

# **Environmental Assessment**

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

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-01046

**Project Name:** La Botica de la Tierra/ Norysell Massanet Meléndez

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

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

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

**Preparer:** Yazmin Acevedo

**Certifying Officer Name and Title:** Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, María T. Torres Bregon, Ivelisse Lorenzo, Angel Gabriel Lopez Guzman, Mónica Machuca Ríos, Ianmario Heredia Diadone, Janette Cambrelén, and Santa Ramirez Lebrón.

**Consultant:** Behar Ybarra & Associates LLC

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

#### **Project Location:**

Carretera PR-312 km 3.9 Int., Barrio Monte Grande, Cabo Rojo, PR

Storage/Warehouse latitude 18.070155, longitude -67.122173

Cistern latitude 18.070345, longitude -67.122222

Parcel cadastral # 333-061-186-01

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

The project undertaking consists of the purchase and installation of a 20-foot removable shipping container and the installation of a 1,000 gallons cistern. The container and the cistern will be placed on bare soil. The project also includes the acquisition of 200 fruit trees including 100 citric trees, 50 assorted mango trees, and 50 assorted avocado trees. A total of eight (8) 445 amp 6 V batteries will also be purchased to be installed to the existing solar system. All connection will be above ground. Beekeeping equipment including 10 Langstroth boxes in pine wood and two 10.6 cubic feet chest freezers will also be purchased.

This project will be developed in four areas (“predios”) within the 12.48 acres parcel that will be also acquired as part of the project. 176-4x4x10 wood post will be purchased and installed at 10 feet intervals and buried 32 inches deep in the center of areas 2 and 3 to fence off the areas.

The following is a discussion of the work to be performed on each area (See Figure 8 in Section 106 documentation, Appendix 1).

#### **Area 1 (“Predio” 1)- Main entrance- 0.6 acres**

1. Installation of a 20-foot removable shipping container to be used as a warehouse. The warehouse will be installed where there is currently a nursery, which will be relocated. The 20-foot container will be placed directly on the ground, using two 6-inch diameter steel beams laid parallel to each other on the ground, on which the container will rest to protect the bottom from moisture. Concrete will not be used at any time. The activity does not involve any ground disturbance.
2. The installation of a 1,000 gallons cistern. The cistern will be placed on the bare ground, next to where there is already another cistern. The cistern will be piped and laid on top of the existing surface. The activity does not involve any ground disturbance.
3. Connection of batteries to the existing solar panels. All connection will be above ground
4. Acquisition of the 12.48-acre property.
5. Planting of species (coriander, etc).

#### **Areas 2 and 3 (“Predios” 2 and 3) AREA OF CROPS IN THE SUN**

Areas 2 (1.0 acres) and 3 (0.9 acres) are 1.9 acres. These two areas will be bordered by 250 fruit trees at a distance of 10 to 15 feet. Wooden stakes 4 inches x 4 inches x 3 feet deep will be installed in the center area of both lots. These will be installed at 10-foot intervals (Figure 10). Although 176 stakes will be used only 120 will be buried in the ground because the remaining stakes will be left in the air. Between the rows of these stakes, Sacha Inchi and Pitahaya vines will be planted.

#### **Area 4 (“Predio” 4)- 10.2 acres**

In this property we will be planting 2 varieties of vanilla (planifolia and pomposa), an orchid that thrives at the base of the trees, for which there is no need to remove vegetation and much less ground bark. This planting allows to generate compatible shade crops and will allow the establishment of bee hives where the purest products derived from the hive (honey, wax, propolis) will be produced, also in an ethical, conscientious way and in protection of the bees. The bee hives to be installed in the northern part of area 4 will be placed on the surface.

In the area that appears denser in the half southern part (with Maria and now Fiona, light openings have been created from fallen trees), Criollo and Trinitario cocoa will be planted for the exclusive production of fine and aromatic cocoa. The plan is to plant 300 trees, 100 per year for three years. Planting trees does not require plowing.

The northeastern part of area 4 is a rocky area and difficult to access, in this area no manual work of any kind will be done, but the blooms of the existing trees and bushes are very important for the production of bees.

A site Map is included in Figure 1, illustrating the location of the removable shipping container and the cistern on the property. Photos of the shipping container and cistern locations are included in the Section 106 documentation, Appendix 1.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]: In September of 2017, Puerto Rico was impacted by Hurricanes Irma and Maria affecting the agricultural production across the island. These hurricanes caused the loss of eighty percent of crop value island wide, exacerbating challenges to food security and agricultural business development. Many properties were damaged by the hurricanes, resulting in struggling businesses.

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. Agricultural capacity and strong food systems are fundamental to resiliency of economies and, as Puerto Rico's entire agriculture sector was devastated by the Hurricanes, this Program is designed to revitalize this industry.

The applicant does not have the resources to fund the of purchase and installation of a 20-foot removable shipping container, the installation of a 1,000 gallons cistern, installation of a fence, the connection of batteries to the existing solar panels, placement of bee hives and the planting of trees and various fruits for an agricultural project nor has the applicant received any other outside source of funding for the project. The project undertaking would improve agricultural use and production and will support continued local agricultural production during future disasters. Further discussion of the environmental impacts of the proposed action and alternatives is provided in this Environmental Assessment document.

**Existing Conditions and Trends** [24 CFR 58.40(a)]: The existing area for the proposed removable shipping container, cistern, and wooden stakes placement is used for agricultural purposes. Therefore, there is no change in land use associated with this container and cistern placement.

**Funding Information**

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

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

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$100,000.00

## **Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities**

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project consists only of purchase and installation of a 20-foot removable shipping container, the installation of a 1,000 gallons cistern, installation of a fence, the connection of batteries to the existing solar panels, placement of bee hives and the planting of trees and various fruits for an agricultural project 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 68,830 feet from the nearest airport (Eugenio María de Hostos) and 413,507 feet from the nearest military airport (Luis Muñoz Marín). See the attached Airport map Runway Protection Zone, Figure 2.
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. The project is located 20,300 feet west of the nearest CBRS (PR-69). Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.

<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in a Zone X, Panel 72000C1560J, 11/18/2009. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists only of the purchase and installation of equipment (storage, cistern, batteries, freezers, beekeeping), fruit trees, and land for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each county by year for all criteria pollutants included in Attachment 2.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located 9,300 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase and installation of equipment (storage, cistern, batteries, freezers, beekeeping), fruit trees, and land for an agricultural project and there are no toxic sites located within 3,000 feet of the project area. See attached Toxics Map, Figure 6.</p>
<p><b>Endangered Species</b></p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project will have No Effect on listed species due to the nature of the activities involved in the project. The</p>

<p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>		<p>project is 14,700 feet from the nearest 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. This project is in compliance with the Endangered Species Act. See attached Endangered Species map, Figure 7.</p> <p>If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project consists only of purchase and installation of equipment (storage, cistern, batteries, freezers, beekeeping), fruit trees, and land for an agricultural site. The project does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with this citation without further evaluation.</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project is located in an area classified as Not prime farmland. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map. Figure 8.</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>A review of the Advisory Base Flood Elevation (ABFE) map and Community Panel 72000C1560J (effective date 11/18/2009, shows the project site is in Flood Zone X. The project is not located in the 100-year floodplain or ABFE</p>

		special flood hazard area. Therefore, the project is in compliance with this section. No further evaluation is required. Refer to Figure 9.
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The site was visited on October 15, 2022 by SOI-qualified archaeologist. Documentation with photographs and maps was subsequently submitted to SHPO (attached). In a response from PR SHPO dated February 2, 2023, SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). The 20-foot container will be placed directly on the ground, using two 6-inch diameter steel beams laid parallel to each other on the ground, on which the container will rest to protect the bottom from moisture. There will be no ground disturbance. Therefore, this activity is in compliance.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project consists only purchase and installation of equipment (storage, cistern, batteries, freezers, beekeeping), fruit trees, and land for an agricultural site. 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.</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>There are no sole source aquifers in Puerto Rico. The project is in compliance with this citation without further evaluation.</p>
<p><b>Wetlands Protection</b></p>	<p>Yes    No</p>	<p>There is no wetland in the parcel. The project is in compliance with Executive</p>

Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Order 11990. See the attached Wetlands map, Figure 11.
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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 467,588 feet from the nearest Wild and Scenic River, Figure 12.
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
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 zoning and existing land use. There is no urban design associated with this rural, agricultural site. According to the Puerto Rico Planning Board, the uses within the parcel are Agricultural and Resource Conservation where agricultural use is permitted using best management practices. See the attached Zoning map, Figure 14.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The soil is currently being used for agriculture purposes. It will continue to be used to agriculture purposes. There is no change in land use. The landslide data indicates low landslide susceptibility (Figure 13). No changes in drainage or erosion are expected from this project. There will be little to no additional runoff associated with the project.
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 a purchase and installation of a new storage and cistern and will not require any expansion to existing power facilities.
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	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 Cabo Rojo, PR. The project will not result in the displacement or relocation of the applicant.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	This project consists only of purchase and installation of a storage, fence, and a cistern for an agricultural site and the purchase of land 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	This project consists only of purchase and installation of a storage, fence, and a cistern for an agricultural site and the purchase of land 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.
Wastewater / Sanitary Sewers	2	The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The proposed project will require additional water supply but not from a municipal water supply. The water will come from an onsite water tank filled by the proponent. The proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	This project consists only of purchase and installation of a storage, fence, and a cistern for an agricultural site and the purchase of land 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	This project consists only of purchase and installation of a storage, fence, and a cistern for an agricultural site and the purchase of land and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.
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 storage 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): October 15, 2022, Jaqueline Lopez, SOI-Qualified Archaeologist

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

FAA, National Plan for Integrated Airport Systems:  
[www.faa.gov/airports/planning\\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf)

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

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

National Park Service, National Registry of Natural Landmarks.

[www.nature.nps.gov/nnl/docs/NNLRegistry.pdf](http://www.nature.nps.gov/nnl/docs/NNLRegistry.pdf)

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

National Wild and Scenic Rivers System: [www.rivers.gov/puerto-rico.php](http://www.rivers.gov/puerto-rico.php)

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

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

Sierra Research for Office of Mobile Sources. US Environmental Protection Agency. Report No. SR93-03-02, Evaluation of Methodologies to Estimate Nonroad Mobile Source Usage, March 19, 1993: <http://nepis.epa.gov/Exe/ZyPURL.cgi?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](http://www3.epa.gov/airquality/greenbook/anayo_pr.html)

US EPA, Environmental Topics, Air Topics: [www.epa.gov/environmental-topics/air-topics](http://www.epa.gov/environmental-topics/air-topics)

US Fish and Wildlife Service, Environmental Conservation Online System:

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

Federal Emergency Management Agency, Flood Mapping Service:

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

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

US Fish and Wildlife Service, National Wetlands Inventory:

[www.fws.gov/wetlands/data/mapper.html](http://www.fws.gov/wetlands/data/mapper.html) (compilation of numerous maps)

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

Species and Critical Habitats.

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

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

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

**Public Outreach** [24 CFR 58.43]: The local community has been very proactive in the recovery process. Puerto Rico Department of Agriculture has worked closely with the agricultural community. The project will public FONSI/NOI-RROF in compliance of NEPA regs 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 land purchase and the placement of the storage and cistern on this agricultural site.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The Applicant in case PR-RGRW-1046 proposes to acquire a plot that she currently rents for agricultural purposes and enhance and expand the agricultural production in the property. Currently, the applicant rents the property and the high rental costs threaten its stability. The proposed use of grant funds will allow the applicant to acquire the parcel and expand the handling of the crops by the purchase of freezers, cistern, and batteries, and purchase 200 fruit trees and beekeeping. Any alternative that would involve an off-property location or that the land is not acquired would not enhance and expand agricultural production or allow for the economic development of the 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 for the land purchase and the placement of the storage, fence, and cistern which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for

businesses. The No-Action alternative would not allow for the economic development for this applicant.

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

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

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

Law, Authority, or Factor	Mitigation Measure
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	Any necessary construction permits should be obtained by the applicant and/or contractor from the appropriate department prior to construction activities.

