

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-01934

Project Name: Productos Hidroponicos DMJ

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Arecibo, PR

Preparer: Patricia Carmenatty

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

Consultant: Behar Ybarra & Associates LLC

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

Project Location:

SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds., Arecibo, PR 00612

Land to be purchased location: latitude 18.440939 longitude -66.672618

Greenhouses location: latitude 18.441558 longitude -66.672995

Parcel cadastral #: 031-083-416-17-000

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

The proposed activities for PR-RGRW-01934 consist of acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using four galvanized rigid pipes and these pipes will be buried to a depth of 2

feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary. Based on a review of historical aerial imagery, the general area has been maintained for agricultural purposes for the past 30 years. The area has not undergone any development for the past years, it has remained as an undeveloped green space. For the proposed project, the applicant's intention is to use the greenhouses to expand their cilantro business and start growing microgreens.

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

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

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses are in keeping with the overall objectives of the Economic Development Program.

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

The land to be purchased has a flat topography. The new greenhouses will be installed in a flat area covered with grass. Currently the area has not been worked on due to the wait for funds, but for more than 10 years it has remained a green space. Therefore, there is little to no change in land use associated with these placements.

Funding Information

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

Estimated Total HUD Funded Amount: \$149,969.07

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$149,969.07.

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses will have no impact on any Airports. The site is located 154,006 feet from the nearest major civil airport (Rafael Hernandez in Aguadilla) and 227,693 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. The project is located 14,966 feet southeast of the nearest Coastal Barrier Resource System, PR-81. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located in Zone X, Panel 72000C0235J, 11/18/2009 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood

of 1994 [42 USC 4001-4128 and 42 USC 5154a]		insurance. See attached Flood Map, Figure 4. The project is in compliance with the Flood Insurance without further evaluation.
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site. Municipios in nonattainment or maintenance areas include Arecibo, Bayamon, Catano, Guaynabo, Salinas, San Juan and Toa Baja. The proposed project is located in the municipality of Arecibo, which is in non-attainment for Lead per the EPA list of NAAQS criteria pollutants for all Puerto Rico Municipalities (Appendix 2). According to EPA Green Book, the specific area in non-attainment bounded by 4 km from the boundaries of the Battery Recycling Company (BRC) facility. This facility is located in Cambalache Ward, PR-2 Km 72.2 in Arecibo, approximately 8,518 feet from the proposed project location, an area that is not non-attainment, therefore the new construction of a new greenhouses is not anticipated to have negative impact on air quality. Operations at the BRC Property ceased in 2014. In 2019, EPA began implementing long-term remedial activities, Remedial Investigation/Feasibility Study, to further assess site conditions and define the extent of the contamination caused by the past releases of hazardous substances from the site and identify remedies, as needed. Routine dust mitigation best management practices are recommended. EPA completed Time Critical Removal Actions in 2022. The project is in compliance with the Clean Air Act. See attached published list of</p>
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		<p>Puerto Rico Nonattainment / Maintenance Status for each country by year for all criteria pollutants and EPA Green Book for nonattainment areas and supporting documentation in Appendix 2. See attached non-attainment map in Appendix 2.</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located 6,492 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p>
<p>Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural project. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There are two sites of environmental concern identified within 3,000 feet near the two greenhouses location.</p> <p>EPA Facility Interests RCRA Info (Hazardous Waste) 110007821027 TEXACO SS MARVIN TOLEDO – 2,732 ft. Address: PR-2 KM 69.5, ARECIBO, PR 00612. Coordinates: 18.447021, -66.667544.</p> <p>EPA Facility Interests NPDES (Water Discharges) 110066916323 - UPS ARECIBO FACILITY – 2,355 ft. Address: STATE ROAD PR-2 KM 69.7, ARECIBO, PR 00612. Coordinates: 18.448, -66.674</p> <p>Based on EPA Enforcement and Compliance History Online (EPA ECHO) there are no violations reported for the RCRA facility. For the NPDES site,</p>

