr 155, Ramal 566, Km 1.7, Bo. Saltos, Orocovis, PR 00720

Project Coordinates: 18.196144 -66.420589

TPID (Número de Catastro): 245-000-007-05-000

Type of Undertaking:

□ Substantial Repair/Improvements

☑ New Construction

Construction Date (AH est.): ca. 1990

Property Size (acres): 26.2

SOI-Qualified Archaeologist: Jaqueline López Meléndez

Date Reviewed: March 19, 2024

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

Project Description (Undertaking)

The proposed activities for PR-RGRW-01028 consist of the repair of an existing 30 x 20 feet storage and the land conditioning of approximately 5 acres. For the existing storage, the roof will be repaired with wood and zinc and windows and two doors will be installed. The purpose of the storage repair is to serve as a warehouse where agricultural equipment will be stored. The work to be done on the structure is reparation and installation of the roof, windows and doors. According to the previous owner of the land, the current structure was constructed in the early 1990s, meaning it's been standing for under 45 years. No water or power connection will be necessary for the storage, although power (LUMA) infrastructure exists close to the warehouse, but the power meter was stolen. The land conditioning activity includes the cleaning and plowing of 5 acres. These activities involve removing any existing vegetation, rocks, or debris from the proposed planting area and leveling the ground to ensure proper accessibility. Perhaps heavy machinery will be used for the proposed work. Land conditioning is to prepare the area to plant plantain and orange trees. Land Conditioning area 1, situated on a sloping terrain exhibits an irregular topography, with grass, shrubs and trees. Meanwhile, the second area presented challenges to get there due to dense vegetation and a small creek dividing the parcel. Land Conditioning area 2, shares the same characteristics of a sloping landscape with abundant shrubs and trees. The storage repair and the land conditioning will require ground disturbance. The project area is located at Carr 155 Ramal 566 km. 1.7 within the

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM	
REGROW PUERTO RICO PROGRAM	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Section 106 NHPA Effect Determination	
Applicant: José I Colón García	' '
Case ID: PR-RGRW-01028	City: Orocovis

Municipality of Orocovis. Based on a review of historical aerial imagery, the general area has been used for plantain harvesting purposes since approximately 1995.

Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the storage repair and land conditioning 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 three (3) Pre-Columbian archaeological sites reported within 0.50 miles of the project location: OR-3 and OR-4 (SHPO: OR0100006) located 0.31 miles southwest; OR-9 (SHPO: OR0100011) located 0.29 miles southeast and 561, Orocovis #10 (ICP: OR-10) located 0.27 miles southwest (see table). The proposed project is located in a mountainous area at an altitude of 2,657 to 2,854 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Naranjito and Maricao. The project area APE is in NaF and MoF. The closest freshwater source is an unnamed creek, located 0.10 miles west of the project area. The south coast is approximately 14.32 miles (23.04 km) from the project area.

There are no cultural resource studies within a half-mile radius of the property.

The project area is located in the mountainous area of Orocovis with irregular topography.

In the project area we have Naranjito silty clay loam 40 to 60 percent slopes (NaF) in the western part. This is a steep and very steep, well drained soils on strongly dissected uplands. Permeability is moderated, runoff is rapid, and erosion is a hazard. The Naranjito series consists of clayed soils that are moderately deep, well drained, and have a B horizon of reddish brown and yellowish red clay. In the eastern part we have Maricao clay soils, 20 to 60 percent slopes (MoF). This is a steep to very steep, well-drained soil on side slopes and narrow hilltops of the strongly dissected uplands. Permeability and the available water capacity are moderate. Runoff is very rapid, and erosion is a hazard. This soil is difficult to

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM	
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work because it is steep to very steep and because of the stickiness and plasticity of the clay.

Identification of Historic Properties - Architecture

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is not within the boundaries of the National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center / Historic District.

The project area is in a rural and mountainous area of Orocovis with abundant vegetation. The area directly around the existing building consists of grass and small bushes. It is located on a slight slope. The existing structure to be repaired is made of concrete with no doors or windows. The building appears in a 1995 aerial image but is absent from a 1985 aerial image. It is likely, based on information gathered in the field and through the review of aerials, the building was constructed ca. 1990. This structure is modern and does not meet the requirements to be eligible for listing on the National Register of Historic Places.

Determination

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that project actions will not affect historic properties that compose the Area of Potential Effect. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within or adjacent to the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-01028 is located. The closest freshwater body is approximately 0.10 miles west of the project area. The construction of public roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM	
REGROW PUERTO RICO PROGRAM	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Section 106 NHPA Effect Determination	
Applicant: José I Colón García	
Case ID: PR-RGRW-01028	City: Orocovis

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

State Historic Preservation Officer

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

following determination is appropriate for the undertaking (Choo	ose Onej:
□ No Adverse Effect	
Condition (if applicable):	
□ Adverse Effect	
Proposed Resolution (if appliable)	
This Section is to be Completed by SHPO Star	ff Only
The Puerto Rico State Historic Preservation Office has reviewe and:	d the above information
☐ Concurs with the information provided.	
□ Does not concur with the information provided.	
Comments:	
Carlos Rubio-Cancela	

Date:

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM	COVERNMENT OF HIRR TO RICO
Section 106 NHPA Effect Determination	DEPARTMENT OF HOUSING
Applicant: José I Colón García	
Case ID: PR-RGRW-01028	City: Orocovis

Case ID: PR-RGRW-01028

Project Coordinates: 18.196144, -66.420589

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)
OR-3 y OR-4/ Saltos	OR0100006	-	0.31 mi SW	Pre-Columbian site, Batey Plaza Pre-Columbian ceramic Chicoide and Capá style	No data
OR-9	OR0100011 - 0.29 mi SE		Pre-Columbian site, Batey Plaza	No data	
561 Orocovis #10	-	OR-10	0.27 mi SW	Pre-Columbian site Batey	No data

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

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/ Direction
None	-	-	-	-	-

Applicant: José I Colón García	
Case ID: PR-RGRW-01028	City: Orocovis

Project (PR-RGRW-01028) Location – Area of Potential Effect Map (Aerial)

