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

### **Project Information**

Project ID: PR-RGRW-01677

Project Name: Juan A. Miranda Colon DBA Hacienda la Maruca

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Las Marías, PR

**Preparer:** Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officers:

Pedro de León Rodriguez, MSEM.

Consultant: Behar Ybarra & Associates LLC

**Project Location:** 

Carr 397 km 1.6, Bo. Furnias, Las Marías, PR 00670

Water Well location: latitude 18.235875, longitude -67.031760

Water Tank location: latitude 18.235782, longitude -67.031821

Parcel cadastral # 209-000-003-37-000

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

The proposed activities for PR-RGRW-01677, consist of installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). A DNER water permit and franchise will be acquired before building the well. The installation will require ground disturbance for the water tank foundation and the installation of the water well. The maximum estimated horizontal area of disturbance for new well drilling is approximately 5 feet in diameter. The project area is located at PR-397 km. 1.6 at parcel 209-000-0003-37 within the Municipality of Las Marías. Twenty acres are in fruit production like rambutan, pulasan, abiu and others. Based on a review of historical aerial imagery, the general area has been used for cultivation for the past 10 years.

The Program has determined that the direct Area of Potential Effect (APE) for this project is the location of the concrete base for the water tank and the 6 inches diameter water well installation plus a 15-meter buffer and the visual APE is the viewshed of the proposed project. The APE measures approximately 1,400 Square meters.

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

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

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

The existing area for the proposed water well and water tank is used for agricultural purposes. The proposed location for the water well is on the right side of an existing structure and the water tank will be on the back of the same structure. Therefore, there is no change in land use associated with these placements.

### **Funding Information**

Grant Number	HUD P	rogram	Funding Amount
B-18-DP-72-0001	Community	Development	\$11,938,162,230.00
B-17-DM-72-0001	Block	Grant-Disaster	
B-19-DP-78-0002	Recovery (CI	DBG-DR)	
B-18-DE-72-0001			

Estimated Total HUD Funded Amount: \$50,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$50,000.00.

### 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 REGULATI	ONS LISTED AT 24 CFR 58.6
Airport Hazards  24 CFR Part 51 Subpart D	Yes No	This project consists only of the installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well and will have no impact on any Airports. This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. The site is located 40,962 feet from the nearest civil airport (Eugenio Maria de Hostos Airport in Mayagüez) and 361,849 feet from the nearest military airport (Luis Muñoz Marin International Airport in San Juan). 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]  Flood Insurance	Yes No  Yes No	This project is not located in a CBRS Unit. The project is located 53,931 feet northeast of the nearest Coastal Barrier Resource System, PR-72. 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.  The project is located in a Zone X, Panel
Flood Disaster Protection Act of 1973 and National		72000C1010H, 4/19/2005 on the FEMA FIRM. The project does not require flood

Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]			insurance or is excepted from flood insurance. See attached Flood Map, Figure 4, and Figure 4.1.
STATUTES, EXECUTIVE ORDERS,	AND RE	GULATI	ONS LISTED AT 24 CFR 58.5
Clean Air  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes	No 🖂	This project consists only of the installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each country by year for all criteria pollutants in Appendix 2.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes	No	The project is located 79,365 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.
Contamination and Toxic Substances  24 CFR Part 58.5(i) (2)	Yes	No 🔀	This project consists of installing/constructing an 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural project. Onsite or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There are no sites of environmental concernidentified within 3,000 feet from the project site.  The project is in compliance with contamination and toxic substances

		requirements. See attached Toxics Map, Figure 6.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	This project will have No Effect on listed species due to the nature of the activities involved in the project. The project is 17,421 feet from the nearest proposed endangered species critical habitat. The scope of work includes continued agricultural use of the property with no intention to cut down trees. Additionally, the project has no critical habitats in the area. If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.  https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf This project is in compliance with the Endangered Species Act. See attached Endangered Species map, Figure 7.
Explosive and Flammable Hazards  24 CFR Part 51 Subpart C	Yes No	This project consists only of installing/constructing of a 18,000-gallon water tank and a new 6 inches diameter water well and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with this citation 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. All areas under the project site are not prime farmland. 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 project is located in Zone X, Panel 72000C1010H, 4/19/2005 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in compliance with Executive Order 11988. See attached Flood Map (Figure 9).
Historic Preservation  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No	The site was visited on April 12, 2023, by SOI-qualified archaeologist. Based on this definition and the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to the water well and tank. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated May 17, 2023, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance.
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 only of installing/constructing an 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with this citation 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 this citation without further evaluation.
Wetlands Protection  Executive Order 11990, particularly sections 2 and 5	Yes No	There is an unnamed creek approximately 300 feet from the project area. Therefore, the wetland will not be affected by the project undertaking. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 11.
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 a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The project is located 431,638 feet from the nearest Wild and Scenic River. See Map, Figure 12.
ENVIRONMENTAL JUSTICE		
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.

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

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

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

Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELOP	MENT	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed action is continued agricultural use of property which is compatible with a zoning code of NC (No Rated) and existing land use is SREP-A (Special Agricultural Protection). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. The landslide data indicates moderate to high landslide susceptibility, but no erosion is expected to occur from this project. The project will not affect the drainage in the area. There will be little to no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 13.
Hazards and Nuisances including Site Safety and Noise	2	There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project should not trigger any additional energy consumption since the project is an installation/construction a 18,000-gallon water tank and a new 6 inches diameter water well on an existing agricultural farm and will not require any expansion to existing power facilities.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONON	MIC	
Employment and Income Patterns		The project is not anticipated to have a significant impact on Employment and Income Patterns. However, since the project will include an economic component, it may aid in restoring some employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The proposed project will not alter the demographic characteristics of Las Marías, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FA	CILITIES A	AND SERVICES
Educational and Cultural Facilities	2	The project consists of the installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The proposed project may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The proposed project will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.