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 02.11.2023

Name/Title/Organization: Yazmin M. Acevedo / Environmental Specialist/ Behar Ybarra & Associates LLC

Certifying Officer Signature:  Date: June 21, 2023

Name/Title: I. Lorenzo, Permits and Environmental Compliance Specialist

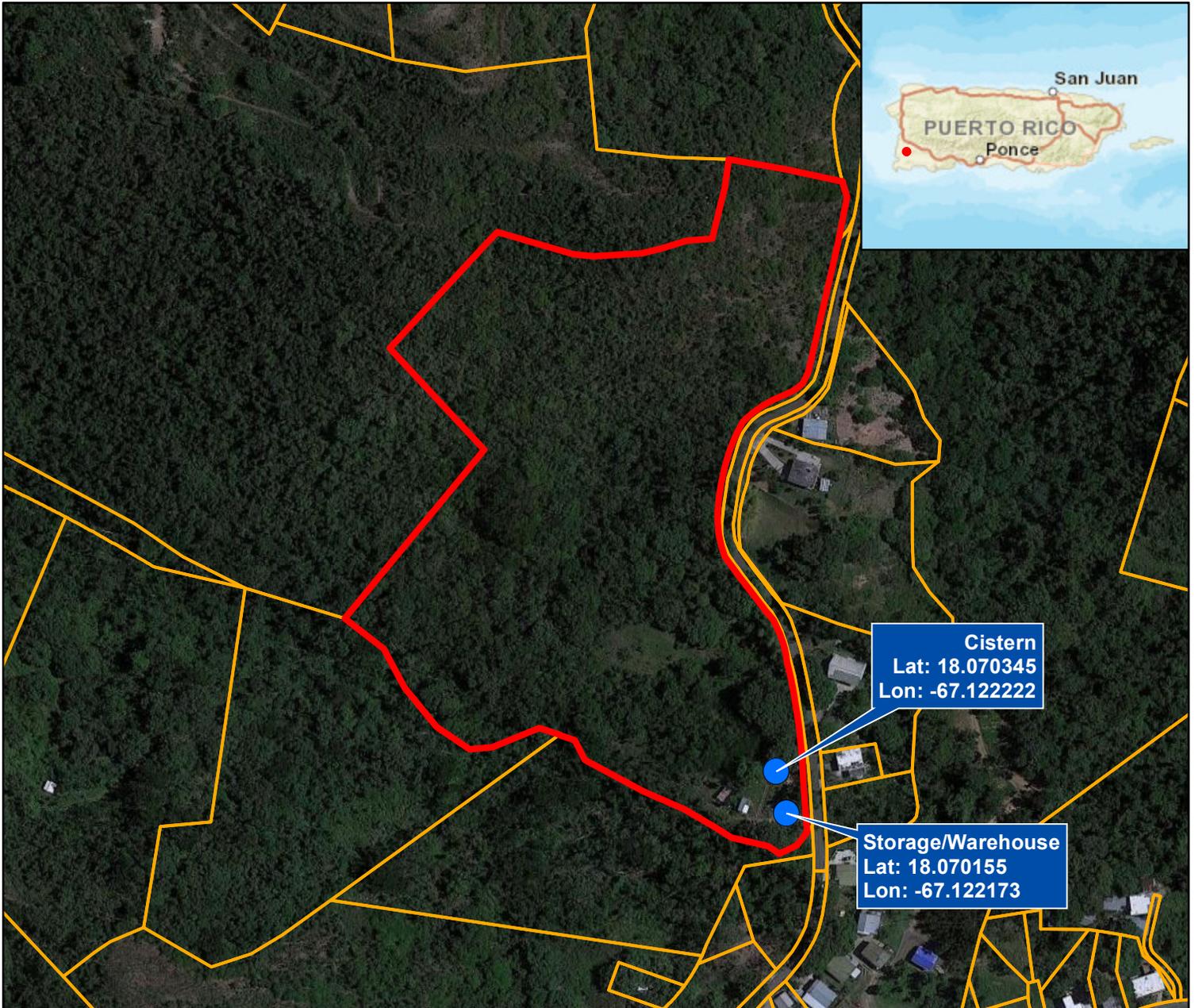
This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

## Figures

# Figure 1

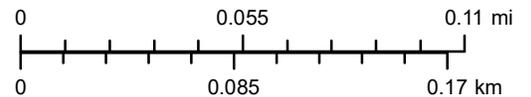
## Location: Aerial Map

### Puerto Rico Department of Housing ReGrow



#### Legend

-  PR-RGRW-01046
-  PR-RGRW-01046 Parcel
-  CRIM Parcels



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



#### Source

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

Application ID: **PR-RGRW-01046**

Norysell Massonet

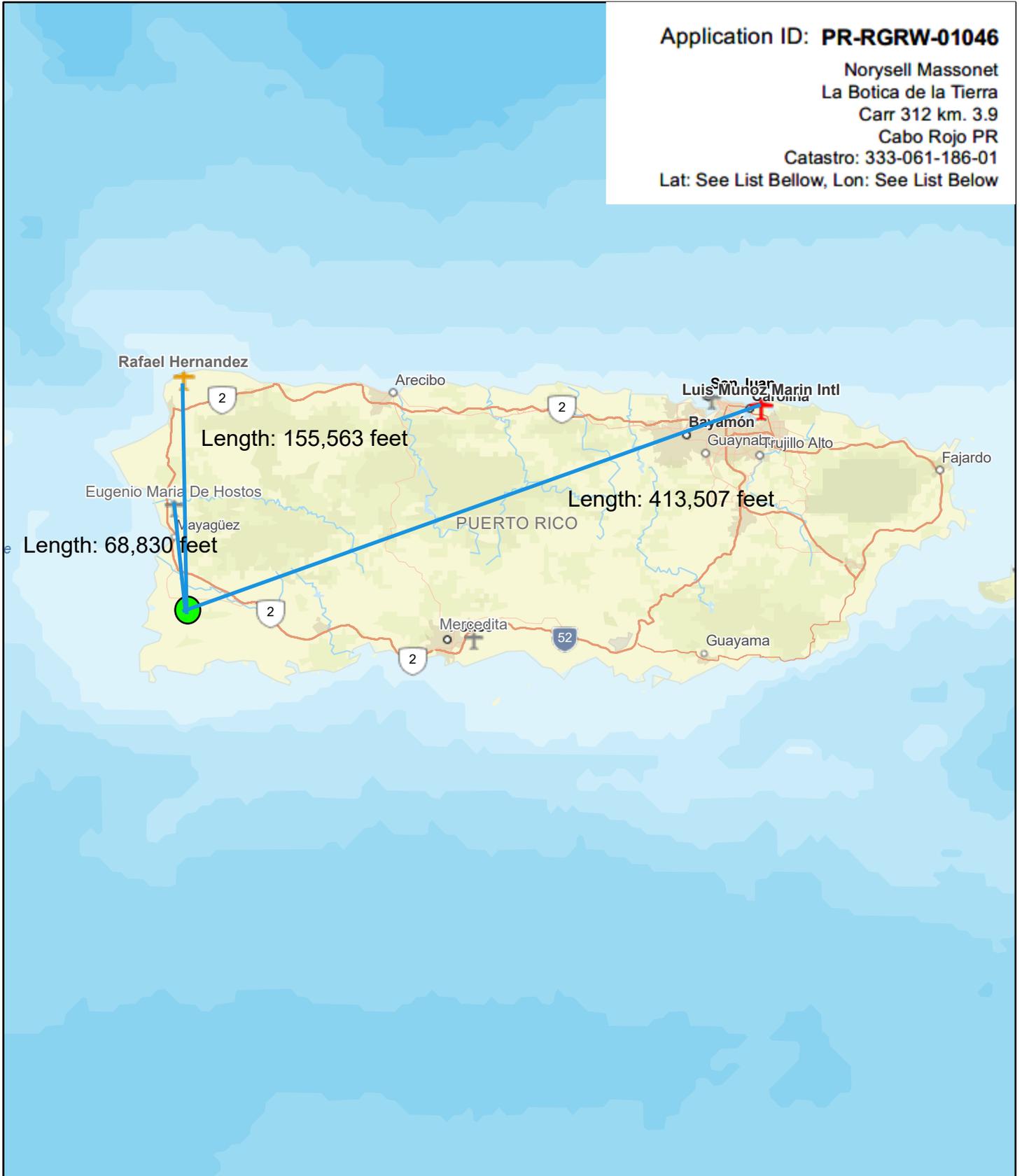
La Botica de la Tierra

Carr 312 km. 3.9

Cabo Rojo PR

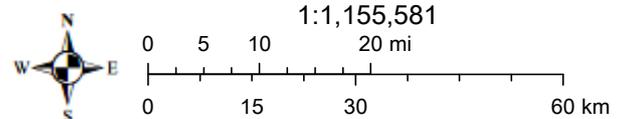
Catastro: 333-061-186-01

Lat: See List Below, Lon: See List Below



5/23/2023, 5:30:44 PM

-  Military Airport
-  Civil Airport
-  Civil Airport
-  PR-RGRW-01046



**Source**

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

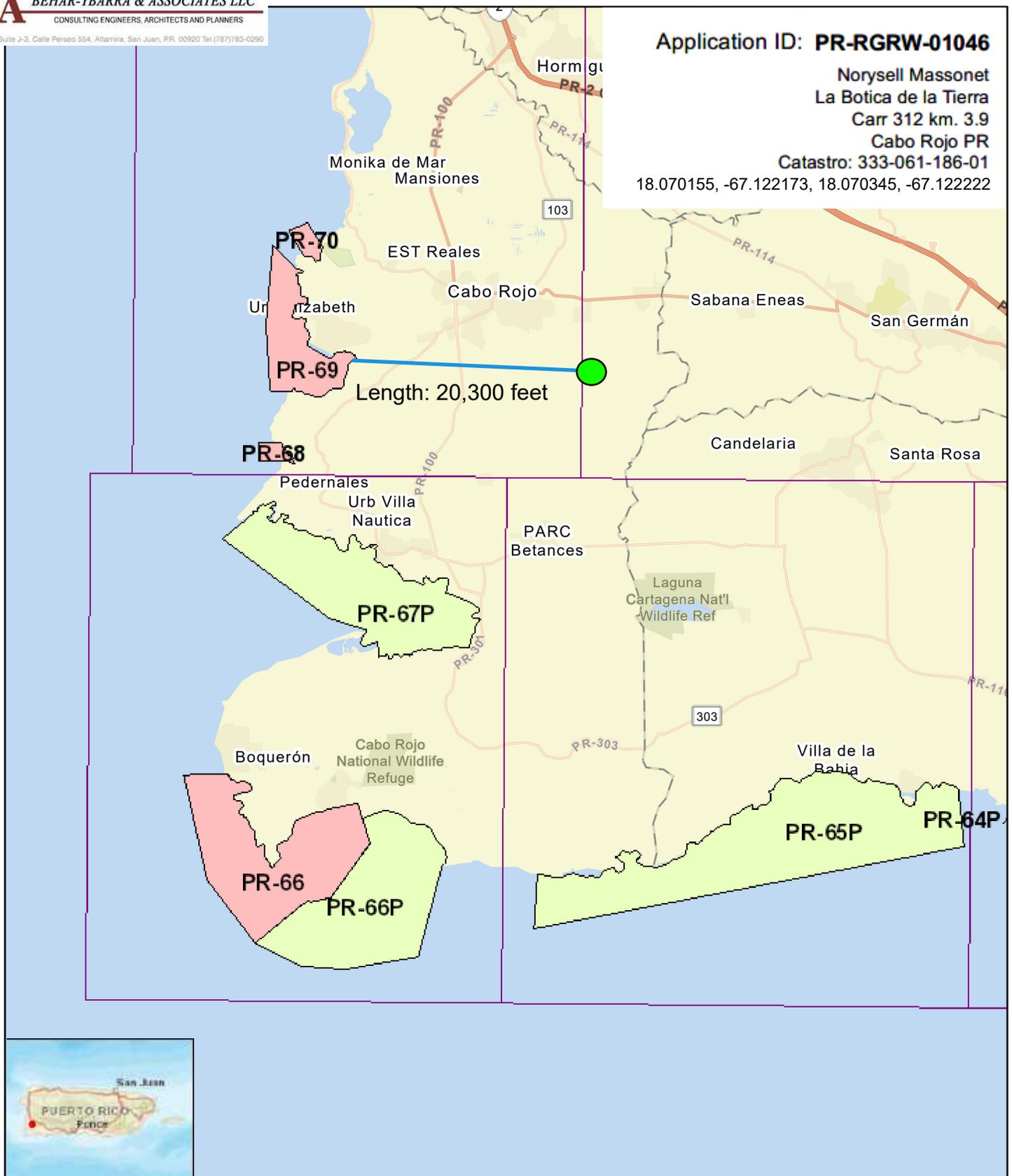
Runway Protection Zones  
Major Civil and Military Airports

# FIGURE 3: PR-RGRW-01046 CBRS

Application ID: **PR-RGRW-01046**

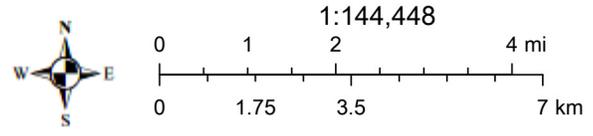
Norysell Massonet  
 La Botica de la Tierra  
 Carr 312 km. 3.9  
 Cabo Rojo PR  
 Catastro: 333-061-186-01

18.070155, -67.122173, 18.070345, -67.122222



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- CBRS Map Panels
- CBRS Units
- Otherwise Protected Area
- System Unit
- CBRS Prohibitions
- PR-RGRW-01046