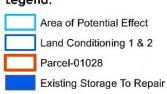


Application ID: PR-RGRW-01028

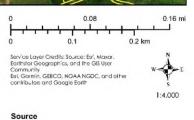
Jose I Colón Garcia Carr 155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000

Area of Potential Effect Puerto Rico Department of Housing ReGrow





CRIM Parcels



Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.cr/mpr.net/cdprpc/



Section 106 NHPA Effect Determination

Case ID: PR-RGRW-01028 City: Orocovis

Project (PR-RGRW-01028) Location - Aerial Map



Application ID: PR-RGRW-01028

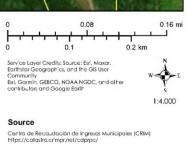
Jose I Colón Garcia Carr 155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: See Below. Long: See Below

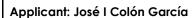
Location: Aerial MapPuerto Rico Department of Housing ReGrow





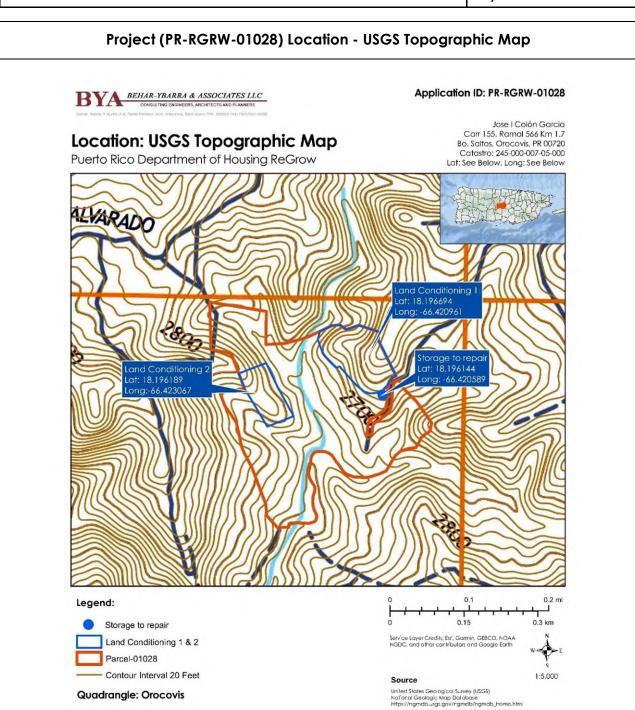














Case ID: PR-RGRW-01028 City: Orocovis

Project (PR-RGRW-01028) Location – Soils Map



Application ID: PR-RGRW-01028

Jose I Colón Garcia Carr 155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144. Long: -66.420589

Soils MapPuerto Rico Department of Housing ReGrow

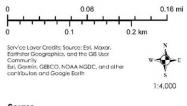


Legend:



Soil Map Unit Symbol

MoF - Maricao clay, 20 to 60 percent slopes NaF - Naranjito silty clay loam, 40 to 60 percent slopes



Source

Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.crimpr.net/catprpc/



Case ID: PR-RGRW-01028 City: Orocovis

Project (PR-RGRW-01028) Location with Previous Investigations - Aerial Map



Application ID: PR-RGRW-01028

Previous Investigations: Aerial MapPuerto Rico Department of Housing ReGrow

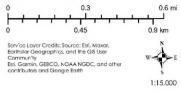
Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144. Long: -66.420589





PR-RGRW-01028

0.5 Mile (0.8Km) Buffer Parcel-01028



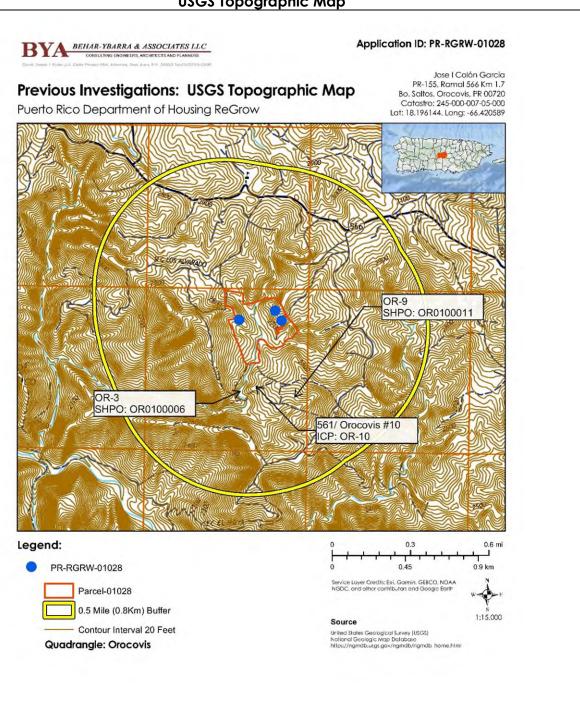
Source

Centro de Recaudación de Ingresos Municipa es (CRIM) https://catastro.cr/mpr.net/cdprpc/

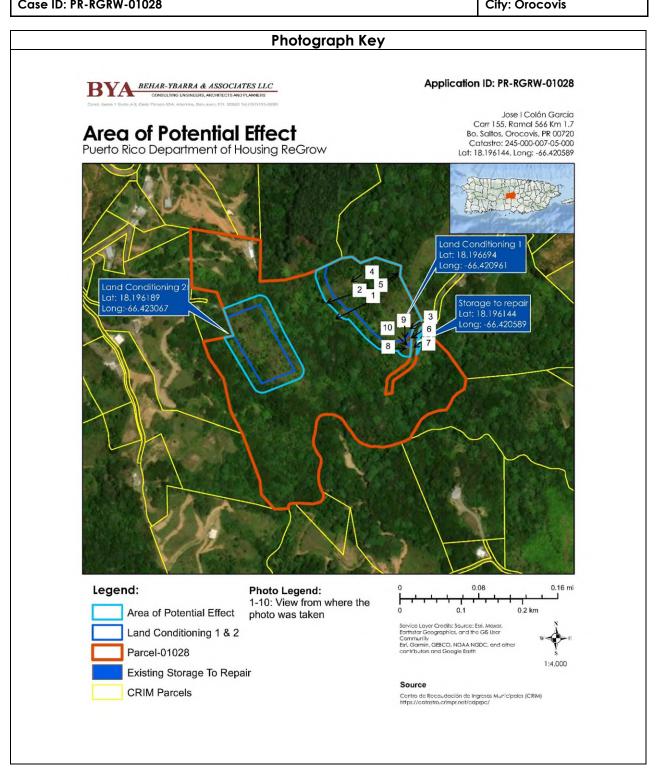


Case ID: PR-RGRW-01028 City: Orocovis

Project (PR-RGRW-01028) Location with Previously Recorded Cultural Resources USGS Topographic Map