		<p>violations were identified due to non-compliance in CWA. No resolution could be obtained from the ECHOS report; however, it was reported that its CWA permit was terminated in July 2023. See Appendix 3 for ECHOs Report.</p> <p>HUD's environmental regulations at 24 CFR 58.5(i)(2)(i) and (ii)4 state that, [i]t is HUD's policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. For the proposed project, which involves the installation of two greenhouses and the purchase of a land, radon analysis will not be required. This is because the facility qualifies for an exemption, as it is a non-residential building that will not be occupied for more than 4 hours per day.</p> <p>The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the Puerto Rican boa (<i>Chilabothrus inornatus</i>) and the Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>) could be found in the project area. The scope of work includes continued agricultural use of the property with no intention of cut down trees or altering the general area where the greenhouses will be installed, and it has been maintained that way for agricultural purposes.</p>

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on February 12, 2024, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "No Effect" determination on the Puerto Rican Boa. However, considering that there will be ground disturbance due to the installation of the greenhouses, it is determined that the Puerto Rican boa will have a "May Affect, but is Not Likely to Adversely Affect" (NLAA).

An Informal Consultation was submitted to USFWS on 9/4/2024 and Concurrence Letter was received on 9/30/2024. The Service acknowledges receipt of the NLAA for the Puerto Rican boa. Based on the nature of the project, scope of work, information available and existing habitat, PRDOH determined and USFWS concur that the proposed project will have a No Effect (NE) for the Puerto Rican harlequin butterfly due to the lack of suitable habitat. The nearest Critical Habitat is 27,744 feet from the project location.

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

		<p>by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p>https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</p> <p>This project is in compliance with the Endangered Species Act. See attached USFWS Informal Consultation Package and supporting documents in Appendix 4. See attached Endangered Species map, Figure 7.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with Explosive and Flammable hazards without further evaluation.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in an area designated as prime farmland. The scope of work includes the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, as amended by Executive Order 13690, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and was evaluated using the 0.2 Percent-Annual-Chance</p>

		<p>Floodplain Approach (0.2 PFA) to determine the extent of the FFRMS. The current project involves non-critical actions that are located outside the 0.2-percent-annual-chance floodplain (500-year flood elevation). This approach ensures compliance with the FFRMS, meaning no mitigation is required, and the project adheres to the regulations set forth in 24 CFR Part 55. The project is not located in the 500-year or greater flood zone in the FIRM or ABFE special flood hazard area; therefore, no further action is required.</p> <p>The project is not located in the 100-year floodplain or ABFE special flood hazard area.</p> <p>The project is in compliance with Executive Order 11988, as amended by Executive Order 13690. See attached ABFE Map (Figure 9).</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The site was visited on February 17, 2024, by SOI-qualified archaeologist. Based on the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to installation of the greenhouses. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated March 27, 2024, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is</p>

		not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with National Historic Preservation Act.
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise abatement and Control without further evaluation.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no EPA Sole Source Aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation. See attached Sole Source Aquifers maps, Figure 11.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>La Regadera creek is located about 170 feet away from where the greenhouses will be installed and 53 feet from the Area of potential effect. This is an intermittent stream located more than 100 feet away, therefore, no wetland will be affected by the project undertaking.</p> <p>However, standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (in any) around the areas of ground disturbance.</p> <p>The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 12.</p>
<p>Wild and Scenic Rivers</p>		<p>This project is not within proximity of the NWSRS river. The project is located</p>

Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	310,442 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 13.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.</p> <p>In the project area within a one-mile radius: the people of color are 100% compared to PR average of 96%, 73 % of the people are low income compared to PR average of 70% and 17% of the people are unemployed compared to PR average of 15%. The proposed activities of the installation of the greenhouses will have a positive impact on creating jobs for local people</p>

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

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

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and is continued agricultural use of property which is compatible with a zoning code of R-1 (Intermediate Residential) and existing land use of SU (Urban Soil). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>This project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. 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 soils in the area have been classified as Almirante clay, 2 to 5 percent slopes (AnB). This soil is deep, gently sloping, and well drained.</p> <p>The landslide data indicates low landslide susceptibility; therefore, no erosion is expected to occur from this project. The project will not affect the drainage in the area. Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities. There will be no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 14.</p>
Hazards and Nuisances including Site Safety and Noise	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area. While construction is underway, there will be a temporary rise in noise levels. Contractors will be required to comply with the