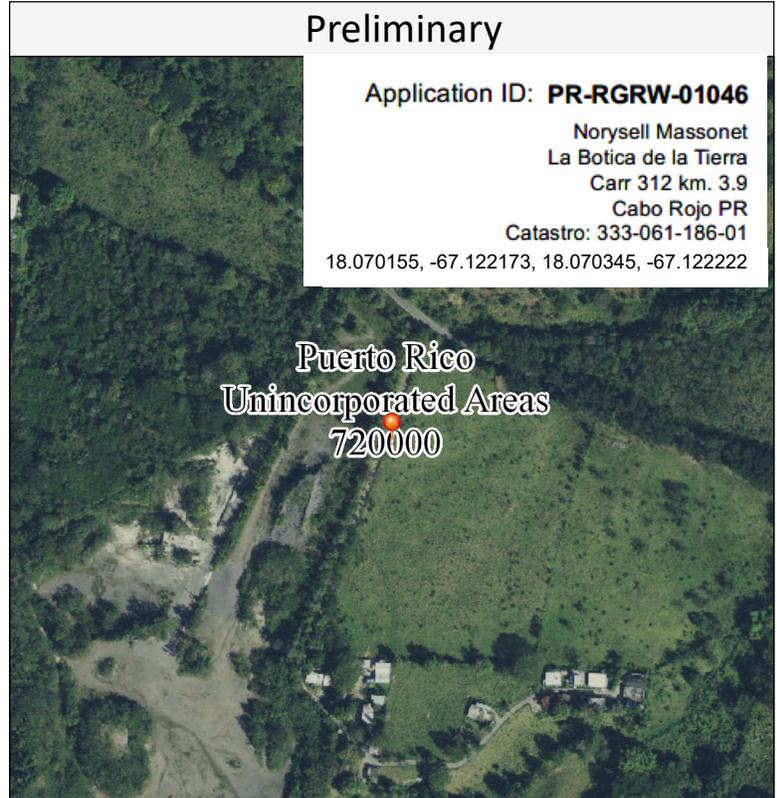
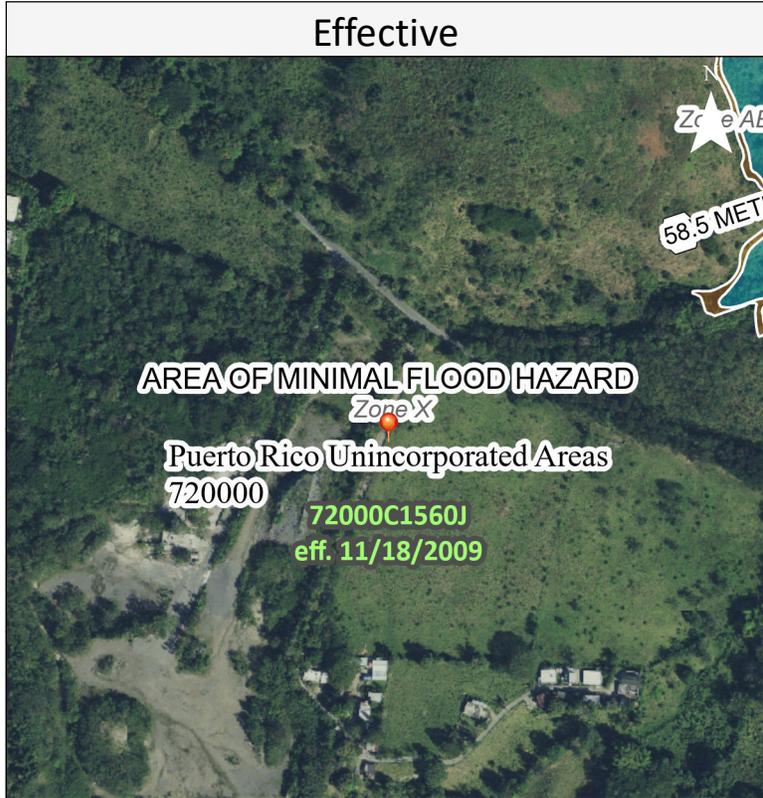
**Source**  
 U.S. Fish and Wildlife Service (FWS):  
<https://www.fws.gov/program/coastal-barrier-resources-act>

# Comparison of Flood Hazard

Effective & Preliminary Flood Hazards



FEMA



Effective	
POI Longitude/Latitude	-67.0102, 18.0702
Effective FIRM Panel	72000C1560J
Effective Date	11/18/2009
Flood Zone	X
Static BFE*	Not Available
Flood Depth	Not Available
Vertical Datum	Not Available

Preliminary	
POI Longitude/Latitude	-67.0102, 18.0702
Preliminary FIRM Panel	72000C1560J
Preliminary Issue Date	11/16/2018
Flood Zone	Not Available
Estimated Static BFE*	Not Available
Estimated Flood Depth	Not Available
Vertical Datum	Not Available

\* 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.

Hazard Level	Flood Hazard Zone
High Flood Hazard	<b>AE, A, AH, AO, VE and V Zones.</b> 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	<b>Shaded Zone X.</b> 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.  <b>Unshaded Zone X.</b> 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	<b>Insurance Note:</b> 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 <a href="https://www.fema.gov/national-flood-insurance-program">https://www.fema.gov/national-flood-insurance-program</a> 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](https://www.fema.gov) to view an official copy of the Flood Insurance Rate Maps.



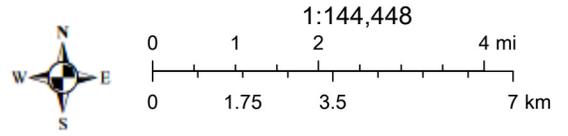
**Application ID: PR-RGRW-01046**  
 Norysell Massonet  
 La Botica de la Tierra  
 Carr 312 km. 3.9  
 Cabo Rojo PR  
 Catastro: 333-061-186-01  
 18.070155, -67.122173, 18.070345, -67.122222

Length: 9,300 feet



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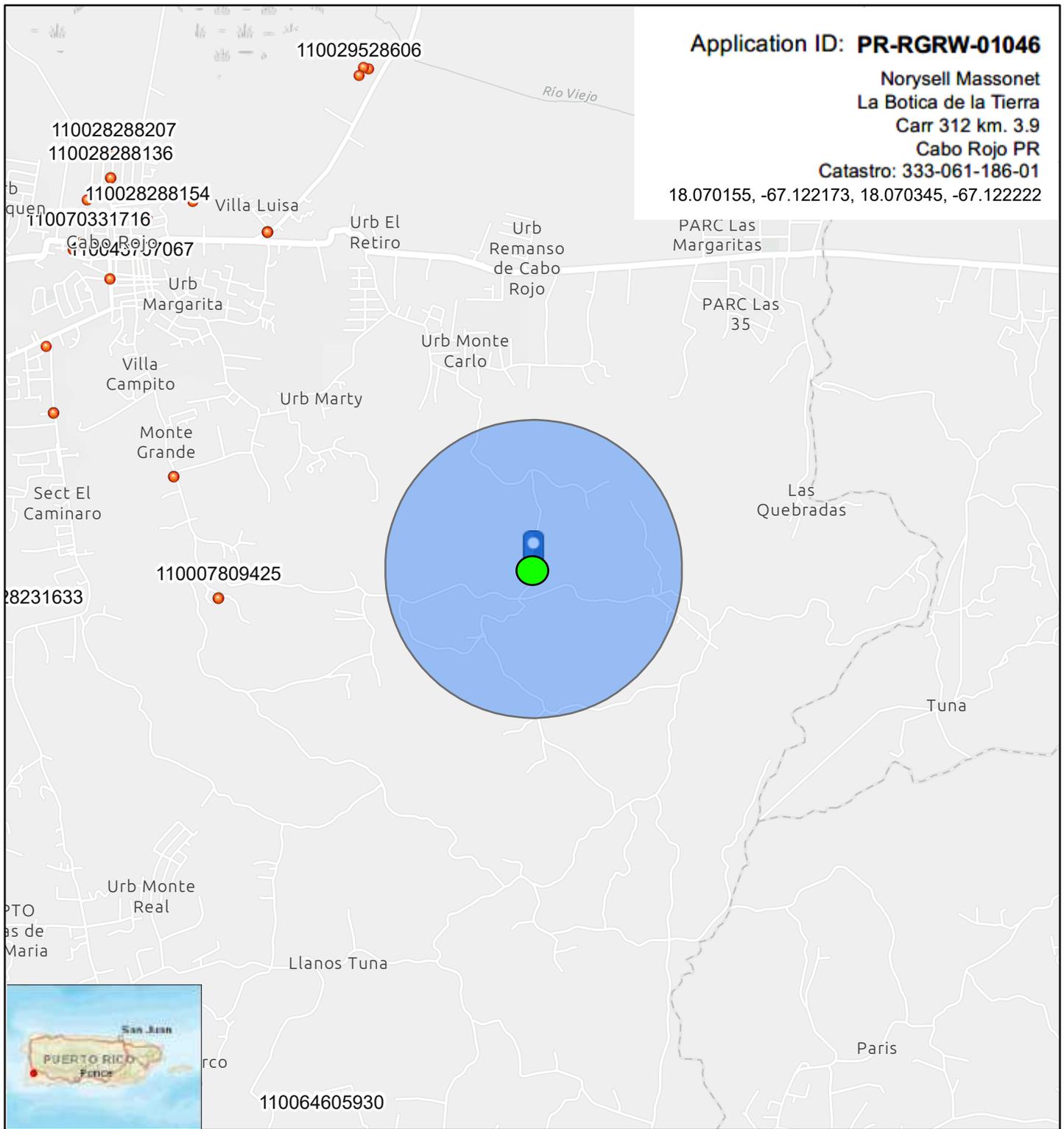
- Coastal Zone Management Act Boundary
- PR-RGRW-01046



**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-01046 Toxic

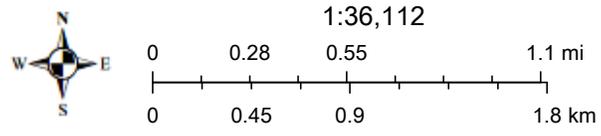
Cond. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, PR. 00920 Tel: (787) 793-0290



**Application ID: PR-RGRW-01046**  
 Norysell Massonet  
 La Botica de la Tierra  
 Carr 312 km. 3.9  
 Cabo Rojo PR  
 Catastro: 333-061-186-01  
 18.070155, -67.122173, 18.070345, -67.122222

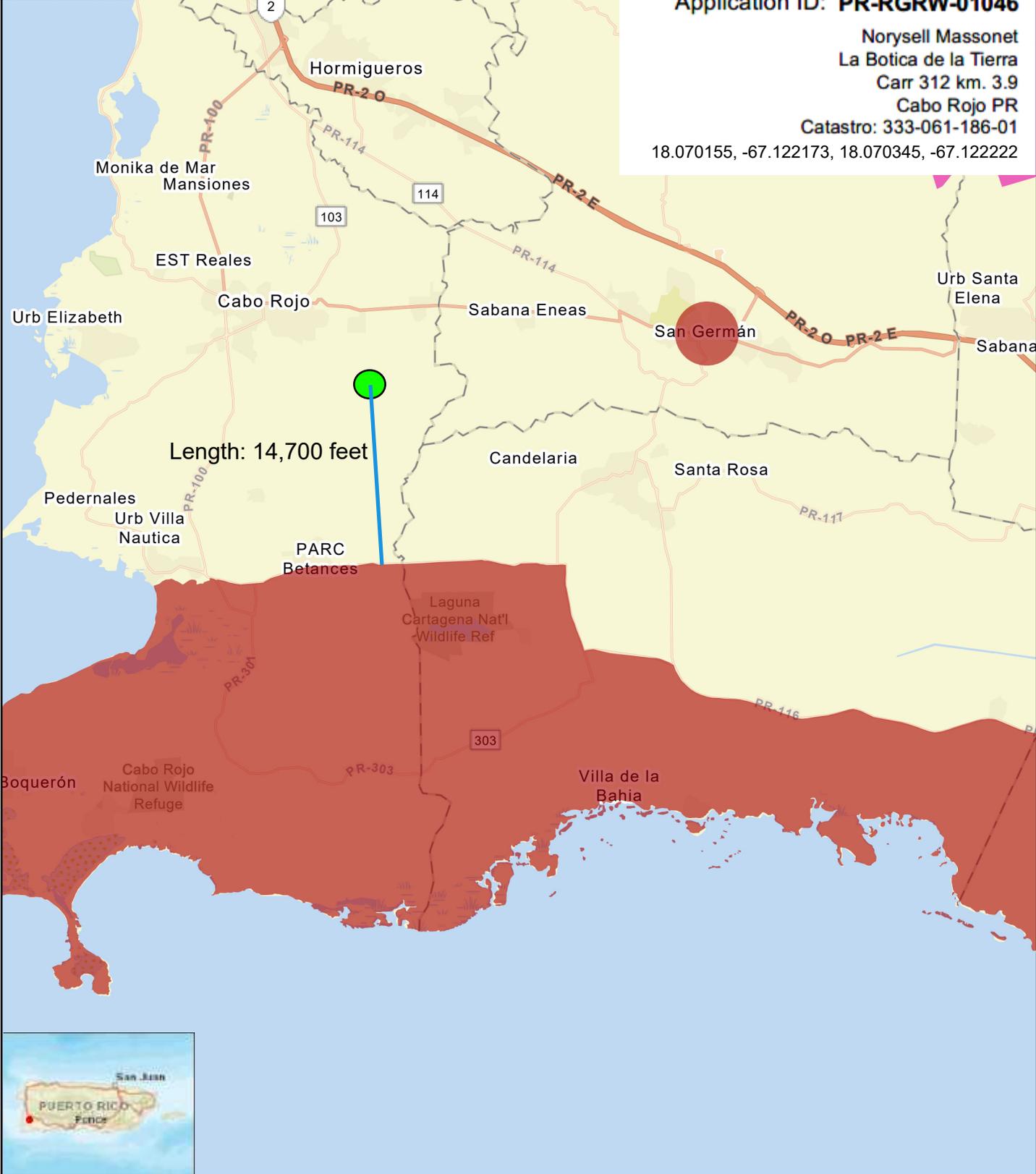
2/7/2023, 2:51:35 PM

- BufferedFeatures
- EPA\_DATA - RCRA
- EPA\_DATA - RCRA\_INACTIVE
- PR-RGRW-01046
- EPA\_DATA - SEMS
- EPA\_DATA - TRI
- EPA\_DATA - RCRA\_ACTIVE
- EPA\_DATA - FACILITY\_INTERESTS



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

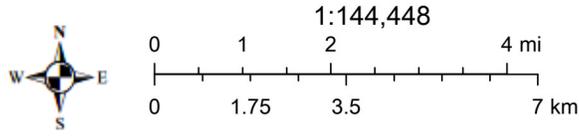
**Application ID: PR-RGRW-01046**  
 Norysell Massonet  
 La Botica de la Tierra  
 Carr 312 km. 3.9  
 Cabo Rojo PR  
 Catastro: 333-061-186-01  
 18.070155, -67.122173, 18.070345, -67.122222



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**Critical Habitat for Threatened & Endangered Species**