Care ID: DD DCDW 01020	City Orogovia
Applicant: José I Colón García	' 1
Section 106 NHPA Effect Determination	
REGROW PUERTO RICO PROGRAM	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM	



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination



Applicant: José I Colón García

Case ID: PR-RGRW-01028 City: Orocovis



Photo #: 1

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 2), looking southwest. This area presented challenges to get there due to dense vegetation and a small creek dividing the parcel.



Photo #: 2

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 2), looking southwest. This area presented challenges to get there due to dense vegetation and a small creek dividing the parcel.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination



Applicant: José I Colón García

Case ID: PR-RGRW-01028 City: Orocovis



Photo #: 3

Date: March 18, 2024

Description (include direction): Path on the area where the land will be conditioned (Area 1), looking southwest.



Photo #: 4

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 1), looking southwest.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination



Applicant: José I Colón García

Case ID: PR-RGRW-01028 City: Orocovis



Photo #: 5

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 1), looking northwest.



Photo #: 6

Description (include direction): Existing storage, looking southwest.

Date: March 18, 2024

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination



Applicant: José I Colón García

Case ID: PR-RGRW-01028 City: Orocovis



Photo #: 7

Date: March 18, 2024

Description (include direction): Left side of the existing storage, looking southwest.



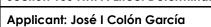
Photo #: 8

Date: March 18, 2024

Description (include direction): Back of the existing storage, looking east.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination



Case ID: PR-RGRW-01028 City: Orocovis



Photo #: 9

Date: March 18, 2024

Description (include direction): Right side of the existing storage, looking south.

GOVERNMENT OF PUERTO RICO



Photo #: 10

Date: March 18, 2024

Description (include direction): Interior of the existing storage, looking southeast.







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 μ g/m 3) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:	
PUERTO RICO 🕶	GO

Important Notes

Important I	Notes		Download	National Datas	et: dbf xls	Data	dictionary	(PDF)
	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
PUERTO	RICO							
Municipio	(2008)	Arecibo, PR	11 12 13 14 15 16 17 18 19 20 21 22 23	//		Part	32,185	72/013
Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021
Catana	Sulfur	C T	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10	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
Calinas	Sulfur	Guayama- Salinas, PR	181920212223	//		Part	23,401	72/123
Con Isson	Sulfur	San Juan, PR	181920212223	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	52,441	72/137

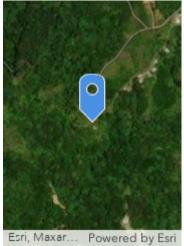
Discover. Connect, Ask.





	APPLICAN ⁻	T/LOCATION INFORMATION
Applicant ID:	PR-RGRW-01028	NIN Y DE
Name:	Jose I Colon García	
Parcel ID:	245-000-007-05-000	5 50 0
Latitude:	18.196144	The way
Longitude:	-66.420589	Saltor
Elevation:	847.1929836349349	S 5 0 3
Development		
Street Address:	Carr 155 Ramal 566 Km 1 Hm 7 Bo. Saltos	
Municipio:	Orocovis	A COLLEGE MY
Zip Code:	00720	
Site Inspector:	Yazmin Acevedo	Drocovis 2
Date of Visit:	March 2, 2024	Esri, HERE, Powered
Time of Visit:	16:34	LSII, FIERL, Fowered





Esri,	HERE,	Powered by Esri	Esri, Maxar	Powered

FIELD OBSERVATIONS					
	Question	Answer	Notes		
Is there evidence of damage from Hurricane Irma and/or Maria?		Yes			
2.	Is the structure occupied?	No			
3.	Are utilities connected?	No			
4.	Are there signs of poor housekeeping? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandon vehicles, pits/ponds/pools of hazardous substances, etc.)	Yes	The existing warehouse has debris from the impact of Hurricane Maria.		
5.	Are there any 55 gallon drums visible on site?	No			
	Are any of the drums leaking?	No			
6.	Are there any (or signs of any) underground storage tanks?	No			
7.	Are there any ASTs on the parcel or an adjacent parcel?	No			
	List the approximate size and contents (if known).	N/A			
8.	Is there any stained soil or pavement on the parcel?	No			
9.	Are there any groundwater monitoring wells on the site or adjacent place?	No			
10.	Is there evidence of a faulty septic system?	No			
11.	Is there distressed vegetation on the parcel?	No			
12.	Is there any visible indication of mold?	Yes			
13.	Is there any visible evidence of asbestos; chipping, flaking or peeling paint; or hazardous materials present in or on the structure?	No			
14.	Are any additional site hazards observed?	No			
15.	Is there any permanent standing water, such as a pond or stream, located on or immediately adjacent to the site (do not include ponding from recent rain/weather events)?	No			
16.	Does the subject property have water frontage?	No			
17.	Is there any indication of the presence of Wetlands?	No			
18.	Are there any obvious signs of animals or birds nesting on or near the site?	No			
19.	Is the applicant aware of any significant historical event, or persons associated with the structure, or of it being in a historic district/area?	No			
20.	Is there a historic marker present?	No			

Front of Structure

Photo Direction: South

Comments: Front view of the existing warehouse.



Facing Away from Front

Photo Direction: N/A

Comments: Warehouse Facing away from front view. Partial view of the proposed area # 1 to be conditioning.