		<p>applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.</p> <p>Additionally, the project does not include housing or such to where inhabitants would be affected.</p>
Energy Consumption	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses on an existing agricultural farm. Electricity connection will not be necessary for the proposed project. There will be no impact to energy consumption.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and will result in short-term benefit to employment when contractors are hired for the construction of the greenhouses. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and will not alter the demographic characteristics of Arecibo, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	<p>In the project area within a one-mile radius:</p> <ul style="list-style-type: none"> The people of color are 100% compared to PR average of 96%.

		<ul style="list-style-type: none"> • 73 % of the people are low income compared to PR average of 70%. • 17% of the people are unemployed compared to PR average of 15%. <p>The proposed activities of the installation of the greenhouses will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJSscreen Report in Appendix 3.</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and may aid in restoring the demand for local commercial services by Selling their agricultural products directly to local markets, restaurants, or consumers increases demand for local commercial services, such as transportation, packaging, and marketing; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.

Wastewater / Sanitary Sewers	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and this activity will not produce any wastewater. Based on the scope of work is not expected to result in any changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	No water connection is needed for the greenhouses. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water will be necessary, therefore, the proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and will have no impact on Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and will be situated on previous agriculture property and will have no impact on unique natural features or water resources.
Vegetation, Wildlife	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses and will occur on land previously

		used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the greenhouses but no negative impact on wildlife.
Climate Change	2	The project consists of the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production. In terms of the project's susceptibility to climate change, the agricultural components may encounter challenges due to the potential impact of drought conditions.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): February 17, 2024, Jaqueline Lopez, SOI-Qualified Archaeologist.

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

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

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

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

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

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

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

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

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

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

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

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

Federal Emergency Management Agency, Flood Mapping Service: <https://msc.fema.gov/portal/home> (compilation of numerous maps)

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

List of Permits Obtained: None.

Public Outreach [24 CFR 58.43]: The recovery process has seen significant proactive involvement from the local community. Puerto Rico Department of Agriculture has

worked closely with the agricultural community. This project will include a FONSI/NOI-RRF 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 acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant would consider other locations for the new greenhouses. However, other locations may result in tree clearing prior to construction and/or need to fill in some steep area, and now the land you acquired is ready to be worked. With the rise in property sales prices, any option that requires the acquisition of another land would be outside the economic reach of the applicant and would not contribute to the improvement and growth of agricultural production or enable economic development for this applicant.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for economic development for this applicant.

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

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

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development

agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities.
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>The USFWS has developed the following conservation measures for the Boa:</p> <ol style="list-style-type: none"> 1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site. 2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas. 3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.

4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). Do not capture the boa. If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: (787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.

5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior. Last Revised: January 2024.

6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.

7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within

	<p>vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.</p> <p>8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles are left on site, we recommend they be placed in areas that will not be disturbed in the future.</p> <p>9. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.</p> <p>10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>While construction is underway, there will be a temporary rise in noise levels. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.</p>
<p>Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Temporary, local air quality impacts may occur during site grading and preparation resulting from dust emissions. Routine dust</p>

	mitigation best management practice is recommended.
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	Standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (in any) around the areas of ground disturbance.
<p>Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design</p>	The applicant and/or construction manager is required to obtain any necessary local and territorial building and environmental permits prior to construction activities commencing.

Determination:

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

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

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

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

Preparer Signature:  Date: 10/10/2024

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

Certifying Officer Signature:  Date: 10/11/2024

Name/Title: Limary Vélez Marrero / Permits and Environmental Compliance Specialist