- Final
- Proposed
- PR-RGRW-01046

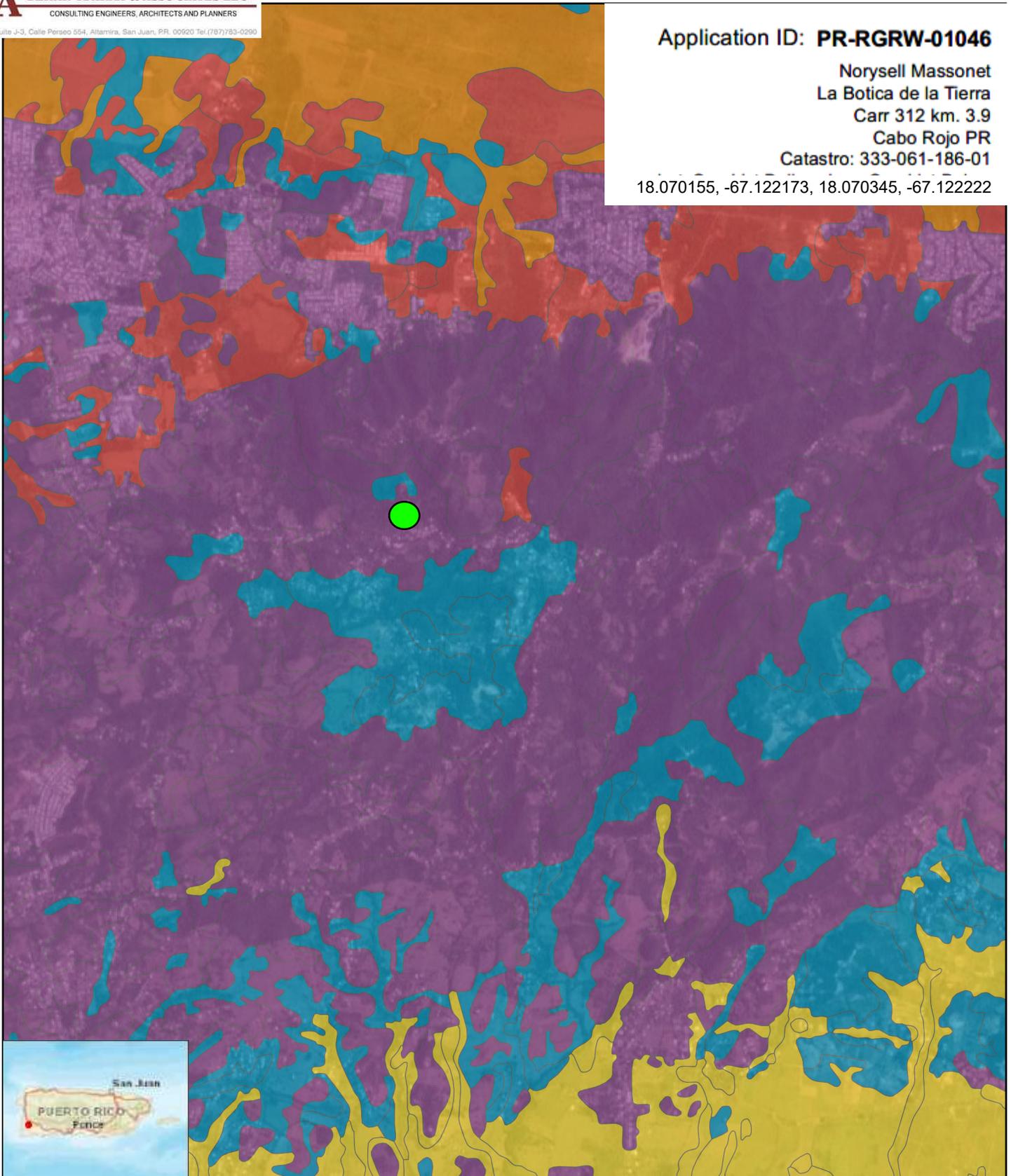


**Source**  
 National Oceanic and Atmospheric Administration (NOAA)  
 Office of Response and Restoration  
<https://response.restoration.noaa.gov/>

Application ID: **PR-RGRW-01046**

Norysell Massonet  
 La Botica de la Tierra  
 Carr 312 km. 3.9  
 Cabo Rojo PR  
 Catastro: 333-061-186-01

18.070155, -67.122173, 18.070345, -67.122222

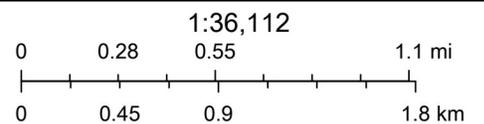


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**Farmland Protection**

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Prime farmland if drained
- Prime farmland if irrigated

PR-RGRW-01046



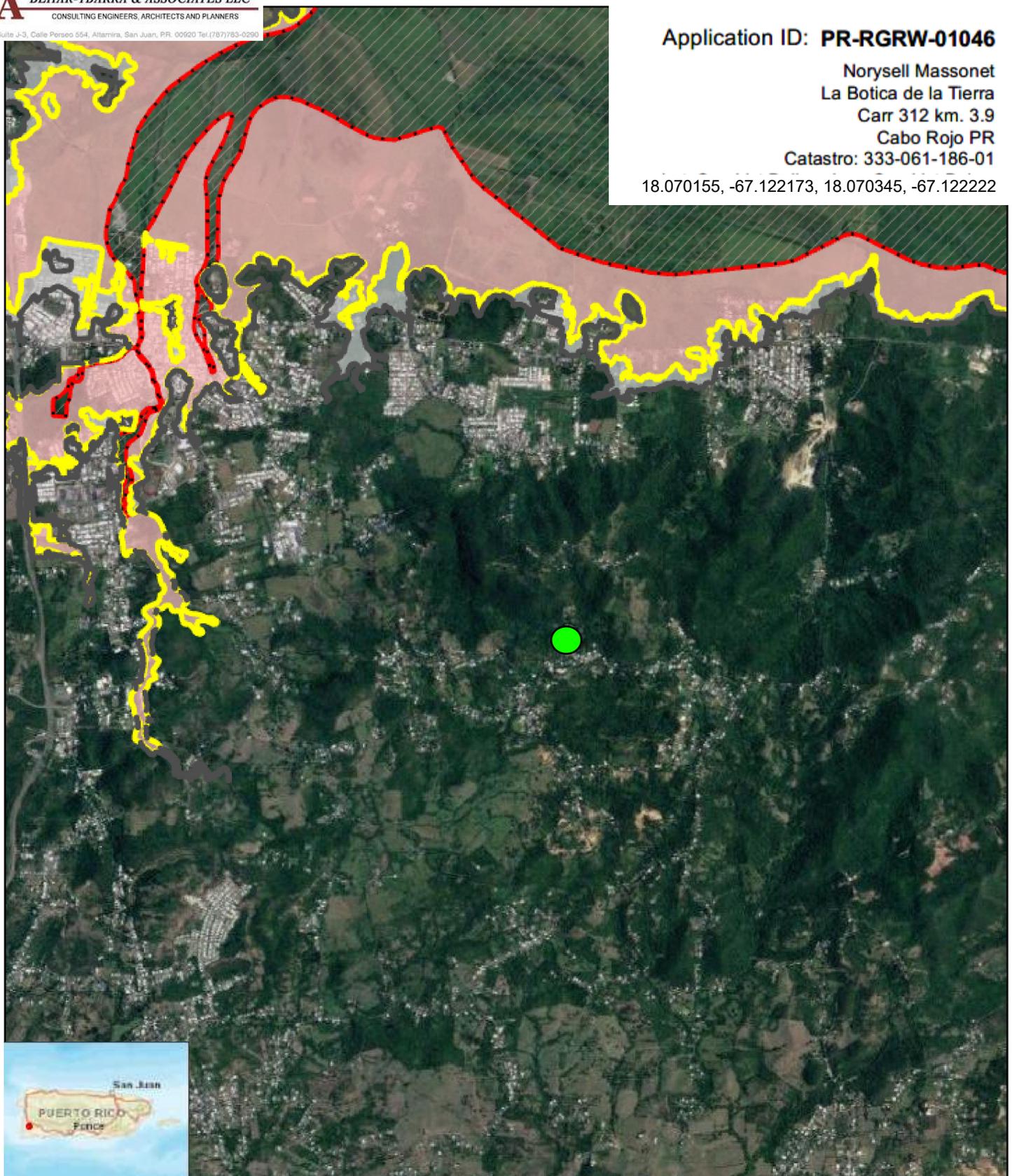
**Source**

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

Application ID: **PR-RGRW-01046**

Norysell Massonet  
 La Botica de la Tierra  
 Carr 312 km. 3.9  
 Cabo Rojo PR  
 Catastro: 333-061-186-01

18.070155, -67.122173, 18.070345, -67.122222



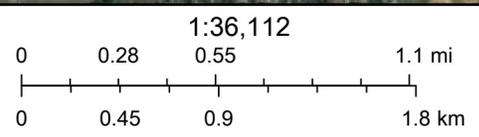
2/7/2023, 3:22:07 PM

Flood Hazard Zone

- A
- X 0.2% Annual Chance Flood
- A-Floodway
- PR-RGRW-01046

Zone/BFE Boundary

- Flood Hazard Extent
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood



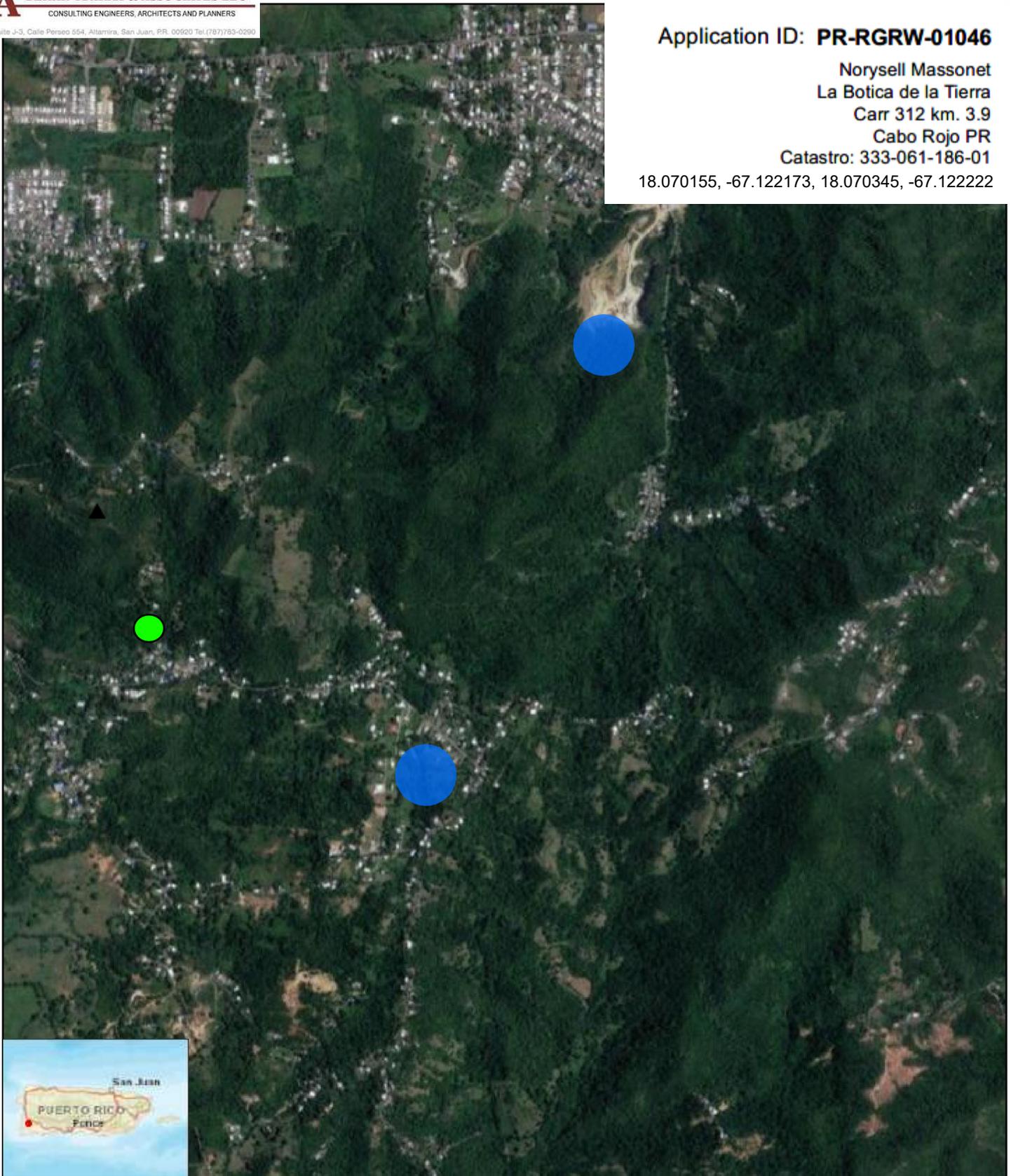
**Source**

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

Application ID: **PR-RGRW-01046**

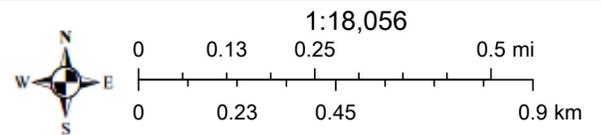
Norysell Massonet  
La Botica de la Tierra  
Carr 312 km. 3.9  
Cabo Rojo PR

Catastro: 333-061-186-01  
18.070155, -67.122173, 18.070345, -67.122222



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-  Cultural\_Resources - Scenic Places
-  Cultural\_Resources - Archeological Resources
-  PR-RGRW-01046