Wastewater / Sanitary Sewers	2	The purchase and installation of the water tank and water well is not expected to result in significant changes in wastewater or sanitary sewer generation. Wastewater from the project will not enter environmentally sensitive areas, nor will the project produce any noxious odors affecting the quality of life of nearby residents. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The proposed project will not require an additional water supply. No connections will be provided for potable water. A permit from the Puerto Rico Department of Natural and Environmental Resources (DNER) is required to be obtained for the water well. The proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The proposed project will have no impact to Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.  The 6" water well will be installed following the standards and regulations of the Puerto Rico

		Department of Natural and Environmental Resources (DNER). The Applicant must obtain a Water Well or Water Intake Construction Permit from the DNER prior the well construction.
Vegetation, Wildlife	2	The proposed project will occur in land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the water well and water tank but no negative impact on wildlife.
Climate Change	2	The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production.

Additional Studies Performed: Not applicable.

**Field Inspection** (Date and completed by): April 12, 2023, Jaqueline Lopez, SOI-Qualified Archaeologist

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

FAA, National Plan for Integrated Airport Systems: <a href="https://www.faa.gov/airports/planning\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf">www.faa.gov/airports/planning\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf</a>

John H. Chafee Coastal Barrier Resources System, Puerto Rico map. <a href="https://www.fws.gov/CBRA/Maps/Locator/PR.pdf">www.fws.gov/CBRA/Maps/Locator/PR.pdf</a>

National Park Service, National Registry of Natural Landmarks. <a href="https://www.nature.nps.gov/nnl/docs/NNLRegistry.pdf">www.nature.nps.gov/nnl/docs/NNLRegistry.pdf</a>

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

National Wild and Scenic Rivers System: <a href="https://www.rivers.gov/puerto-rico.php">www.rivers.gov/puerto-rico.php</a>

Puerto Rico Community Development Block Grant Disaster Recovery Action Plan, July 2018. <a href="https://www.cdbg-dr.pr.gov/en/action-plan/">www.cdbg-dr.pr.gov/en/action-plan/</a>

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: <a href="http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=9100UR51.txt">http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=9100UR51.txt</a>

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: <a href="https://www.epa.gov/environmental-topics/air-topics">www.epa.gov/environmental-topics/air-topics</a>

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

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

US Fish and Wildlife Service, National Wetlands Inventory: <a href="https://www.fws.gov/wetlands/data/mapper.html">www.fws.gov/wetlands/data/mapper.html</a> (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, <a href="https://doi:10.5066/F7JD4VRF">https://doi:10.5066/F7JD4VRF</a>

**List of Permits Obtained:** None required.

**Public Outreach** [24 CFR 58.43]: Puerto Rico Department of Agriculture has worked closely with the agricultural community. This project includes 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 installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site.

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

The "Alternative" action would mean that the applicant would continue cultivating using the existing water supply from PRASA, depending on a service that is irregular. The "Alternative" action would also mean that the Applicant will not have a safe water resource in case of a natural disaster or a drought. With this alternative, the applicant would not be able to experience the growth needed to recover and expand their agriculture activities. The Alternative action would not allow for this economic development for this applicant. A provision of the grant allows for economic development for businesses and will allow the applicant to continue cultivating fruit plants and trees. The location for the placement of the new water tank and water well will be on the left side of a residential structure, approximately 90 feet from the entrance to the property. The existing area for the proposed placements is used for agricultural purposes.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide for the installing/constructing a 18,000-gallon water tank and a new 6 inches diameter water well for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for the economic development for this applicant.

**Summary of Findings and Conclusions:** The proposed activity has been found to not have any adverse effects on the 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
The regulation in Puerto Rico establishes that for well constructions a Water Well or Water Intake Construction Permit must be submitted.	The Applicant must obtain a permit from the DNER prior the well construction.

Determi	ination:
⊠ F	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
	oroject will not result in a significant impact on the quality of the human environment.
□ F	Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The p	project may significantly affect the quality of the human environment.
Prepare	er Signature:Date: _7/19/2023_
& Assoc	Title/Organization: <u>Patricia Carmenatty / Environmental Specialist / Behar Ybarra</u>
Certifyir	ng Officer Signature: A. lu lu
Name/1	Title: Pedro A. de León Rodríguez, MSEM/Permits and Environmental Compliance Specialist

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



**Figures** 



Figure 1

# Location: Aerial Map

# Puerto Rico Department of Housing ReGrow

### Application ID: PR-RGRW-01677

Juan A. Miranda Colon DBA Hacienda La Maruca Carr 397 km 1.6, Bo. Furnias Las Marias, PR 00670 Catastro: 209-000-003-37-000

Lat: See List Below, Lon: See List Below



### Legend

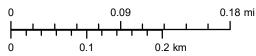


PR-RGRW-01677



PR-RGRW-01677 Parcel





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



#### Source

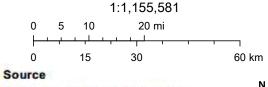
Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.crimpr.net/cdprpc/