Side #1 of Structure

Photo Direction: Southwest

Comments: Warehouse Side #1 (Left side) view



Facing Away From Side #1

Photo Direction: South

Comments: Warehouse Facing away from Side #1 (Left side) view



Back of Structure

Photo Direction: East

Comments: Warehouse Back of Structure view



Facing Away from Back

Photo Direction: Southeast

Comments: Warehouse facing away from Back of Structure view



Side #2 of Structure

Photo Direction: South

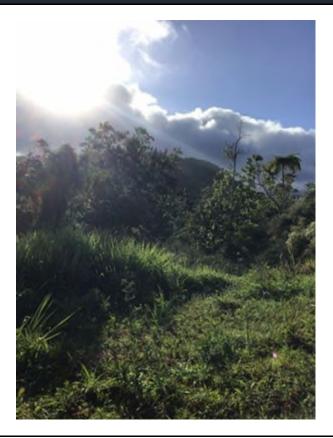
Comments: Warehouse Side #2 (Right side) view



Facing Away from Side #2

Photo Direction: West

Comments: Warehouse Facing Away from Side #2 (Right side) view



Streetscape #1

Photo Direction: Northeast

Comments: Access to the warehouse.



Streetscape #2

Photo Direction: Southeast

Comments: Interior of the warehouse.





Address				
Photo Direction: N/A				
Comments:				

Photo Direction: N/A

Photo Description: Interior of the warehouse.



Evidence Photo 2

Photo Direction: N/A

Photo Description: Interior of the warehouse.



Photo Direction: Northeast

Photo Description: Interior of the warehouse.



Evidence Photo 4

Photo Direction: Southeast

Photo Description: Existing condition of the warehouse exterior wall.



Photo Direction: Southeast

Photo Description: Evidence of existing power (Luma) infrastructure



Evidence Photo 6

Photo Direction: South

Photo Description: Location of the power meter that was stolen from the property.



Photo Direction: N/A

Photo Description: Area #1 to be conditioning.



Evidence Photo 8

Photo Direction: N/A

Photo Description: Area #1 to be conditioning.



Photo Direction: N/A

Photo Description: View from Area # 1 to be conditioning toward the storage.



Evidence Photo 10

Photo Direction: N/A

Photo Description: Existing trees in area #1 to be conditioninig.



Photo Direction: N/A

Photo Description: View of area # 2 to be conditioning from the hill of area #1.



Evidence Photo 12

Photo Direction: N/A

Photo Description: View of area # 2 to be conditioning and existing pathway and second access to the parcel.





EJScreen Community Report

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

Orocovis Municipio, PR

1 mile Ring Centered at 18.196143,-66.420588
Population: 1,273
Area in square miles: 3.14

People of color:

100 percent

income

Low income:

80 percent

expectancy



COMMUNITY INFORMATION

Less than high

school education:

ouseholds:

361

Limited English

households:

occupied:

72 percent

Esri, HERE, Garmin, (c) OpenStreetMap contributors and the GE user community, Esri, HERE, Garmin GeoTechnologies Inc 115GS

LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	1%
Spanish	99%
Total Non-English	99%

BREAKDOWN BY RACE



From Ages 1 to 4	4%
From Ages 1 to 18	19%
From Ages 18 and up	81%
From Ages 65 and up	13%

LIMITED ENGLISH SPEAKING BREAKDOWN



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

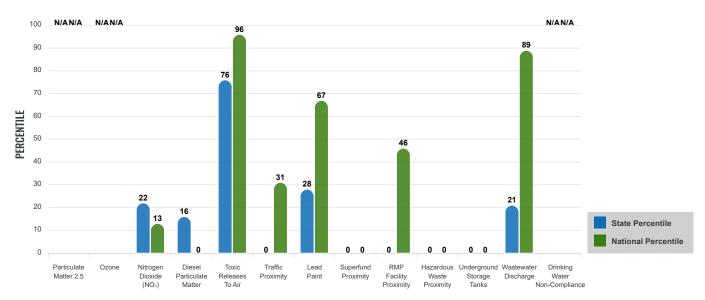
The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations 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



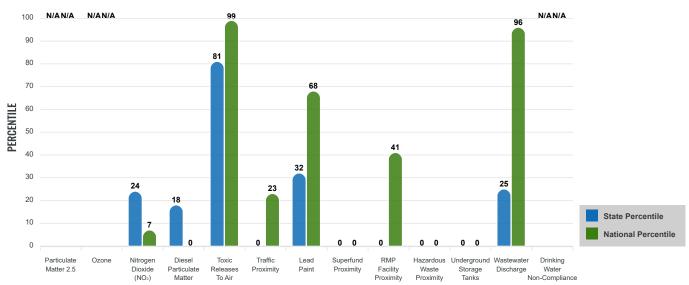


SUPPLEMENTAL INDEXES

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 18.196143,-66.420588

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
ENVIRONMENTAL BURDEN INDICATORS					
Particulate Matter 2.5 (µg/m³)	N/A	N/A	N/A	8.45	N/A
Ozone (ppb)	N/A	N/A	N/A	41	N/A
Nitrogen Dioxide (NO ₂) (ppbv)	2.3	5.5	21	7.8	3
Diesel Particulate Matter (µg/m³)	0.0158	0.0618	15	0.191	0
Toxic Releases to Air (toxicity-weighted concentration)	1,600	4,300	73	4,600	68
Traffic Proximity (daily traffic count/distance to road)	20,000	1,100,000	0	1,700,000	7
Lead Paint (% Pre-1960 Housing)	0.034	0.16	27	0.3	23
Superfund Proximity (site count/km distance)	0	0.23	0	0.39	0
RMP Facility Proximity (facility count/km distance)	0.035	0.66	0	0.57	0
Hazardous Waste Proximity (facility count/km distance)	0	1.2	0	3.5	0
Underground Storage Tanks (count/km²)	0	0	0	3.6	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	53	670000	22	700000	50
Drinking Water Non-Compliance (points)		N/A	N/A	2.2	N/A
SOCIOECONOMIC INDICATORS					
Demographic Index USA	3.46	N/A	N/A	1.34	98
Supplemental Demographic Index USA	4.71	N/A	N/A	1.64	99
Demographic Index State	4.95	4.63	62	N/A	N/A
Supplemental Demographic Index State	3.18	2.72	70	N/A	N/A
People of Color	100%	97%	31	40%	98
Low Income	80%	70%	60	30%	97
Unemployment Rate	37%	14%	93	6%	99
Limited English Speaking Households	82%	66%	79	5%	99
Less Than High School Education	29%	20%	74	11%	91
Under Age 5	4%	3%	68	5%	46
Over Age 64	13%	23%	17	18%	39