**Source**

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

Application ID: **PR-RGRW-01046**

Norysell Massonet

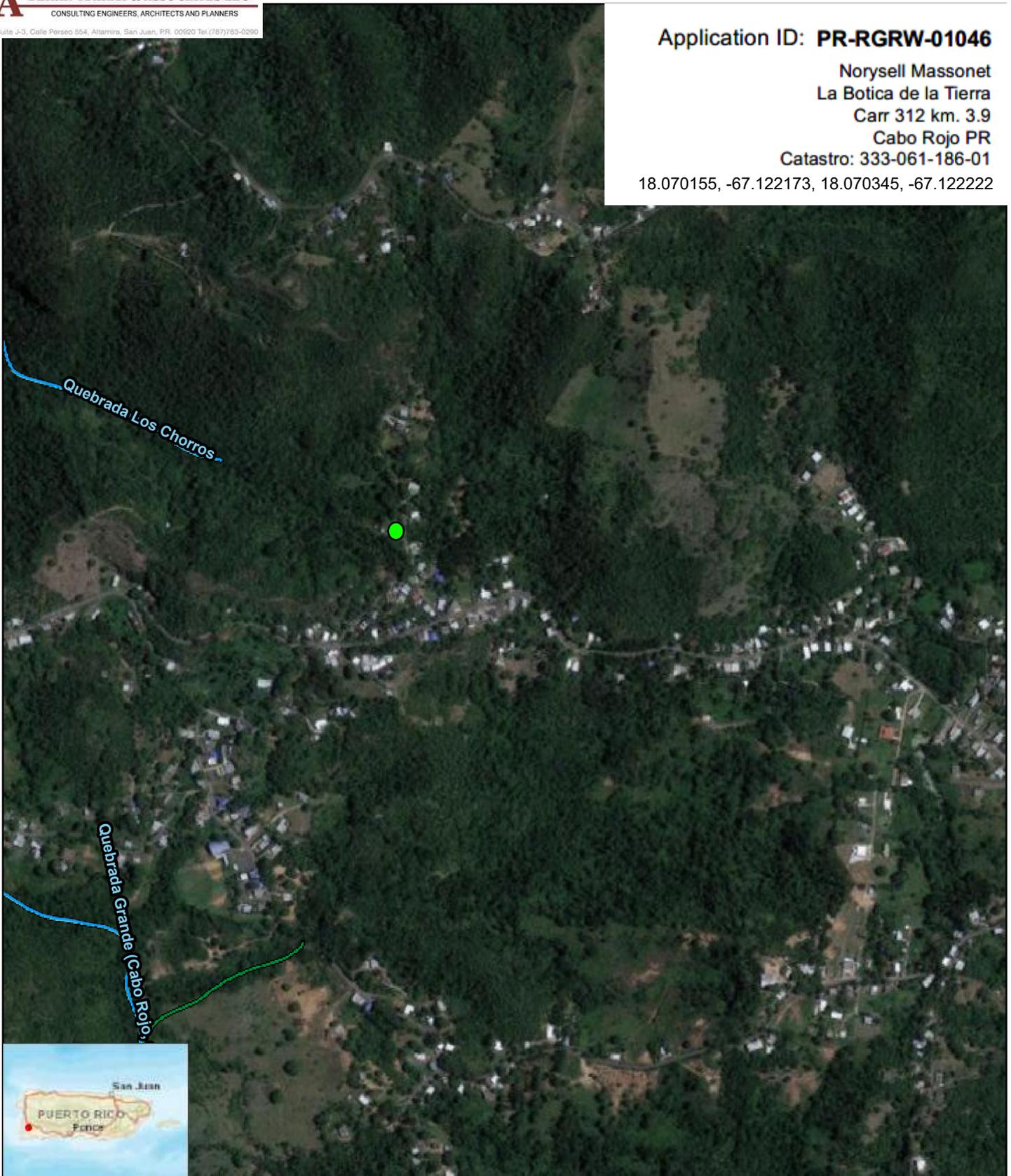
La Botica de la Tierra

Carr 312 km. 3.9

Cabo Rojo PR

Catastro: 333-061-186-01

18.070155, -67.122173, 18.070345, -67.122222



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 PR-RGRW-01046

 Hidrografia - Oficina Plan de Agua

 Swamp Marsh

Waterbody - Large Scale

Area - Large Scale

 Estuary

 Area of Complex Channels

 Ice Mass

 Area to be Submerged

 Lake Pond

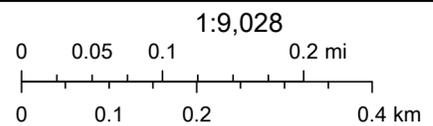
 Bay/Inlet

 Playa

 Bridge

 Reservoir

 Canal/Ditch



**Source**

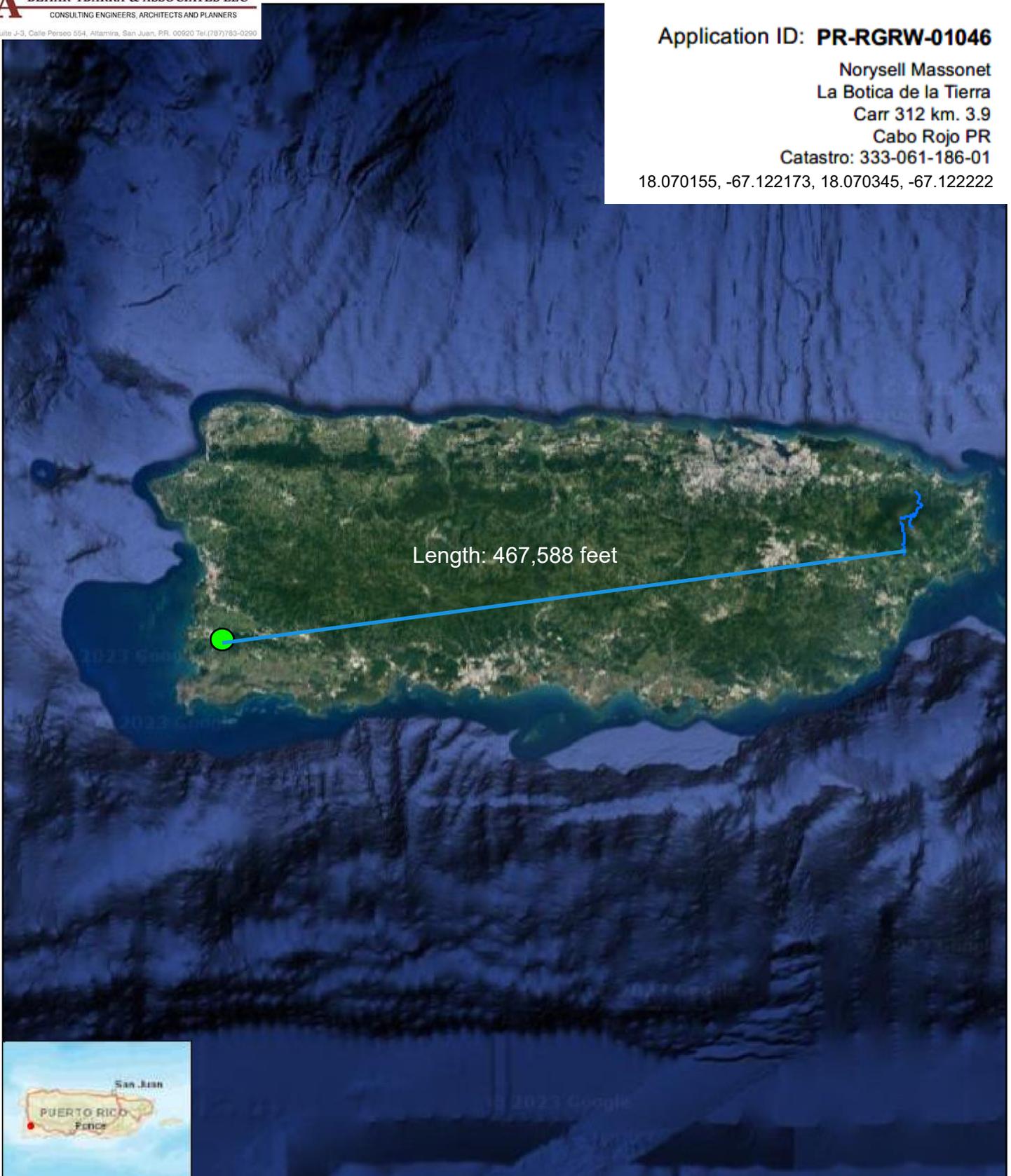
U.S. Fish and Wildlife Service (FWS):  
National Wetlands Inventory  
<https://www.fws.gov/program/national-wetlands-inventory>

# Figure 12 PR-RGRW-01046 Wild & Scenic Rivers

Application ID: **PR-RGRW-01046**

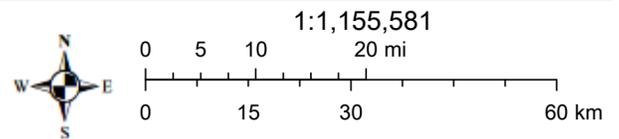
Norysell Massonet  
La Botica de la Tierra  
Carr 312 km. 3.9  
Cabo Rojo PR  
Catastro: 333-061-186-01

18.070155, -67.122173, 18.070345, -67.122222



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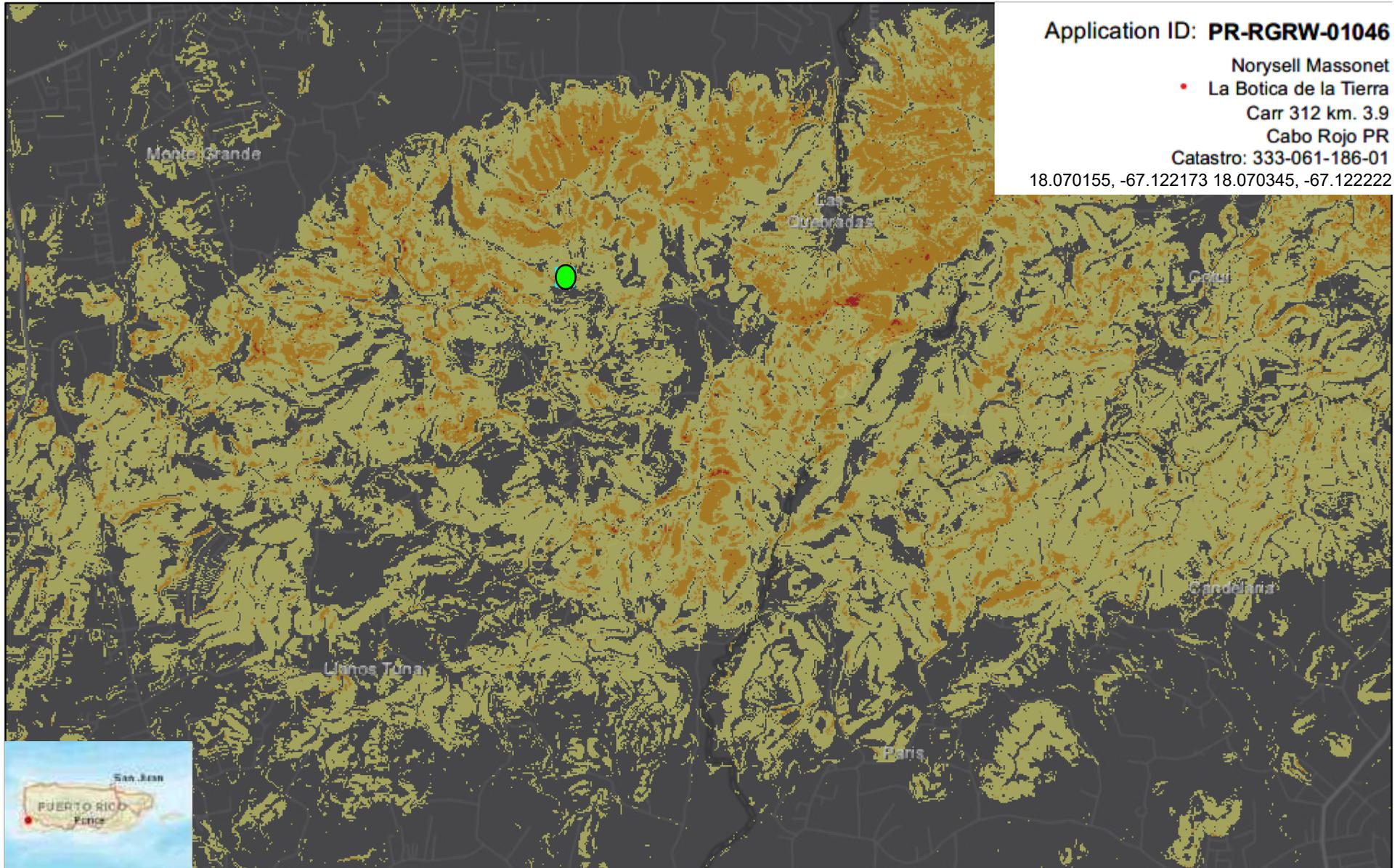
- National Wild and Scenic River Line
- PR-RGRW-01046



**Source**

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

Figure 13 PR-RGRW-01046 Landslide



Application ID: **PR-RGRW-01046**

Norysell Massonet

• La Botica de la Tierra

Carr 312 km. 3.9

Cabo Rojo PR

Catastro: 333-061-186-01

18.070155, -67.122173 18.070345, -67.122222

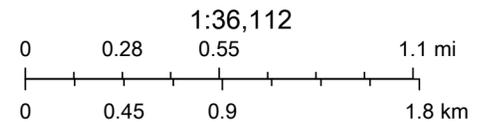
2/7/2023, 4:11:24 PM

Landslide Susceptibility

- Moderate
- High
- Very High
- Extremely High

Low

PR-RGRW-01046



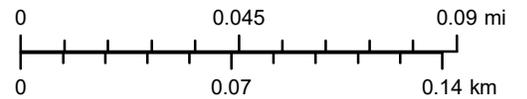
Source: Landslide data from USGS:  
 ESRI Imagery Basemap Service

ERE



**Legend**

- A-G, Agrícola General
- Agua, Agua
- CR, Conservación de Recursos
- DT-G, Dotacional General
- PR, Preservación de Recursos
- R-G, Rural General
- PR-RGRW-01046



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



## **Appendix 1**



**GOVERNMENT OF PUERTO RICO**  
STATE HISTORIC PRESERVATION OFFICE

Executive Director | Carlos A. Rubio-Cancela | [carubio@prshpo.pr.gov](mailto:carubio@prshpo.pr.gov)

February 2, 2023

**Lauren Bair Poche**

HORNE- Architectural Historian Manager  
10000 Perkins Rowe, Suite 610 Bldg. C  
Baton Rouge, LA 70810

SHPO: 01-04-23-02 PR-RGRW-01046 - NORYSSELL MASSANET MELÉNDEZ / LA  
BOTICA DE LA TIERRA, CABO ROJO, PUERTO RICO

Dear Ms. Bair,

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.