# Figure 2 PR-RGRW-01677 Airport







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

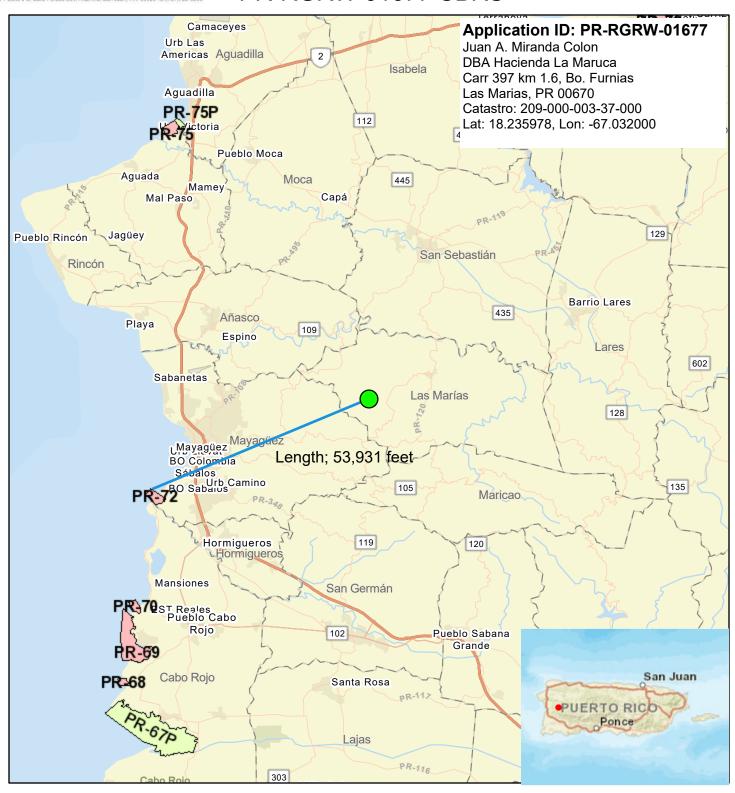


Runway Protection Zones Major Civil and Military Airports



### Figure 3

# PR-RGRW-01677 CBRS



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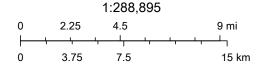
### **CBRS Units**

Otherwise Protected Area

System Unit

PR-RGRW-01677





#### Source

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

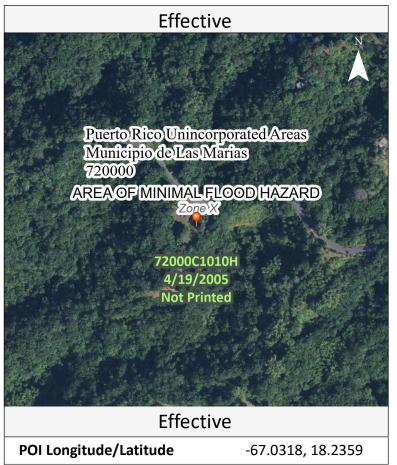
# Comparison of Flood Hazard BYA



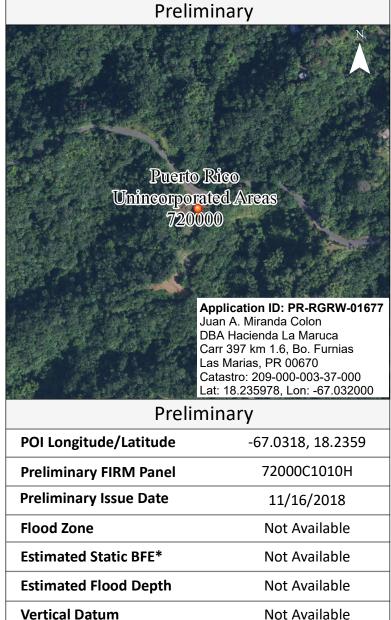


Effective & Preliminary Flood Hazards

### Figure 4







### **Hazard Level**

#### **Flood Hazard Zone**

High Flood Hazard

AE, A, AH, AO, VE and V Zones. Properties in these flood zones have a 1% chance of flooding each year. This represents a 26% chance of flooding over the life of a 30-year mortgage.

Moderate Flood Hazard **Shaded Zone X.** Properties in the moderate flood risk areas also have a chance of flooding from storm events that have a less than 1% chance of occurring each year. Moderate flood risk indicates an area that may be provided flood risk reduction due to a flood control system or an area that is prone to flooding during a 0.2% annual chance storm event. These areas may have been indicated as areas of shallow flooding by your community.

**Unshaded Zone X.** Properties on higher ground and away from local flooding sources have a reduced flood risk when compared to the Moderate and High Flood Risk categories. Structures in these areas may be affected by larger storm events, in excess of the 0.2% annual chance storm event.

Low Flood Hazard

**Insurance Note:** High Risk Areas are called 'Special Flood Hazard Areas' and flood insurance is mandatory for federally backed mortgage holders. Properties in Moderate and Low Flood Risk areas may purchase flood insurance at a lower-cost rate, known as Preferred Risk Policies. See your local insurance agent or visit https://www.fema.gov/national-flood-insurance-program for more information.

**Disclaimer:** This report is for informational purposes only and is not authorized for official use. The positional accuracy may be compromised in some areas. Please contact your local floodplain administrator for more information or go to msc.fema.gov to view an official copy of the Flood Insurance Rate Maps.

Service Layer Credits: USGS, USDA

<sup>\*</sup> A Base Flood Elevation is the expected elevation of flood water during the 1% annual chance storm event. Structures below the estimated water surface elevation may experience flooding during a base flood event.



# Figure 4.1 Flood Hazard Map



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FEMA\_FIRM - FEMA\_FLOOD\_HAZARD\_AREAS