*Diesel particulate matter index is 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. More information on the Air Toxics Data update can be found at: <a href="https://pix/bushpea/air-poxies-data-updates-data-upd

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

Report for 1 mile Ring Centered at 18.196143,-66.420588

Other community features within defined area:

Schools		 	 	 	1
Hospital	s	 	 	 	0
Places o	f Worship .	 	 	 	0

Other environmental data:

ir Non attainment	No	
ir Non-attainment	NU	
anairad Watare	Vac	

EJScreen Environmental and Socioeconomic Indicators Data

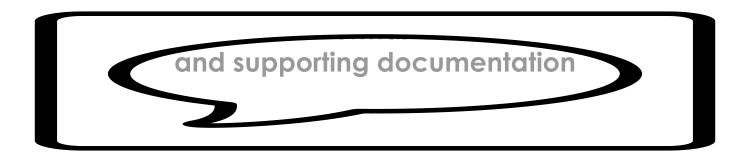
HEALTH INDICATORS							
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE		
Low Life Expectancy	N/A	N/A	N/A	20%	N/A		
Heart Disease	N/A	N/A	N/A	5.8	N/A		
Asthma	N/A	N/A	N/A	10.3	N/A		
Cancer	N/A	N/A	N/A	6.4	N/A		
Persons with Disabilities	21.7%	22.7%	44	13.7%	89		

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	25%	29%	47	13%	85		
Lack of Health Insurance	1%	7%	2	9%	6		
Housing Burden	No	N/A	N/A	N/A	N/A		
Transportation Access Burden	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 18.196143,-66.420588 Report produced using EJScreen







United States Department of the Interior

FISH AND WILDLIFE SERVICE

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



In Reply Refer to: FWS/R4/CESFO/72107-Gen

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

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

Re: CDBG-DR PR-RGRW-01028 José I. Colón García, Orocovis, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated August 02, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the repair of an existing storage (30 feet (FT) x 20 FT) and conditioning of approximately 5 acres of land to be used to plant plantains and orange trees. The project area is located on State Road PR-155, Ramal 566, Km 1.7, Bo. Saltos (18°11'46.1"N 66°25'14.1"W) in the municipality of Orocovis. The proposed scope of work (SOW) consist of the following:

Storage Repair:

- Roof repair with wood and zinc.
- Installation of windows and two doors.

Land Conditioning:

- Cleaning and plowing of 5 acres by removing any existing vegetation (grass, shrubs and trees), rocks, or debris from the proposed planting area. Heavy machinery will be used for this SOW.
- Level the ground.

Using the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus*

Mr. Pérez-Bofill

brunnescens), Puerto Rican sharp-shinned hawk (Accipiter striatus venator) and Puerto Rican parrot (Amazona vittata).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0064384). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa, Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk which determined that the proposed actions for this project may affect, but is not likely to adversely affect (NLAA) these species.

As for the Puerto Rican parrot, since vegetation removal is expected, PRDOH has determined that the proposed project actions may affect, but is not likely to adversely affect this species. Conservation measures will be implemented.

We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican parrot with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA consistency letter for the Puerto Rican broad-winged hawk, Puerto Rican boa and Puerto Rican sharp-shinned hawk.

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

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



drr cc: SWCA HUD DNER



July 30, 2024

Lourdes Mena
Field Supervisor
Caribbean Ecological Services Field Office
U.S. Fish and Wildlife Service
Office Park I, Suite 303
State Road #2 Km 156.5
Mayagüez, Puerto Rico 00680
Email: Caribbean es@fws.gov; Lourdes Mena@fws.gov

RE: Informal Consultation for Case PR-RGRW-01028 at Carr 155, Ramal 566, Km 1.7, Bo. Saltos, Orocovis, PR 00720.

Dear Ms Mena:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-01028, located at coordinates for the land conditioning: latitude 18.196144, longitude -66.420589; on Carr 155, Ramal 566, Km 1.7, Bo. Saltos, Orocovis, PR 00720, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-01028 consist of the repair of an existing 30 x 20 feet storage and the land conditioning of approximately 5 acres. For the existing storage, the roof will be repaired with wood and zinc and windows, and two doors will be installed. The purpose of the storage repair is to serve as a warehouse where agricultural equipment will be stored. The work to be done on the structure is reparation and installation of the roof, windows and doors. According to the previous owner of the land, the current structure was constructed in the early 1990s, meaning it's been standing for under 45 years. No water or power connection will be necessary for the storage, although power (LUMA) infrastructure exists close to the warehouse, but the power meter was stolen. The land conditioning activity includes the cleaning and plowing of 5 acres. These activities involve removing any existing vegetation, rocks, or debris from the proposed planting area and leveling the ground to ensure proper accessibility. Perhaps heavy machinery will be used for the proposed work. Land conditioning is to prepare the area to plant plantain and orange trees. Land Conditioning area 1, situated on a sloping terrain exhibits an irregular topography, with grass, shrubs and trees. Meanwhile, the second area presented challenges to get there due to dense vegetation and a small creek dividing the parcel. Land Conditioning area 2, shares the same characteristics of a sloping landscape with abundant shrubs and trees. The storage repair and the land conditioning will require ground disturbance. The project area is located at Carr 155 Ramal 566 km. 1.7 within the Municipality of Orocovis. Based on a review of historical aerial imagery, the general area has been used for plantain harvesting purposes since approximately 1995. The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the repair of the existing storage and the land conditioning, see Figure 3: Area of Potential Effect.