As mentioned in the submitted documents, the project area is very sensitive to pre-columbian archaeological resources. However, our records support your finding of **no historic properties affected** within the project's area of potential effects, given the nature of this undertaking. 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

CARC/GMO/IMC



January 4, 2023

Carlos A. Rubio Cancela  
Director Ejecutivo  
Oficina Estatal de Conservación Histórica  
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-01046 – Norysell Massanet Meléndez / La Botica De La Tierra – Carretera 312 Km 3.9, Barrio Llanos Tuna, Cabo Rojo, Puerto Rico – *No Historic Properties Affected***

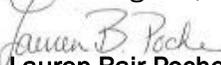
Dear Architect Rubio Cancela,

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH) 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 Norysell Massanet Meléndez / La Botica de la Tierra in Barrio Llanos Tuna at Carretera 312 km 3.9 in the municipality of Cabo Rojo. This undertaking will involve the installation of a 20-foot removable shipping container, the installation of a 1,000 gallons cistern, the connection of batteries to the existing solar panels, the placement of beehives, and the planting of trees and various fruits. This project will be developed on four lots within the 12.48 acres parcel. Based on the submitted documentation prepared by SOI-qualified Archaeologist Jaqueline López Meléndez, 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 [lauren.poche@horne.com](mailto:lauren.poche@horne.com) or phone at 225-405-7676 with any questions or concerns.

Kindest regards,

  
**Lauren Bair Poche, M.A.**

Architectural Historian, Historic Preservation Senior Manager  
Enclosures

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Subrecipient:</b> La Botica de la Tierra/ Norysell Massanet Meléndez		
<b>Case ID:</b> PR-RGRW-01046		<b>City:</b> Cabo Rojo

<b>Project Location:</b> Carretera 312 km 3.9 Barrio Llanos Tuna, Cabo Rojo, PR	
<b>Project Coordinates:</b> 18.070155, -67.122173, 18.070345 -67.122222	
<b>TPID (Número de Catastro):</b> 333-061-186-01	
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair <input checked="" type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b> n/a	<b>Property Size (acres):</b> 12.48

<b>SOI-Qualified Archaeologist:</b> Site Visit by: Jaqueline López Meléndez, October 15, 2022
<b>Date Reviewed:</b> November 4, 2022, November 15, 2022 Revised

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 project undertaking consists of the installation of a 20-foot removable shipping container, the installation of a 1,000 gallons cistern, the connection of batteries to the existing solar panels, placement of bee hives and the planting of trees and various fruits. This project will be developed on four lots within the 12.48 acres parcel. The following is a discussion of the work to be performed on each lot (Figure 8).

#### Lot 1 (Predio 1)- Main entrance- 0.6 acres

1. Installation of a 20-foot removable shipping container to be used as a warehouse. The warehouse will be installed where there is currently a nursery, which will be relocated. The 20-foot container will be placed directly on the ground, using two 6-inch diameter steel beams laid parallel to each other on the ground, on which the container will rest to protect the bottom from moisture. Concrete will not be used at any time. The activity does not involve any ground disturbance.
2. The installation of a 1,000 gallons cistern. The cistern will be placed on the bare ground, next to where there is already another cistern. The cistern will be piped and laid on top of the existing surface. The activity does not involve any ground disturbance.
3. Connection of batteries to the existing solar panels.
4. Acquisition of the 12.48-acre property.
5. Planting of species (coriander, etc).

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGrow PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Subrecipient:</b> La Botica de la Tierra/ Norysell Massanet Meléndez	
<b>Case ID:</b> PR-RGRW-01046	<b>City:</b> Cabo Rojo

**Lots 2 and 3 (Predios 2 and 3) AREA OF CROPS IN THE SUN**

Lots 2 (1.0 acres) and 3 (0.9 acres) are 1.9 acres. These two lots will be bordered by 250 fruit trees at a distance of 10 to 15 feet. Wooden stakes 4 inches x 4 inches x 3 feet deep will be installed in the center area of both lots. These will be installed at 10-foot intervals (Figure 9). Although 176 stakes will be used only 120 will be buried in the ground because the remaining stakes will be left in the air. Between the rows of these stakes, Sacha Inchi and Pitahaya vines will be planted.

**Lot 4 (Predio 4)- 10.2 acres**

In this property we will be planting 2 varieties of vanilla (planifolia and pomposa), an orchid that thrives at the base of the trees, for which there is no need to remove vegetation and much less ground bark. This planting allows to generate compatible shade crops and will allow the establishment of bee hives where the purest products derived from the hive (honey, wax, propolis) will be produced, also in an ethical, conscientious way and in protection of the bees. The bee hives to be installed in the northern part of lot 4 will be placed on the surface.

In the area that appears denser in the half southern part (with Maria and now Fiona, light openings have been created from fallen trees), Criollo and Trinitario cocoa will be planted for the exclusive production of fine and aromatic cocoa. The plan is to plant 300 trees, 100 per year for three years. Planting trees does not require plowing.

The northeastern part of property 4 is a rocky area and difficult to access, in this area no manual work of any kind will be done, but the blooms of the existing trees and bushes are very important for the production of bees.

**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 entire parcel. The indirect/Visual APE is defined as the viewshed of the proposed project, which would include the adjacent properties. However, no indirect effects are anticipated for this project (Figure 1).

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Subrecipient:</b> La Botica de la Tierra/ Norysell Massanet Meléndez	
<b>Case ID:</b> PR-RGRW-01046	<b>City:</b> Cabo Rojo

### Identification of Historic Properties – Archaeology

A Program contracted Historic Preservation Specialist meeting the Secretary of the Interior’s Professional Qualification Standards (36 CFR Part 61), conducted background research to identify archaeological surveys, previously recorded archaeological sites, and National Register districts within a 0.5 miles radius. Archival research indicates that no archaeological surveys have been conducted within the 0.50-mile radius of the project area. The radius was measured from the location of the warehouse and cistern. Within the 0.50 miles radius we have 6 archaeological sites reported. These are: 12-7-15 (CR0100114), located 0.16 miles northeast; Conchero Cerro Bella Vista, 12-7-12 (CR0100113), located 0.24 miles northwest; 12-5-4 (CR0100065), located 0.40 miles southwest; La Cueva de los Rivera, 12-5-3 (CR0100064), located 0.45 miles southeast; Colmado Rafael Rivera, 12-5-9 (CR0100070), located 0.48 miles southwest; and 12-5-8 (CR0100069), located 0.50 miles southwest (see table). Site CR0100114 is located on the northeast boundary of the property and site CR0100113 is located 0.05 miles northwest of the northwest boundary of the property (See Figures 5-6). The six archaeological sites within the 0.50 miles radius are Pre-Columbian, residuaries with shell remains, Pre-Columbian ceramics and lithics. Cueva de los Rivera (CR0100064) also has petroglyphs and site CR0100069 has human burials. It is noteworthy that these sites are reported in areas of steep slopes not very conducive to human settlement. It is possible that these artifacts are out of context.

The project area does not have cultural resources that are included in or eligible for the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District.

According to the soil book in the project area we have three types of soils: in the northern part we have the soils La Tea limestone outcrop complex, 20 to 60 percent slopes (LeF), in the southern part we have the soils Descalabrado clay, 20 to 60 percent slopes (DeF) and the soils that predominate in the central part are Mariana gravelly clay loam, 20 to 40 percent slopes (MpE2). The topography of the project area is irregular as it is located on the slope of a mountain. It ranges in elevation from 394 feet to the southeast and rises to 689 feet to the north above sea level.

On October 15, 2022, we visually inspected the project area. The area where the warehouse and cistern will be installed within Lot 1 has a moderately visible surface. During the visual inspection of the exposed surface in that area we found no evidence of archaeological cultural resources. Lots 2, 3 and 4 have dense vegetation. It is impossible to observe the surface and it is also very difficult to walk it because it is covered with vegetation, trees, shrubs and vines and tree trunks that fell during the passage of Hurricane Fiona on September 18, 2022.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Subrecipient: La Botica de la Tierra/ Norysell Massanet Meléndez</b> <b>PR-RGRW-01046</b>		
<b>Project Location (Street Address): Carretera 312 Km 3.9 Barrio Llanos Tuna</b>		<b>City: Cabo Rojo</b>

**Case ID:** PR-RGRW-01046

**Project Coordinates:** 18.070155 -67.122173, 18.070345 -67.122222

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

Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
Conchero Cerro Bella Vista 12-7-12	CR0100113	-	0.24 mi NW	Pre-Columbian site Shell midden, residuary, Pre-Columbian ceramic Chicoide style	No data
Conchero Cerro Bella Vista, 12-7-12	CR0100113	-	0.05 mi NW from north boundaries	Pre-Columbian site Shell midden, residuary, Pre-Columbian ceramic Chicoide style	No data
12-7-15	CR0100114	-	0.16 NE	Pre-Columbian site Shell midden, residuary, Pre-Columbian ceramic Chicoide style	No data
12-7-15	CR0100114	-	Adjacent boundaries northeast	Pre-Columbian site Shell midden, residuary, Pre-Columbian ceramic Chicoide style	No data
12-5-4	CR0100065	-	0.40 mi SW	Pre-Columbian site Shell midden, residuary, Pre-Columbian ceramic Chicoide style	No data
12-5-3 La Cueva de los Rivera	CR0100064	-	0.45 mi SE	Pre-Columbian site, Cave with petroglyph, residuary, lithic and shell	No data
12-5-9 Colmado Rafael Rivera	CR0100070	-	0.48 mi SW	Pre-Columbian site Shell midden, residuary, lithic, Pre-Columbian ceramic Chicoide style	No data
12-5-8	CR0100069	-	0.52 mi SW	Pre-Columbian site Shell midden, residuary, lithic, Pre-Columbian ceramic, lithic, human bones	No data

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Subrecipient:</b> La Botica de la Tierra/ Norysell Massanet Meléndez	
<b>Case ID:</b> PR-RGRW-01046	<b>City:</b> Cabo Rojo

## Determination

After reviewing all the archival and field information collected, we concluded that the PR-RGRW-01046 project APE has a high sensitivity to Pre-Columbian archaeological resources. Review of existing archaeological information indicates the presence of six pre-Columbian sites within the 0.50-mile radius. One of these sites CR0100114 is located adjacent to the northeast corner of the property and site CR0100113 is located .05 miles northwest of the property.

The existing background review determined that the proposed project area is not within the boundaries or visual APE of an eligible/included National Register of Historic Places (NRHP) or a Traditional Urban Center/Historic District. Visual inspection of the area where the warehouse and cistern will be installed on Lot 1 did not reveal the presence of archaeological resources. However, visibility on the property is not good so the negative result of the surface inspection is not conclusive.

The sites located in the immediate periphery of the project are located in areas with similar topographic conditions to those of the APE.

The parcel where this project is proposed is divided into 4 lots. In lot 1 there will be no excavation or earth movement of any kind. In lots 2 and 3, 250 trees will be planted to delimit the property at intervals of 10 to 15 feet. In these same lots located in the southern part of the property, 120 stakes will be buried for planting fruit vines. These stakes are 4 inches by 4 inches by 3 feet deep.