Special Flood Hazard Areas

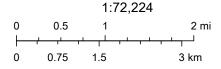


Other Areas



PR-RGRW-01677



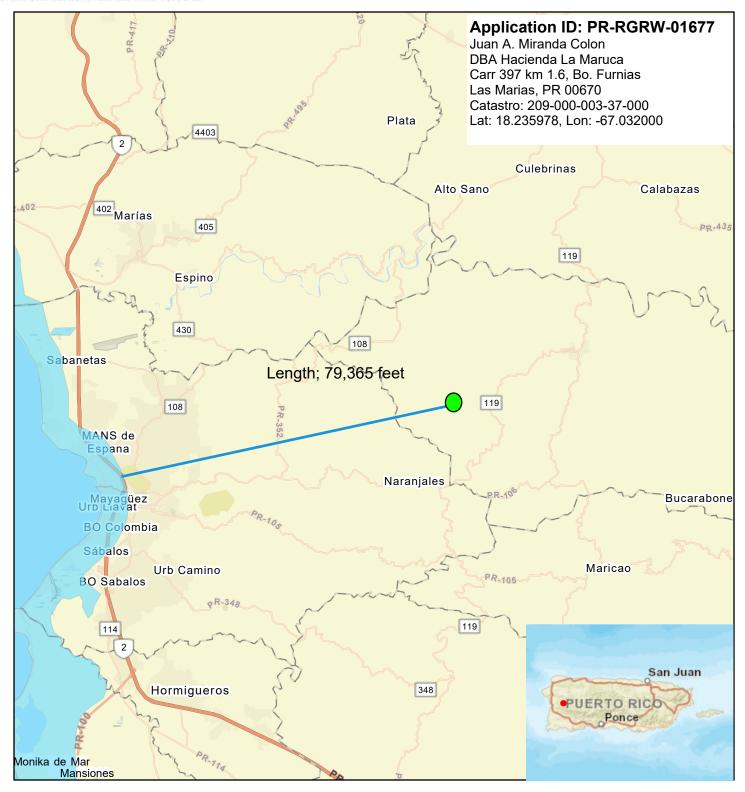


#### Source

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



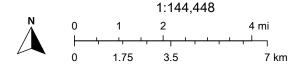
# Figure 5 PR-RGRW-01677 CZM







PR-RGRW-01677

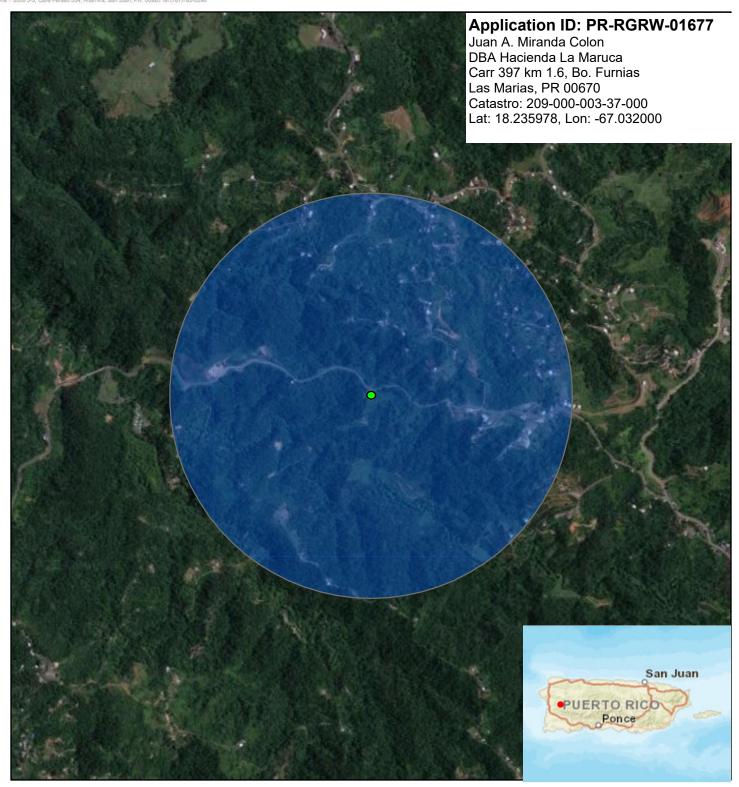


#### Source

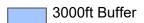
National Oceanic and Atmospheric Administration (NOAA) NOAA Office for Coastal Management (NOAA/OCM) https://www.fisheries.noaa.gov/inport/item/53132