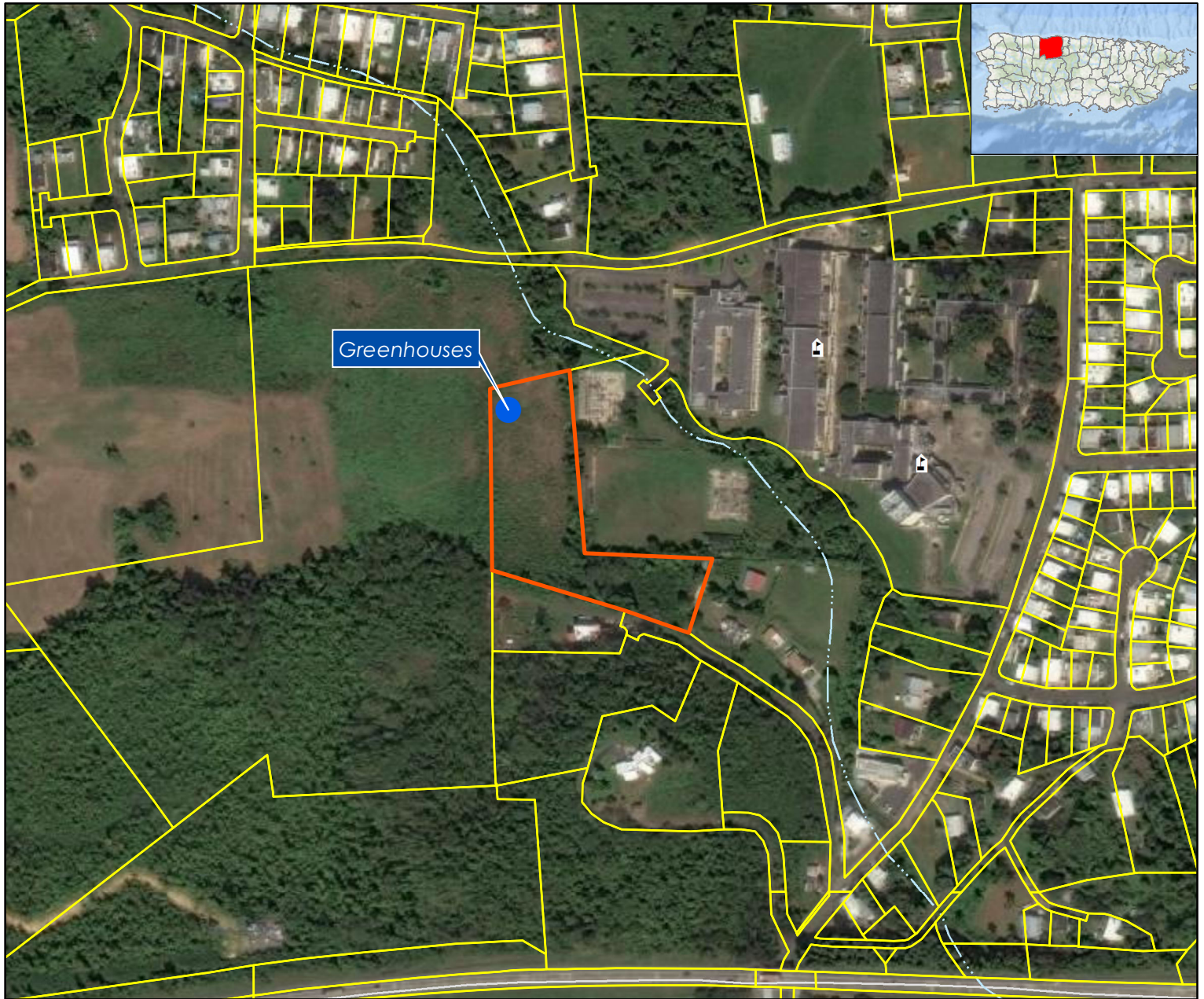
This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Figures


Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

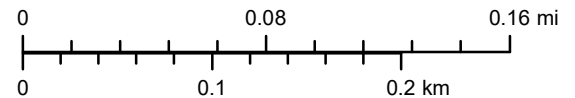
Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-01934
-  PR-RGRW-01934-Parcel
-  CRIM-Parcels