Existing Conditions and Trends:

For the proposed project parcel 245-000-007-05-000, the area is designated as not prime farmland. The project area is located in the mountainous area of Orocovis with irregular topography. The two areas where the land will be conditioned have dense vegetation and some slopes throughout the parcel, refer to Photo 1 to 4. The area for the proposed storage to be repaired is on a slight slope but the ground where the storage is already located is flat, refer to Photo 5 and 6. In the project area we have Naranjito silty clay loam 40 to 60 percent slopes (NaF) in the western part. This is a steep and very steep, well drained soils on strongly dissected uplands. The land has been used for agricultural uses for more than 20 years and the proposed project will not change the land use associated with these placements. The closer Final Critical Habitat is located 57,701 feet from the project location, see Figure 5: Critical Habitats Map. There is an unnamed creek that crosses the middle of the parcel, see Figure 6: Wetlands Map.

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

Name of species	Threatened/Endangered/Candidate				
Reptiles					
Puerto Rican boa (Chilabothrus inornatus)	Endangered				
Birds					
Puerto Rican Broad-winged Hawk (Buteo	Endangered				
platypterus brunnescens)					
Puerto Rican Parrot (Amazona vittata)	Endangered				
Puerto Rican Sharp-shinned Hawk (Accipiter	Endangered				
striatus venator)					
Critical Habitat					
There are no critical habitats within the project area.					

The nature of the project, scope of work, information available, a careful analysis of the IpaC (dated March 18, 2024), the Puerto Rico Boa conservation measures, the Caribbean Dkey dated April 25, 2024, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "May Affect, but is Not Likely to Adversely Affect" (NLAA) determination on the Puerto Rican Boa, Puerto Rican Broad-winged Hawk and Puerto Rican Sharp-shinned Hawk, see Exhibit B. Based on the provided information and the observations in the field visit it was determined that the proposed action will have NLAA for the Puerto Rican Parrot due to the removal of vegetation. The land conditioning activity includes removing any existing vegetation, rocks, or debris from the proposed planting area and leveling the ground to ensure proper accessibility.



Name of the species	Effect Determination	Conservation Measures that				
		will be implemented				
Puerto Rican boa (Chilabothrus	May Affect, but is Not	USFWS Boa Conservation				
inornatus)	Likely to Adversely	measures (Revised: January				
	Affect (NLAA)	2024)				
Puerto Rican Broad-winged Hawk	May Affect, but is Not	USFWS Puerto Rican Broad-				
(Buteo platypterus brunnescens)	Likely to Adversely	winged Hawk Conservation				
	Affect (NLAA)	Measures				
Puerto Rican Parrot (Amazona vittata)	May Affect, but is Not	USFWS Puerto Rican Parrot				
	Likely to Adversely	Conservation measures				
	Affect (NLAA)					
Puerto Rican Sharp-shinned Hawk	May Affect, but is Not	USFWS Puerto Rican Sharp-				
(Accipiter striatus venator)	Likely to Adversely	shinned Hawk Conservation				
	Affect (NLAA)	measures				
Critical Habitats						
There are no critical habitats within the project area.						

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



References:

Puerto Rican boa (Chilabothrus inornatus)

Species Profile: https://ecos.fws.gov/ecp/species/6628 USFWS Puerto Rican boa Conservation Measures https://ipac.ecosphere.fws.gov/project/DL2ACOXYA5ED5AXUNEIT4UZOTA/documents/g

enerated/7159.pdf

Puerto Rican broad-winged hawk (Buteo platypterus brunnescens)

Species Profile: https://ecos.fws.gov/ecp/species/5512

Puerto Rican Sharp-shinned Hawk (Accipiter striatus venator)

Species Profile: https://ecos.fws.gov/ecp/species/604

Puerto Rican Parrot (Amazona vittata)

Species Profile: https://ecos.fws.gov/ecp/species/3067



Exhibit A: Figures





Location: Aerial MapPuerto Rico Department of Housing ReGrow

Jose I Colón Garcia Carr 155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: See Below. Long: See Below

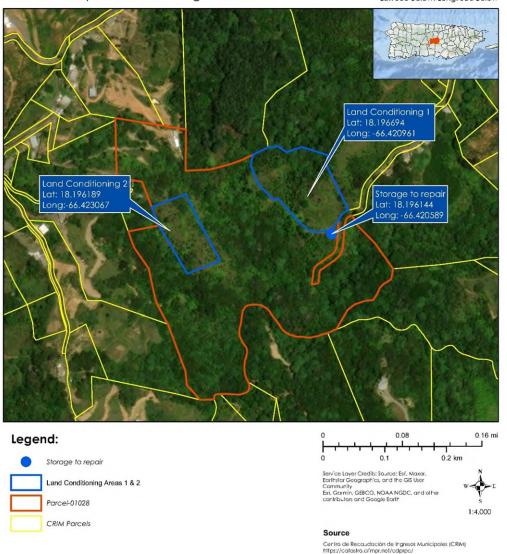


Figure 1: PR-RGRW-01028 Location Map



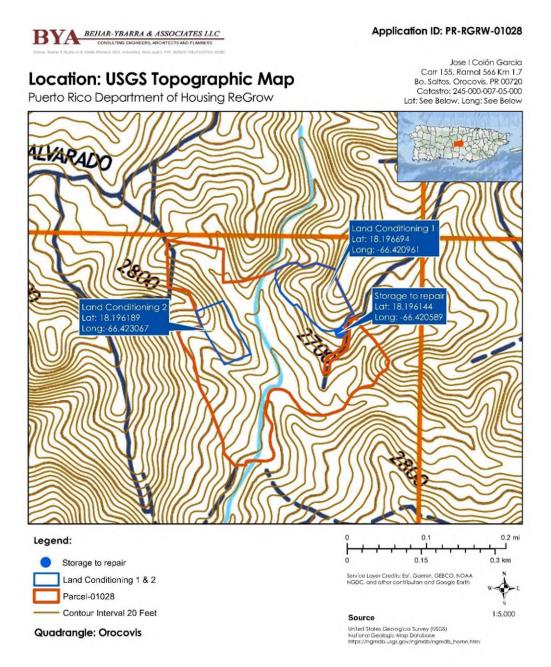


Figure 2: PR-RGRW-01028 Topographic Map





Area of Potential Effect
Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia Carr 155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144. Long: -66.420589