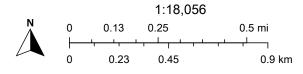
# Figure 6 PR-RGRW-01677 Toxic



4/13/2023, 12:38:25 PM



PR-RGRW-01677



### Source

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



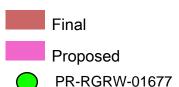


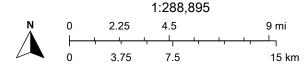
# PR-RGRW-01677 Endangered Species



4/13/2023, 12:51:55 PM

Critical Habitat for Threatened & Endangered Species



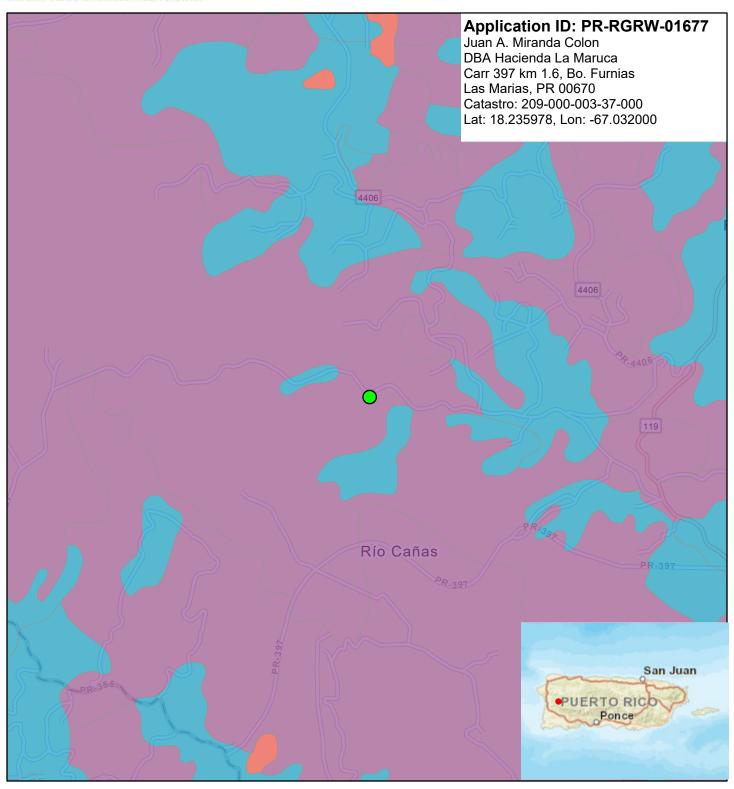


#### Source

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



# Figure 8 PR-RGRW-01677 Farmland



4/13/2023, 1:00:36 PM

### **Farmland Protection**

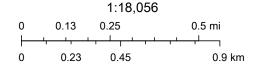
All areas are prime farmland

Farmland of statewide importance

Not prime farmland

PR-RGRW-01677





### Source

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

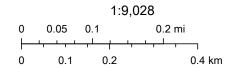


# Figure 9 PR-RGRW-01677 ABFE



4/17/2023, 11:11:30 AM

PR-RGRW-01677

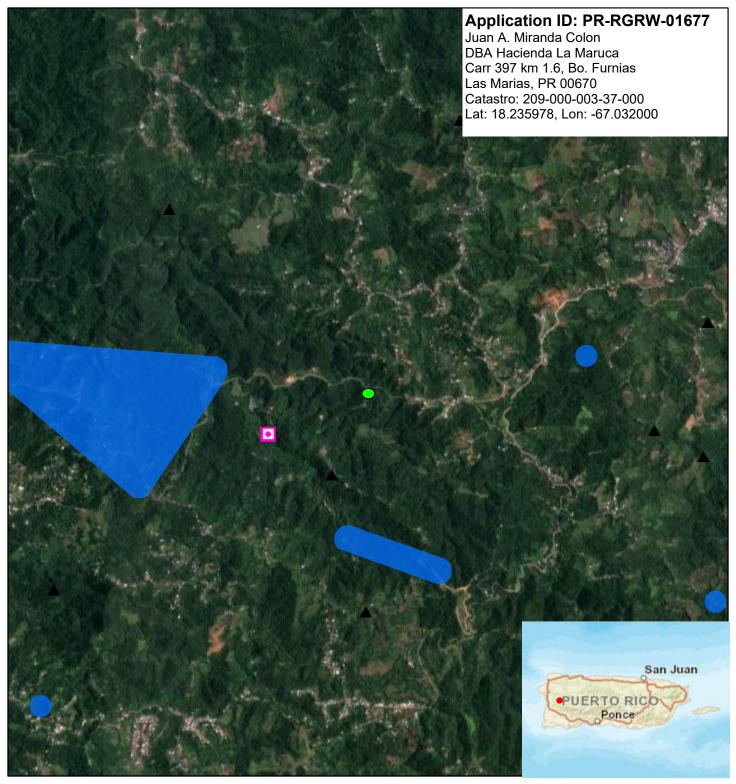


### Source

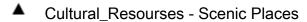
Federal Emergency Management Agency (FEMA) FEMA's National Flood Hazard Layer https://www.fema.gov/flood-maps/national-flood-hazard-layer



# Figure 10 PR-RGRW-01677 Historic Preservation

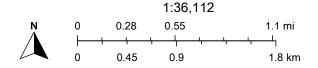


4/13/2023, 1:08:36 PM



- Cultural\_Resourses Cultural Value Places
- Cultural\_Resourses Archeological Resourses