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



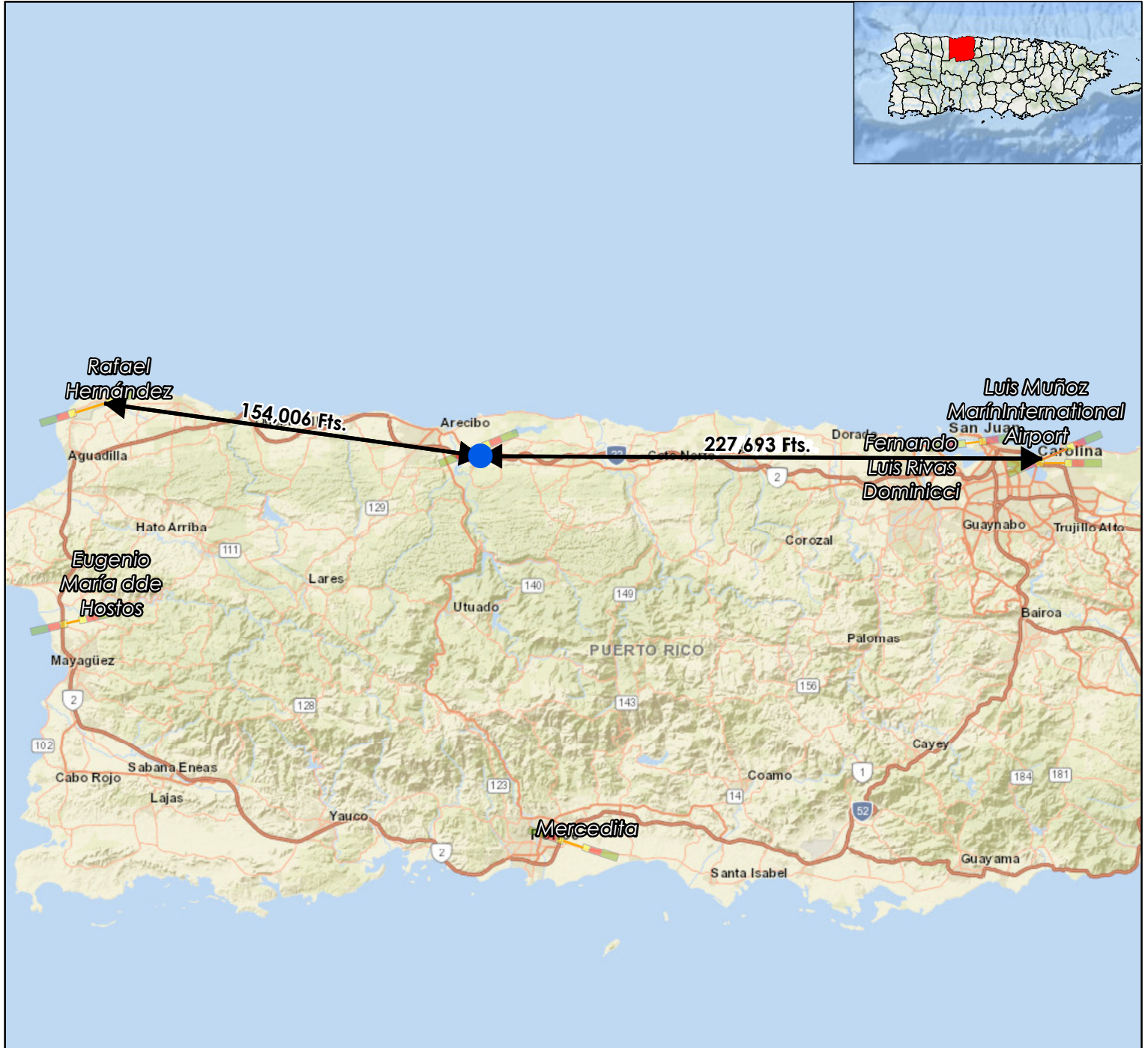
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Source

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

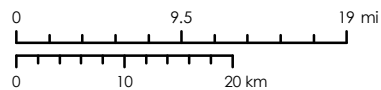
Productos Hidroponicos DMJ
 SR 658, Km. 0.7 Int.,
 Domingo Ruiz & Santana Wds.,
 Arecibo, PR 00612
 Catastro: 031-083-416-17-000
 Lat:18.441558, Long: -66.672995

Figure 2: Airports
 Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- SJU Military Runway
- Civil Runway
- Accident Potential Zone**
- APZ 1
- APZ 2
- Clear Zone