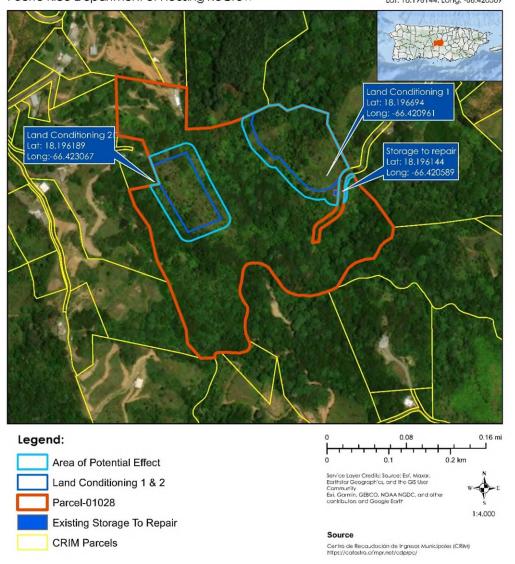


Figure 3: PR-RGRW-01028 Area of Potential Effect Map





Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589

Farmland Protection Puerto Rico Department of Housing ReGrow

Not prime (Seminar)

Not prime (Seminar)

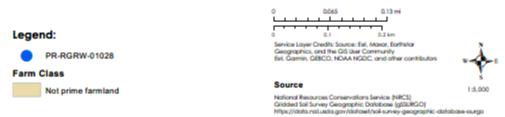


Figure 4: PR-RGRW-01028 Farmland Protection Map





Threatened & Endangered Species Puerto Rico Department of Housing ReGrow PR-155, Ramal 566 Km 1.7 Bo. Sallos, Orocovis, PR 00720 Lat: 18.196144 Long: -66.420589

Jose I Colón Garcia PR-155, Ramal 566 Km 1.7 Lat: 18.196144 Long: -66.420589

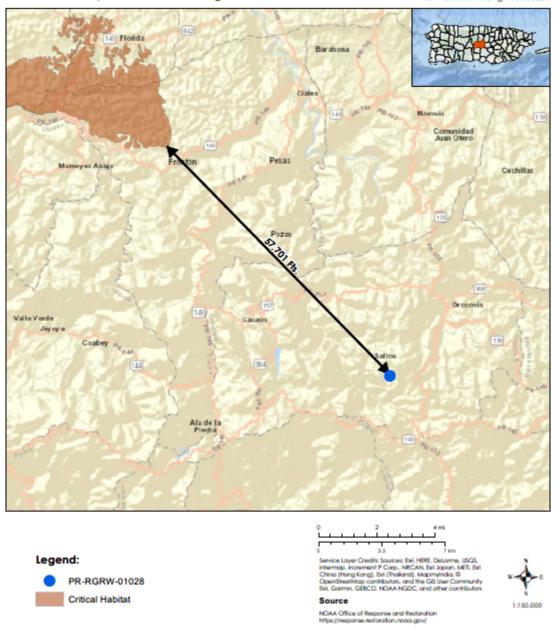


Figure 5: PR-RGRW-01028 Critical Habitats Map





Wetlands Map
Puerto Rico Department of Housing ReGrow

Jose I Colón Garcia PR-155, Ramal 566 K m 1.7 Bo. Saltos, Orocovis, PR 00720 Catastro: 245-000-007-05-000 Lat: 18.196144 Long: -66.420589

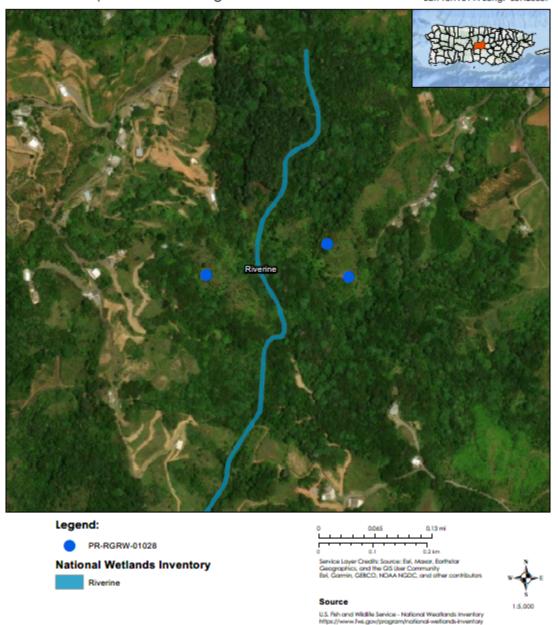


Figure 6: PR-RGRW-01028 Wetlands Map



Exhibit B: Information for Planning and Consultation (IPaC)



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Caribbean Ecological Services Field Office Post Office Box 491 Boqueron, PR 00622-0491 Phone: (939) 320-3135 Fax: (787) 851-7440

Email Address: <u>CARIBBEAN ES@FWS.GOV</u>

In Reply Refer To: 03/18/2024 19:18:17 UTC

Project Code: 2024-0064384 Project Name: PR-RGRW-01028

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

To Whom It May Concern:

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

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

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

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

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

Project code: 2024-0064384

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

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

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

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

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

Project code: 2024-0064384 03/18/2024 19:18:17 UTC

Attachment(s):

Official Species List

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office Post Office Box 491 Boqueron, PR 00622-0491 (939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0064384 Project Name: PR-RGRW-01028

Project Type: New Constr - Above Ground

Project Description: Project Description:

The proposed project includes the construction of storage repair and land

conditioning.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@18.19567395,-66.42175154408179,14z



Counties: Orocovis County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

Project code: 2024-0064384

There is a total of 4 threatened, endangered, or candidate species on this species list.