PR-RGRW-01677

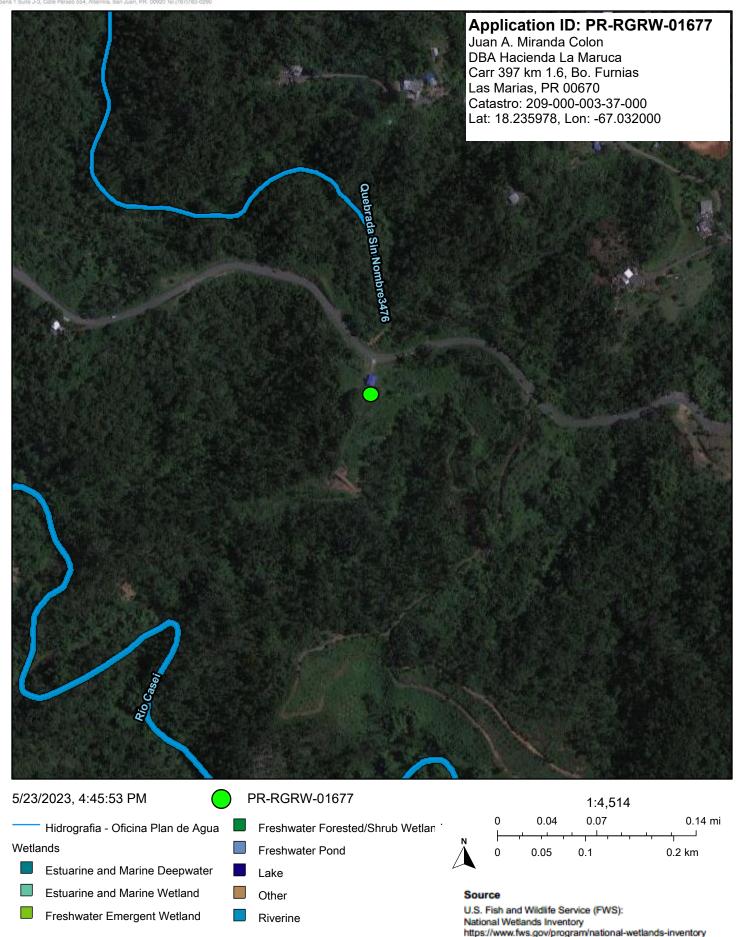


#### Source

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 PR-RGRW-01677 Wetlands





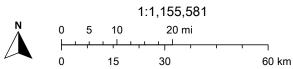
# PR-RGRW-01677 Wild and Scenic River



4/13/2023, 1:27:32 PM

National Wild and Scenic River Line

PR-RGRW-01677

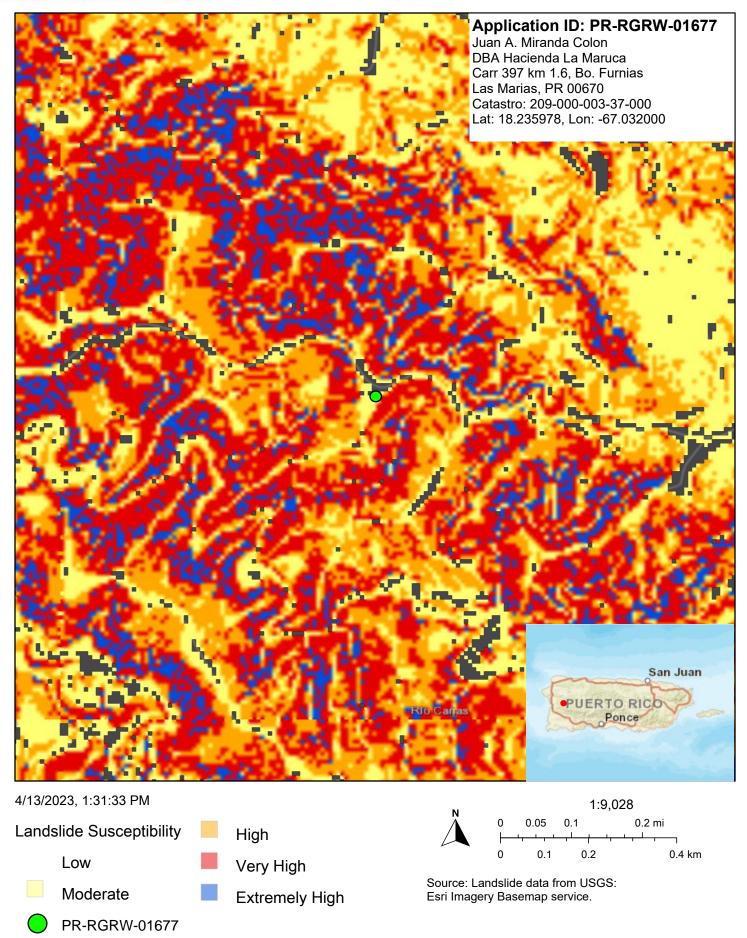


### Source

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



# Figure 13 Landslide





**Appendix 1** 



### **GOVERNMENT OF PUERTO RICO**

STATE HISTORIC PRESERVATION OFFICE

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

May 17, 2023

### Lauren Bair Poche

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

SHPO 05-08-23-02 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL: PR-RGRW-01677 – JUAN A. MIRANDA COLÓN DBA HACIENDA LA MARUCA – CARR 397 KM 1.6 BO. FURNIAS, LAS MARÍAS, PUERTO RICO

Dear Ms. Bair,

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

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

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

Sincerely,

Carlos A. Rubio-Cancela

State Historic Preservation Officer

Jacks appropri

CARC/GMO/MB





May 8, 2023

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-01677 – Juan A. Miranda Colon DBA Hacienda La Maruca – Carr 397 Km 1.6 Bo. Furnias, Las Marías, 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) and the Home Repair, Reconstruction, or Relocation (R3) Program. On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds was approved by the United States Department of Housing and Urban Development (HUD) under the Federal Register Volume 83, No. 28, 83 FR 5844, to assist the Commonwealth of Puerto Rico in meeting unmet needs in the wake of Hurricanes Irma and Maria. On August 14, 2018, an additional \$8.22 billion recovery allocation was allocated to Puerto Rico under the Federal Register Volume 83, No. 157, 83 FR 40314. With these funding allocations, the Puerto Rico Department of Housing (Housing) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents.

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by Juan A. Miranda Colon DBA Hacienda La Maruca at Carretera 397 Km. 1.6 in Bo. Furnias in the municipality of Las Marías. The proposed activities for PR-RGRW-01677, consist of installing/constructing 16 x 12 feet circular 18,000-gallon water tank and a new 6 inches diameter water well following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The installation will require ground disturbance for the water tank foundation and the installation of the water well. The maximum estimated horizontal area of disturbance for new well drilling is approximately 5 feet in diameter.

Based on the submitted documentation, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.



Please contact me by email at <a href="mailto:lauren.poche@horne.com">lauren.poche@horne.com</a> or phone at 225-405-7676 with any questions or concerns.

Kindest regards,

James B. Pocke

Lauren Bair Poche, M.A.

Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

**REGROW PUERTO RICO PROGRAM** 

**Section 106 NHPA Effect Determination** 

Applicant: Juan A. Miranda Colón, DBA Hacienda La Maruca

Case ID: PR-RGRW-01677 City: Las Marías

GOVERNMENT OF PUERTO RICO

Project Location: Carr 397 Km 1.6 Bo. Furnias

**Project Coordinates:** 18.235875 -67.03176, 18.235782 -67.031821

**TPID** (Número de Catastro): 209-000-003-37-000

Type of Undertaking:

☐ Substantial Repair/Improvements

Construction Date (AH est.): n/a Property Size (acres): 66.12

**SOI-Qualified Archaeologist**: Jaqueline López Meléndez

Date Reviewed: April 12, 2023

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

### **Project Description (Undertaking)**

The proposed activities for PR-RGRW-01677, consist of installing/constructing 16 x 12 feet circular 18,000-gallon water tank and a new 6 inches diameter water well following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The installation will require ground disturbance for the water tank foundation and the installation of the water well. The maximum estimated horizontal area of disturbance for new well drilling is approximately 5 feet in diameter. The project area is located at PR-397 km. 1.6 at parcel 209-000-0003-37 within the Municipality of Las Marías. Based on a review of historical aerial imagery, the general area has been used for cultivation for the past 10 years.

### **Area of Potential Effects**

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the concrete base for the water tank and the 6 inches diameter water well installation plus a 15-meter buffer and the visual APE is the viewshed of the proposed project. The APE measures approximately 1,400 Square meters.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

REGROW PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination

Applicant: Juan A. Miranda Colón, DBA Hacienda La Maruca

Case ID: PR-RGRW-01677

City: Las Marías

### 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 no reported archaeological materials or significant cultural properties within a half-mile (mi) radius of the project location. The proposed project is located in mountainous area at an elevation of approximately 3,600 feet (ft; 1,100 meters [m]) above modern sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Consumo. The project area APE is in CoE and CoF2. The closest freshwater source is unnamed creek, located 0.08 miles (m; 0.13 kilometers [km]) of the project area. The west coast is approximately 9.31 mi (14.98 km) from the project area.