In the southern part of lot 4, 300 trees will be planted in three years, vanilla will be planted at the base of the trees, and bee hives will be placed on the surface of the northern part of the property. In the northeastern part of the property (the area closest to the archaeological site) no work is contemplated because the surface is stony and difficult to access. We understand that the greatest disturbance to the terrain will be caused by planting trees and burying the stakes in the southern part of the property. The stakes are small and will be manually excavated for installation. Although the project area is very sensitive to pre-Columbian archaeological resources, we understand that the nature of the work to be carried out is not likely to affect the archaeological resources located to the northeast of the property. In the part of the property closest to the area where the archaeological site is located (northeast corner) only beehives will be placed on the surface.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Subrecipient:</b> La Botica de la Tierra/ Norysell Massanet Meléndez	
<b>Case ID:</b> PR-RGRW-01046	<b>City:</b> Cabo Rojo

**Recommendation**

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

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

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

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

Subrecipient: La Botica de la Tierra/ Norysell Massonet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 1. Project (PR-RGRW-01046) Location – Area of Potential Effect Map (Aerial)

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

Application ID: PR-RGRW-01046

Norysell Massonet

La Botica de la Tierra

Carr 312 km. 3.9

Cabo Rojo PR

Catastro: 333-061-186-01

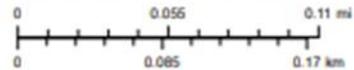
Lat: See List Below, Lon: See List Below

### Area of Potential Effect

Puerto Rico Department of Housing ReGrow



- Legend**
- PR-RGRW-01046 Applicant Structure
  - Area of Potential Effect
  - CRIM Parcels



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



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

Subrecipient: La Botica de la Tierra/ Norysell Massonet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 2. Project (PR-RGRW-01046) Location - Aerial Map

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

Location: Aerial Map  
Puerto Rico Department of Housing ReGrow

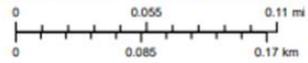
Appication ID: PR-RGRW-01046

Norysell Massonet  
La Botica de la Tierra  
Carr 312 km. 3.9  
Cabo Rojo PR  
Catastro: 333-061-186-01  
Lat: See List Below, Lon: See List Below



**Legend**

- PR-RGRW-01046
- ▭ PR-RGRW-01046 Parcel
- ▭ CRIM Parcels



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

**Source**

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

Subrecipient: La Botica de la Tierra/ Norysell Massanet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 3. Project (PR-RGRW-01046) Location – USGS Topographic Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
10000 Avenida 1 Suite 200, Cabo Rojo, PR 00822 Tel: 787-720-0200

Application ID: PR-RGRW-01046

Norysell Massanet

La Botica de la Tierra

Carr 312 km. 3.9

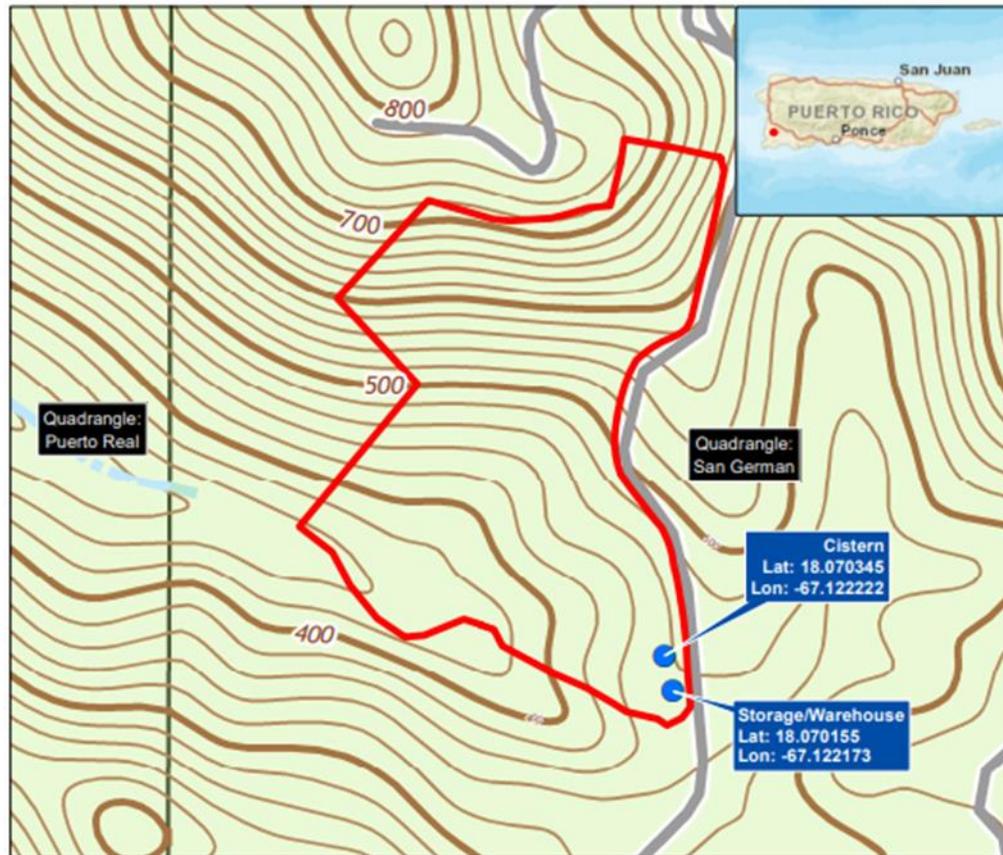
Cabo Rojo PR

Catastro: 333-061-186-01

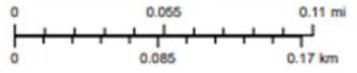
Lat: See List Below, Lon: See List Below

### Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow



**Legend**  
● PR-RGRW-01046  
▭ PR-RGRW-01046 Parcel  
Contour Interval 20 Feet



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

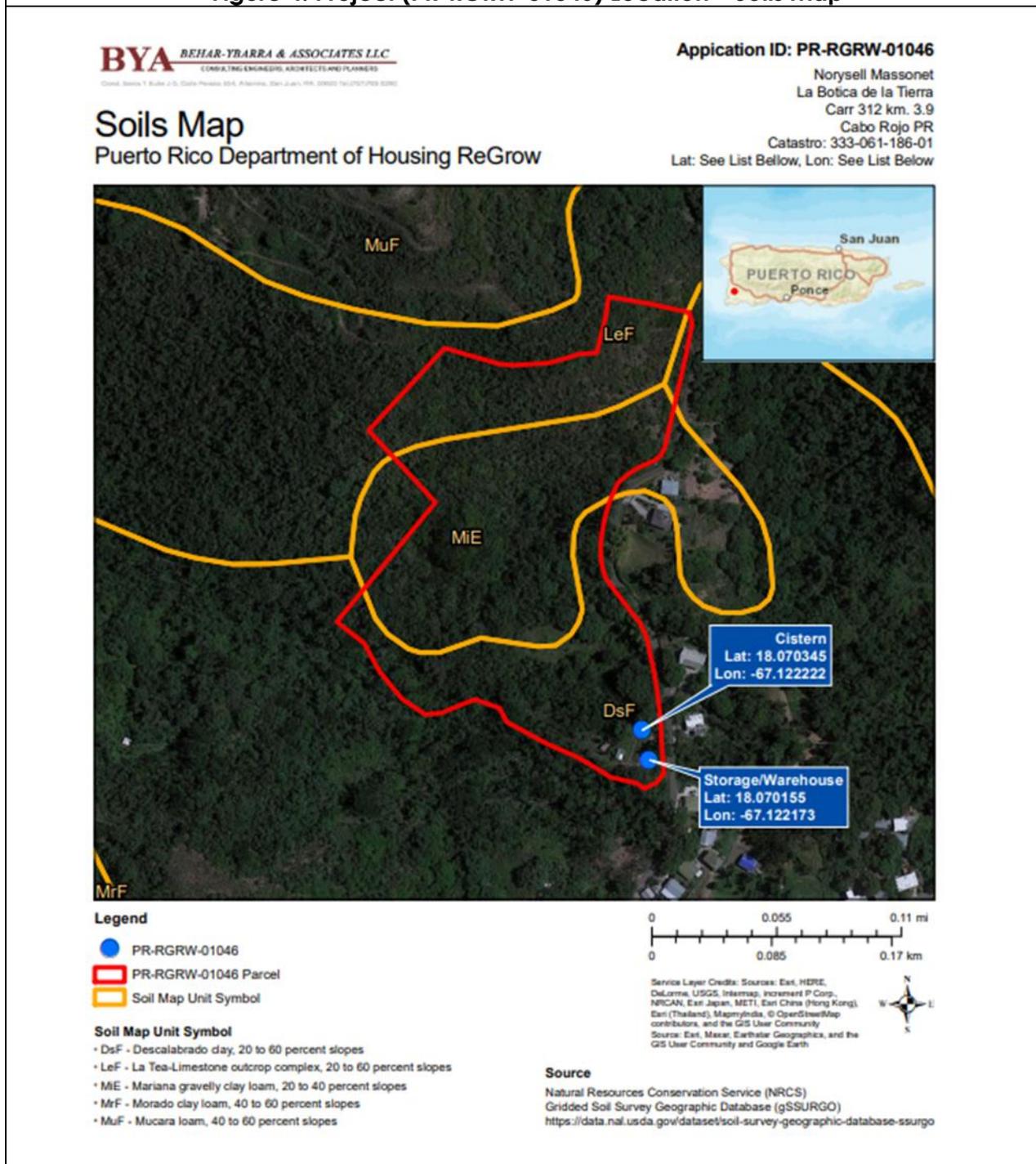
**Source**  
United States Geological Survey (USGS)  
National Geologic Map Database  
[https://ngmdb.usgs.gov/ngmdb/ngmdb\\_home.html](https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html)

Subrecipient: La Botica de la Tierra/ Norysell Massonet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 4. Project (PR-RGRW-01046) Location – Soils Map

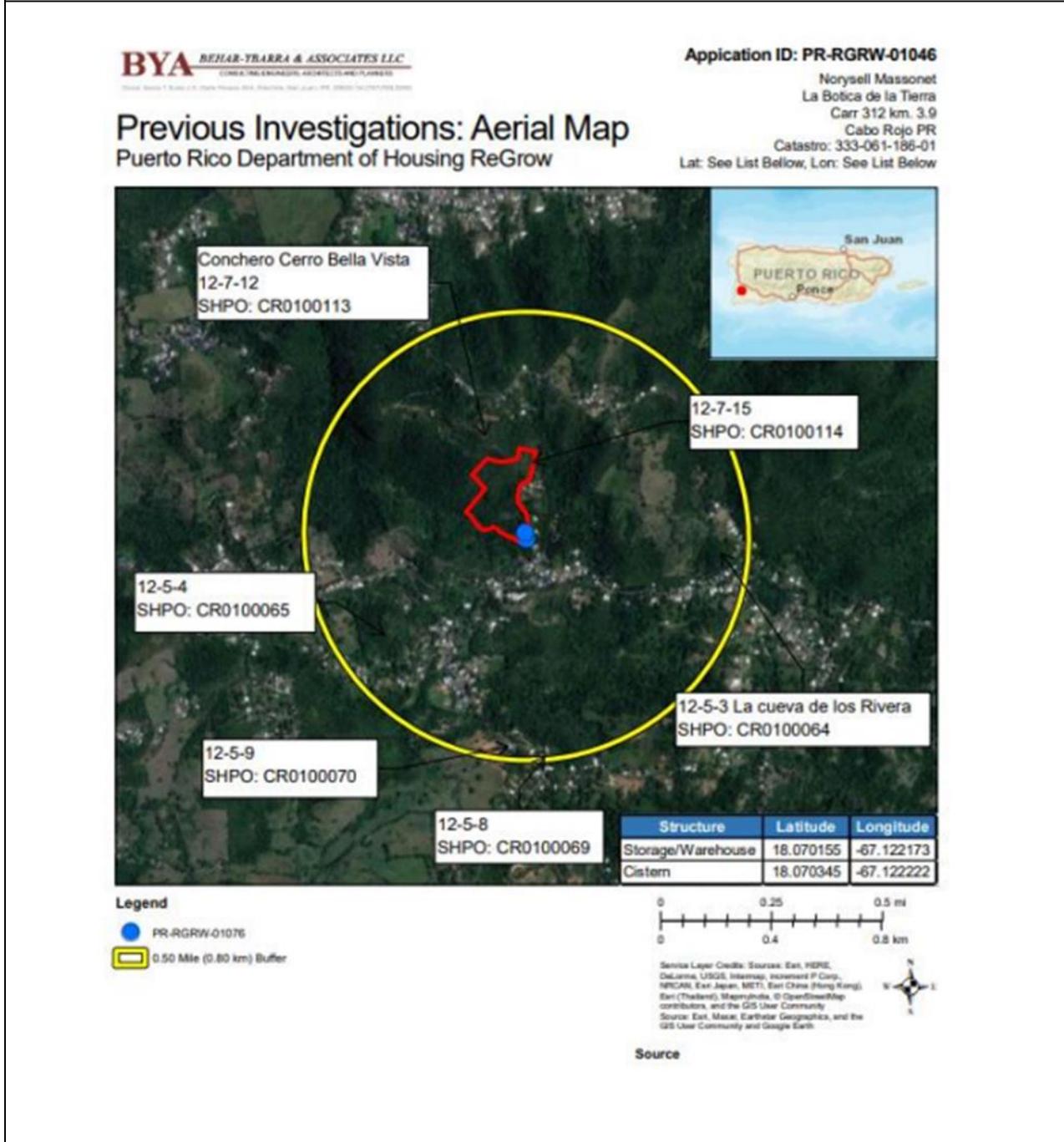


Subrecipient: La Botica de la Tierra/ Norysell Massanet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 5. Project (PR-RGRW-01046) Location with Previous Investigations - Aerial Map