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

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

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

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Project code: 2024-0064384 03/18/2024 19:18:17 UTC

BIRDS

NAME STATUS

Puerto Rican Broad-winged Hawk Buteo platypterus brunnescens

Endangered

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5512

Puerto Rican Parrot Amazona vittata

Endangered

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3067

Puerto Rican Sharp-shinned Hawk Accipiter striatus venator

Endangered

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/604

REPTILES

NAME STATUS

Puerto Rican Boa Chilabothrus inornatus

Endangered

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628

General project design guidelines:

https://ipac.ecosphere.fws.gov/project/XFOCT4RXNRFQJP4L5HFZWOY3UM/documents/generated/7159.pdf

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.

Project code: 2024-0064384 03/18/2024 19:18:17 UTC

IPAC USER CONTACT INFORMATION

Agency: Private Entity Name: Egon Gonzalez

Address: Calle 37 GG1 Jardines De Caparra

City: Bayamon

State: PR Zip: 00959

Email egonadrian94@yahoo.com

Phone: 7874617368



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: <u>CARIBBEAN ES@FWS.GOV</u>

In Reply Refer To: 04/25/2024 12:51:40 UTC

Project code: 2024-0064384 Project Name: PR-RGRW-01028

Subject: Consistency letter for the project named 'PR-RGRW-01028' for specified threatened

and endangered species, that may occur in your proposed project location, pursuant to

the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On April 25, 2024, Egon Gonzalez used the Caribbean DKey; dated January 19, 2024, in the U.S. Fish and Wildlife Service's online IPaC application to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01028'. The project is located in Orocovis County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@18.19567395,-66.42175154408179,14z



The following description was provided for the project 'PR-RGRW-01028':

Project Description:

Project code: 2024-0064384

The proposed project includes the construction of storage repair and land conditioning.

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

Species	Listing Status	Determination
Puerto Rican Boa (Chilabothrus inornatus)	Endangered	NLAA
Puerto Rican Broad-winged Hawk (Buteo platypterus	Endangered	NLAA
brunnescens)		
Puerto Rican Sharp-shinned Hawk (Accipiter striatus	Endangered	NLAA
venator)		

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

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **975-140277998**

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

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

Puerto Rican Parrot Amazona vittata Endangered

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.

Project code: 2024-0064384

Action Description

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

1. Name

PR-RGRW-01028

2. Description

The following description was provided for the project 'PR-RGRW-01028':

Project Description:

The proposed project includes the construction of storage repair and land conditioning.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@18.19567395,-66.42175154408179,14z



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

No

Project code: 2024-0064384

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

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

Yes

11. Is the project area more than 1 acre?

Yes

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

No

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

Yes

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

Automatically answered

Yes

15. Will the proposed project implement the U.S. Fish and Wildlife <u>Puerto Rican boa Conservation Measures</u>?

Yes

- 16. Will the proposed project be conducted during the Puerto Rican sharp-shinned hawk or Puerto Rican Broad-winged hawk breeding season between December and July?

 No
- 17. If nests are detected within the project area, will the proposed project avoid any disturbance until fledging leaves the nest permanently?

Yes

18. Outside of the breeding season, in the event of a Sharp-shinned hawk nest encounter, would a buffer zone be implemented?

Note: The species or nests might be found out of the breeding season. A buffer zone is an area around the detected nests where no actions or activities can take place. The buffer zone should be clearly marked or delineated in the field and in the project plans.

Yes

19. Will the Fish and Wildlife Service and the Department of Natural Resources be notified immediately if a nest is detected?

Yes

Project code: 2024-0064384

20. Does the proposed project intersect the Puerto Rican sharp-shinned hawk area of influence?

Automatically answered

Yes

21. Does the proposed project intersect the Puerto Rican Broad-winged hawk area of influence?

Automatically answered

Yes

04/25/2024 12:51:40 UTC

IPAC USER CONTACT INFORMATION

Agency: Private Entity Egon Gonzalez Name:

Address: Calle 37 GG1 Jardines De Caparra

City: Bayamon

State: PR Zip: 00959

Email egonadrian94@yahoo.com

Phone: 7874617368



Exhibit C: Field Visit Photos





Photo #: 1

Date: March 18, 2024

Description (include direction): Path on the area where the land will be conditioned (Area 1), looking southwest.



Photo #: 2

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 1), looking southwest.





Photo #: 3

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 2), looking southwest. This area presented challenges to get there due to dense vegetation and a small creek dividing the parcel.



Photo #: 4

Date: March 18, 2024

Description (include direction): Area where the land will be conditioned (Area 2), looking southwest. This area presented challenges to get there due to dense vegetation and a small creek dividing the parcel.





Photo #: 5

Date: March 18, 2024

Description (include direction): Right side of the existing storage, looking south.



Photo #: 6

Date: March 18, 2024

Description (include direction): Interior of the existing storage, looking southeast.

Caribbean ES Puerto Rican Boa

Puerto Rican Boa

Generated April 18, 2024 02:58 PM UTC, IPaC v6.107.0-rc5



IPaC - Information for Planning and Consultation (https://ipac.ecosphere.fws.gov/): A project planning tool to help streamline the U.S. Fish and Wildlife Service environmental review process.

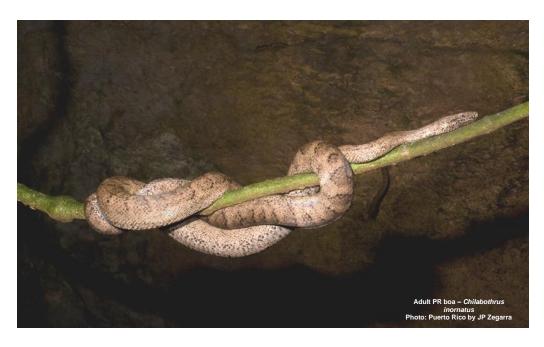


U.S. FISH AND WILDLIFE SERVICE CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE

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.
- 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 #s: (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
 - o Email: jose_cruz-burgos@fws.gov
 - o Office phone (305) 304-1386
- Jan Zegarra, Fish and Wildlife Biologist
 - o Email: jan_zegarra@fws.gov
 - o Office phone (786) 933-1451