The nearest archaeological site is LM-5 (SHPO: LM0100005) located 0.70 miles southwest. This is a Pre-Columbian residuary site. Within the 0.50 miles radius we have an archaeological survey conducted by Herminio Rodriguez in 1987. This survey for the Highway 397 Construction Project (ICP/CAT: LM-87-01-04) located 0.03 miles northwest yielded positive results. It reported rocks with perforations and recommended an Phase IB. The road was constructed and there is no evidence that the Phase IB was conducted. This find is located more than 0.50 miles from the project area.

The project area is located in the mountainous area of Las Marias with irregular topography. In the project area we have Callabo silty clay loam soils, 40 to 60 percent slopes, eroded (CoF2). This soil are well drained, loam over weathered rock, moderately steep to very steep soils on side slopes, foot slopes and hilltops on the volcanic uplands. Visual inspection of the APE of the building and its surroundings found no evidence of cultural materials.

### **Determination**

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that 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 a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel

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: Juan A. Miranda Colón, DBA Hacienda La Maruca	•
Case ID: PR-RGRW-01677	City: Las Marías

in which the Area of Potential Effect of case PR-RGRW-01677 is located. The closest freshwater body is approximately 0.08 miles (0.13 km) of the project area. The construction of public roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no impact to cultural properties is anticipated for this reconstruction project.

#### **Recommendation**

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

tollowing determination is appropriate for the undertaking (Choc	ose Onej:				
<ul> <li>No Historic Properties Affected</li> <li>□ No Adverse Effect</li> <li>Condition (if applicable):</li> <li>□ Adverse Effect</li> <li>Proposed Resolution (if appliable)</li> </ul>					
This Section is to be Completed by SHPO Staff Only					
The Puerto Rico State Historic Preservation Office has reviewed and:	d the above information				
□ <b>Concurs</b> with the information provided.					
□ <b>Does not concur</b> with the information provided.					
Comments:					
Carlos Rubio-Cancela	Date:				
State Historic Preservation Officer	Daio.				



Case ID: PR-RGRW-01677 City: Las Marías

#### Project (PR-RGRW-01677) Location – Area of Potential Effect Map (Aerial)



### Area of Potential Effect

Puerto Rico Department of Housing ReGrow

#### Application ID: PR-RGRW-01677





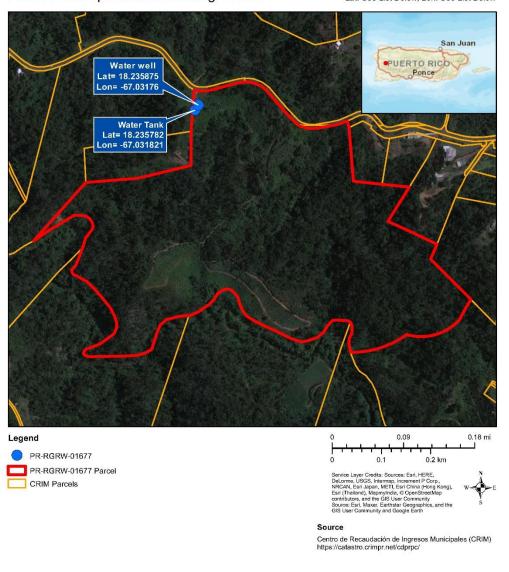
Case ID: PR-RGRW-01677 City: Las Marías

### Project (PR-RGRW-01677) Location - Aerial Map



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

#### Application ID: PR-RGRW-01677





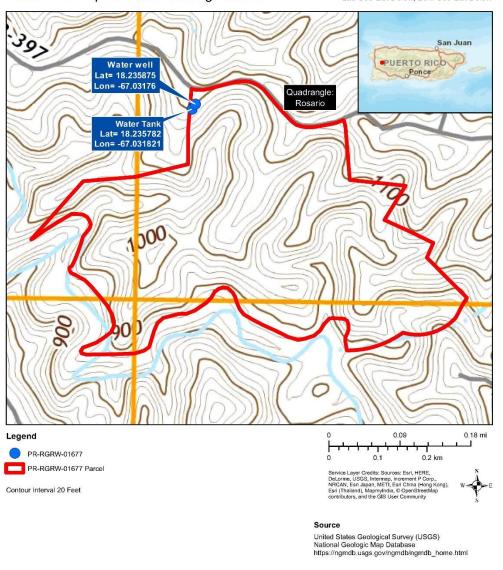
Case ID: PR-RGRW-01677 City: Las Marías

### Project (PR-RGRW-01677) Location - USGS Topographic Map

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

## Location: USGS Topographic Map Puerto Rico Department of Housing ReGrow

#### Application ID: PR-RGRW-01677





City: Las Marías Case ID: PR-RGRW-01677

### Project (PR-RGRW-01677) Location – Soils Map

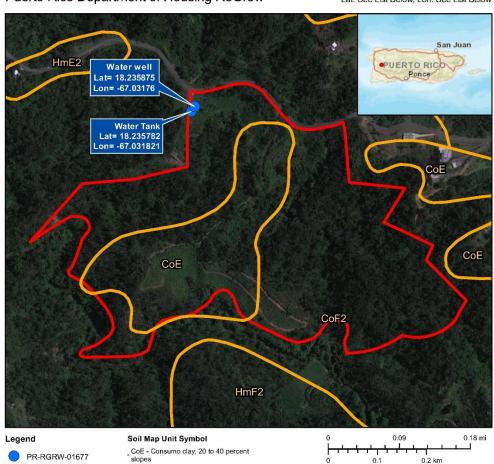


## Soils Map

Puerto Rico Department of Housing ReGrow

#### Application ID: PR-RGRW-01677

Juan A. Miranda Colon DBA Hacienda La Maruca Carr 397 km 1.6, Bo. Furnias Las Marias, PR 00670 Catastro: 209-000-003-37-000 Lat: See List Below, Lon: See List Below





Soil Map Unit Symbol

CoF2 - Consumo clay, 40 to 60

percent slopes HmE2 - Humatas clay, 20 to 40

HmF2 - Humatas clay, 40 to 60 percent slopes

0.1 0.2 km

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 GIG User Community Source: Esri, Maxxi, Esrimsar Geographics, and the GIG User Community and Google Earth