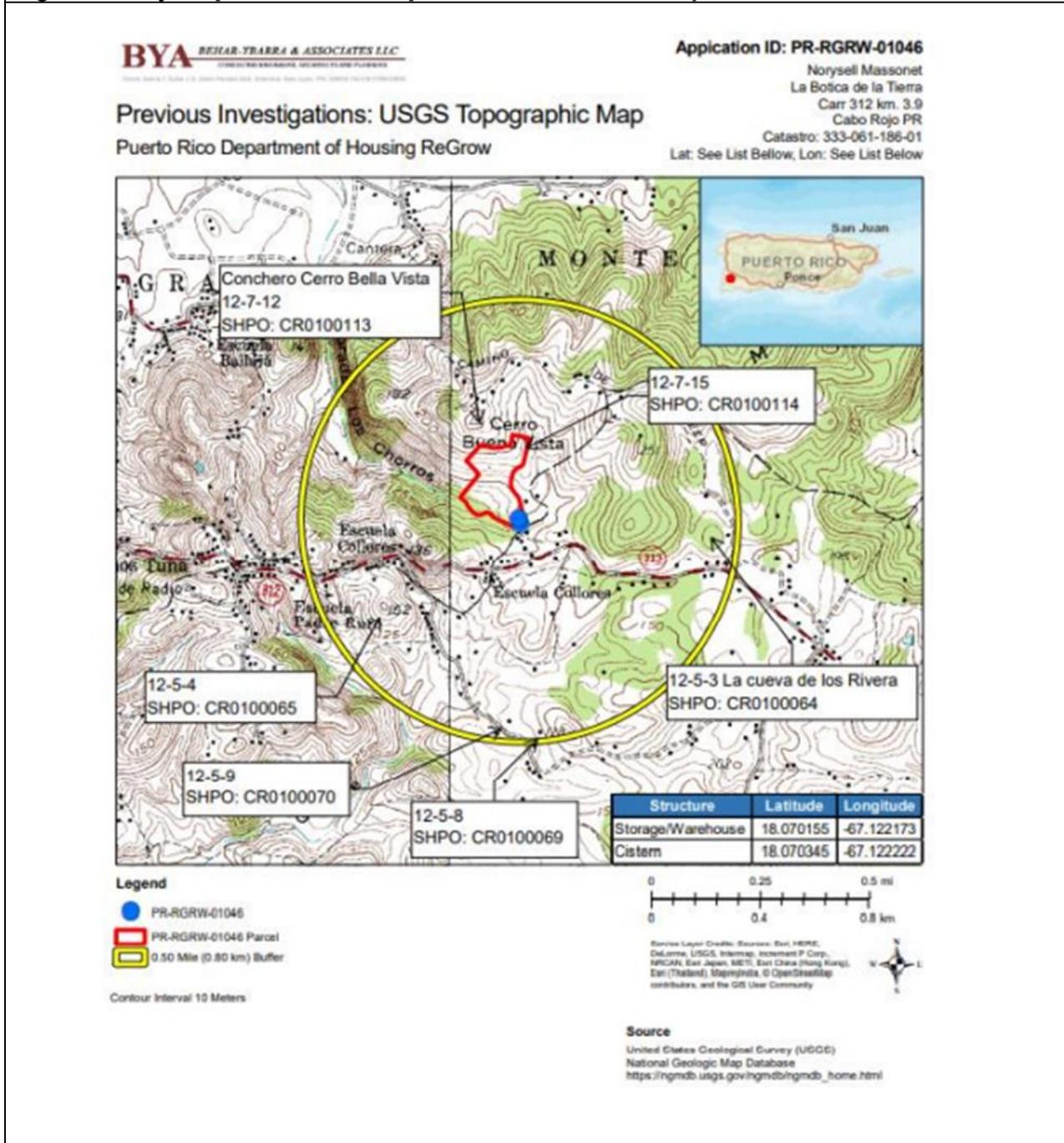


Subrecipient: La Botica de la Tierra/ Norysell Massonet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 6. Project (PR-RGRW-01046) Location with Previously Recorded Cultural Resources

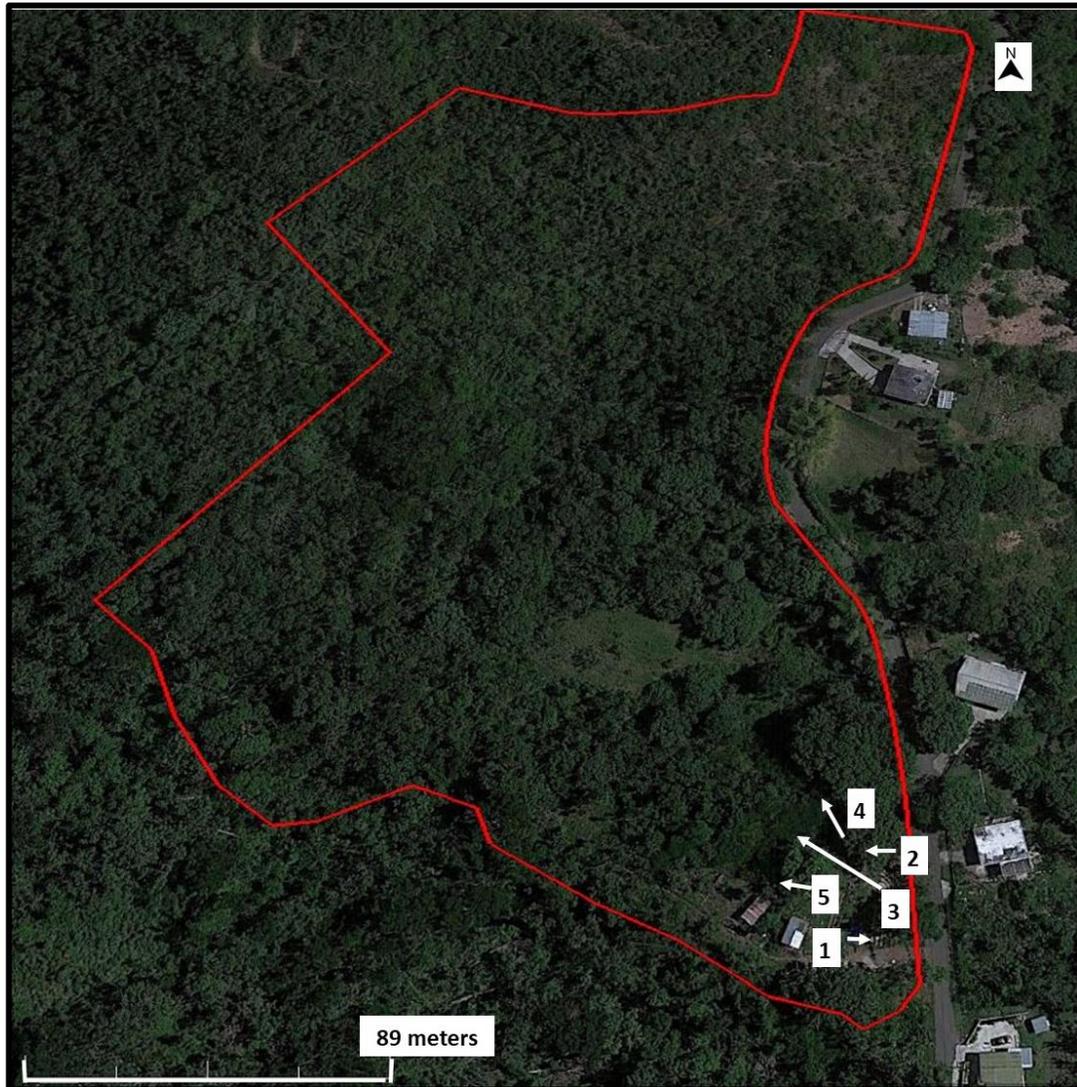


Subrecipient: La Botica de la Tierra/ Norysell Massanet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

Figure 7. Photograph Key

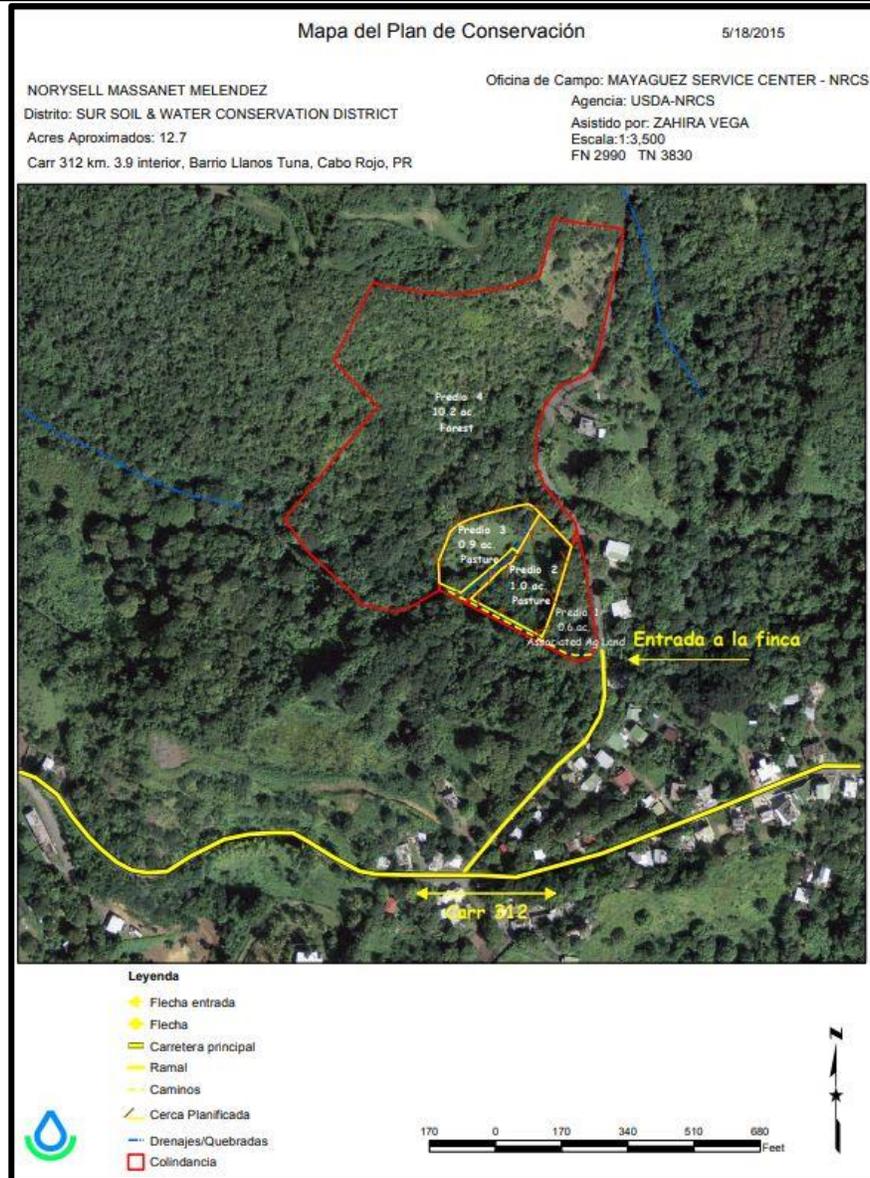


Subrecipient: La Botica de la Tierra/ Norysell Massanet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

**Figure 8. Conservation plan map (May 15, 2015). Lot (Predio) 1-4 location**  
Source: Norysell Massanet Meléndez

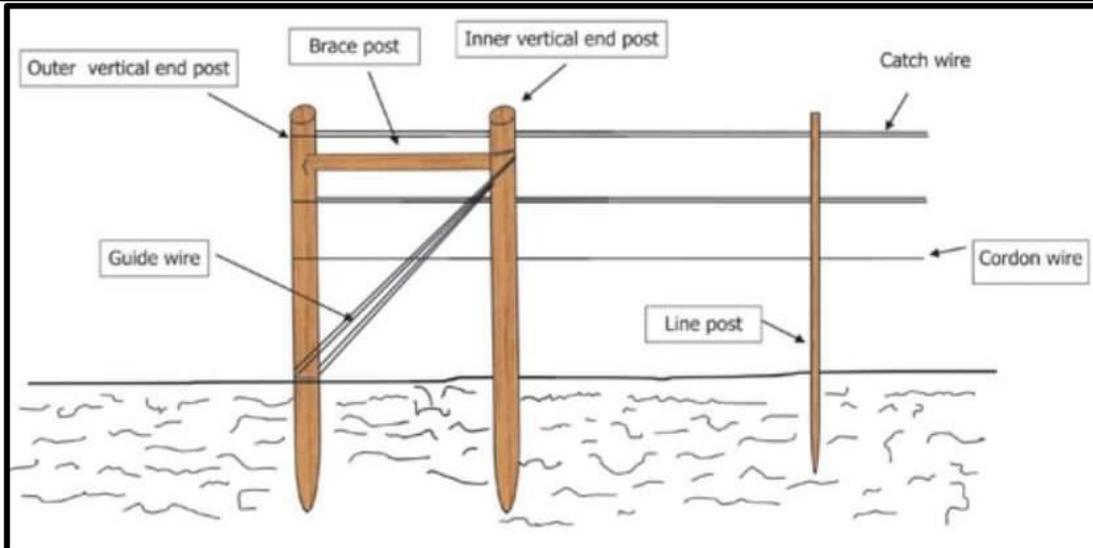


Subrecipient: La Botica de la Tierra/ Norysell Massanet Meléndez

Case ID: PR-RGRW-01046

City: Cabo Rojo

**Figure 9. Anchore end wooden stakes assembly (drawing not to scale)**  
Source: Norysell Massanet Meléndez



**Subrecipient:** La Botica de la Tierra/ Norysell Massanet Meléndez

**Case ID:** PR-RGRW-01046

**City:** Cabo Rojo



**Photo #:** 1

**Description (include direction):** Project area, warehouse/storage location, looking east.

**Date:** October 15, 2022



**Photo #:** 2

**Description (include direction):** Area where cistern will be installed, looking west.

**Date:** Date: October 15, 2022

**Subrecipient:** La Botica de la Tierra/ Norysell Massanet Meléndez

**Case ID:** PR-RGRW-01046

**City:** Cabo Rojo



**Photo #: 3**

**Description (include direction):** Project area, looking northwest.

**Date:** October 15, 2022



**Photo #: 4**

**Description (include direction):** Project area, looking northwest.

**Date:** October 15, 2022

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

**REGrow PUERTO RICO PROGRAM**

**Section 106 NHPA Effect Determination**



**Subrecipient:** La Botica de la Tierra/ Norysell Massanet Meléndez

**Case ID:** PR-RGRW-01046

**City:** Cabo Rojo



**Photo #:** 5

**Date:** October 15, 2022

**Description (include direction):** Project area, looking northwest.



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT

## **Appendix 2**



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

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

Data is current as of March 31, 2023

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

\* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m<sup>3</sup>) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

Important Notes

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

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

Important Notes