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



Case ID: PR-RGRW-01677 City: Las Marías

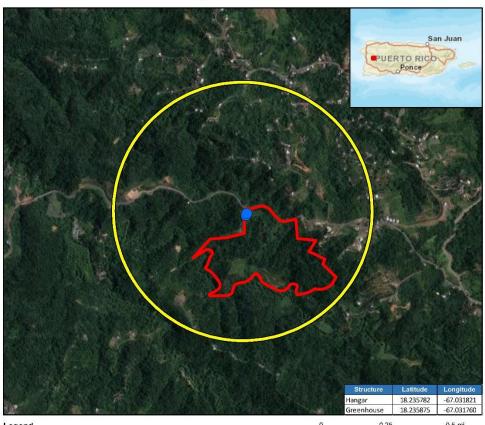
### Project (PR-RGRW-01677) Location with Previous Investigations - Aerial Map



### Previous Investigations: Aerial Map Puerto Rico Department of Housing ReGrow

#### Application ID: PR-RGRW-01677

Juan A. Miranda Colon DBA Hacienda La Maruca Carr 397 km 1.6, Bo. Furnias Las Marias, PR 00670 Catastro: 209-000-003-37-000 Lat: See List Below, Lon: See List Below







Service Layer Creatis - Sources: Fig. 1, PECKE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, @ OpenStreetMap contributors, and the GIS User Community Source: Esri, Mexar, Earthsarf Geographics, and the GIS User Community and Google Earth



Source



Case ID: PR-RGRW-01677 City: Las Marías

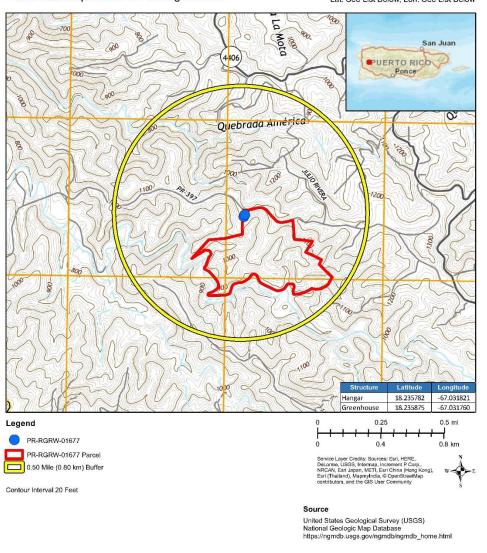
## Project (PR-RGRW-01677) Location with Previously Recorded Cultural Resources USGS Topographic Map

# BYA BEHAR-YBARRA & ASSOCIATES LLC CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS CONS. Items 1 State J. A. Cales Person SEA, Assertes, San Juan, Pril. 2005 18 (1927)783-2000 Provious Investigations: 115

## Previous Investigations: USGS Topographic Map

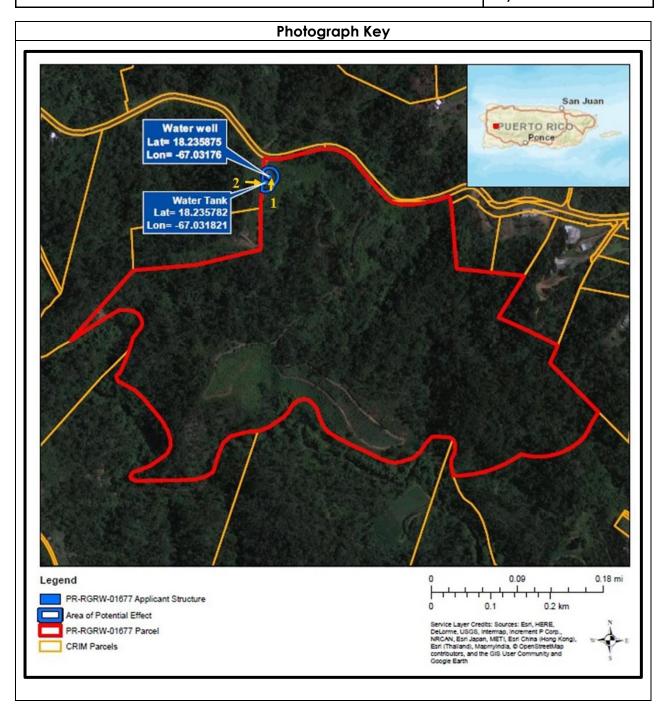
Puerto Rico Department of Housing ReGrow

#### Application ID: PR-RGRW-01677





Case ID: PR-RGRW-01677 City: Las Marías



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



Applicant: Juan A. Miranda Colón, DBA Hacienda La Maruca

Case ID: PR-RGRW-01677 City: Las Marías



Photo #:

Date: April 5, 2023

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



Photo #:

Date: April 5, 2023

Description (include direction): Area where the water tank will be installed, looking east.



October 20, 2022

#### Arch. Carlos A. Rubio Cancela

Executive Director State Historic Preservation Officer Cuartel de Ballajá Bldg. San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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



**Appendix 2** 



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

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

Data is current as of March 31, 2023

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

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

Change the State:	
PUERTO RICO 🕶	GO

Important	mportant Notes Download National Dataset: dbf   xls   Data dictionary (PDF)						(PDF)				
	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes			
PUERTO	PUERTO RICO										
Arecibo Municipio	(2008)	Arecibo, PR	11 12 13 14 15 16 17 18 19 20 21 22 23	//		Part	32,185	72/013			
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021			
G-4	Sulfur	San Juan, PR	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			
Colinga	Dioxide	Guayama-	181920212223	//		Part	23,401	72/123			
San Juan Municipio	Sulfur	Con Inon	181920212223	//		Part	147,963	72/127			
Toa Baja Municipio		San Juan, PR	181920212223	//		Part	52,441	72/137			

Important Notes

Discover. Connect. Ask.