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Source

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

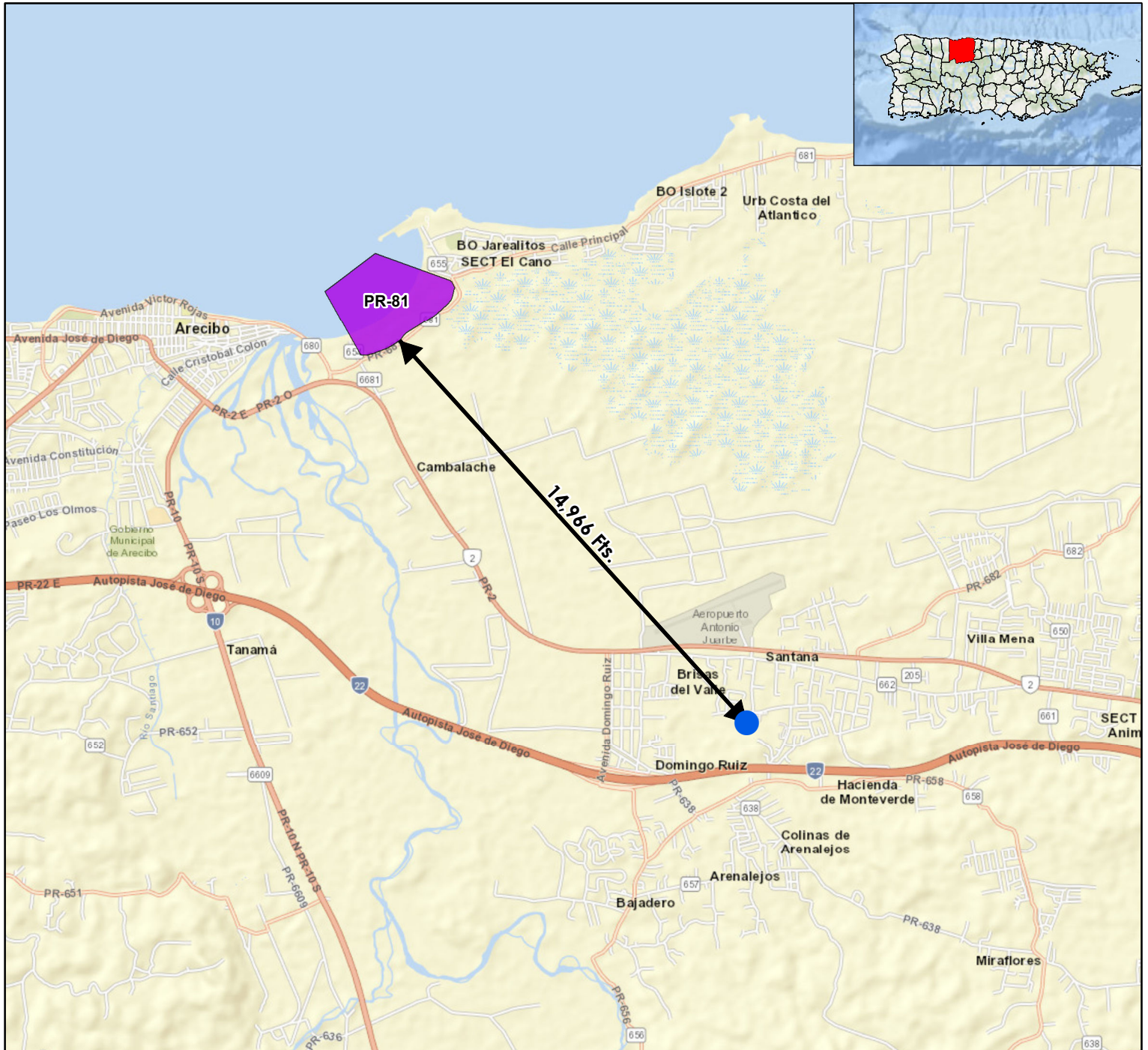


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Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

Figure 3: Coastal Barrier Resources System


Puerto Rico Department of Housing ReGrow

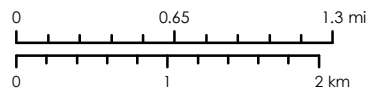


Legend:

 PR-RGRW-01934

Coastal Barrier Resources System (CBRS)

 System Unit



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Source

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

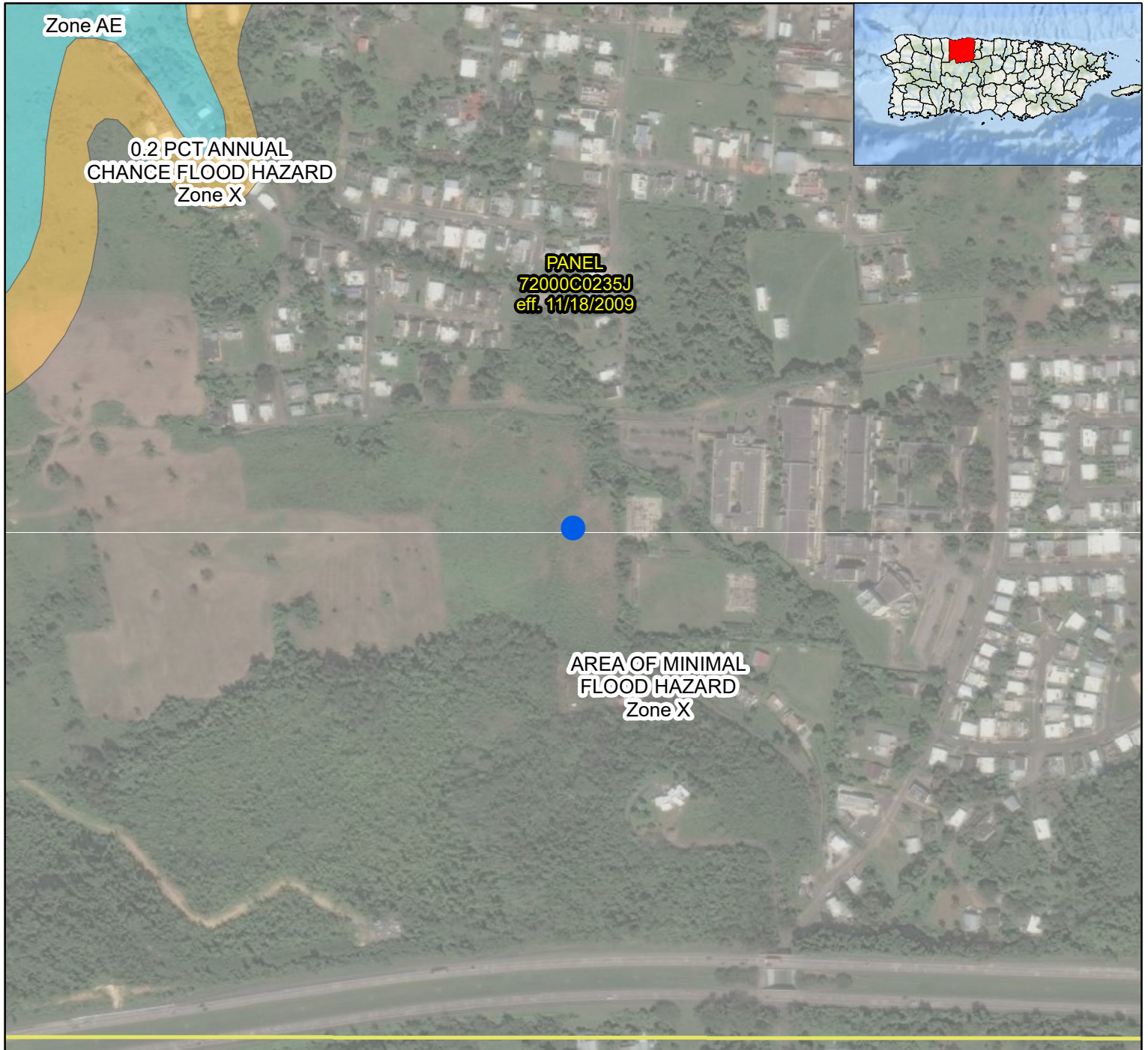


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

Productos Hidroponicos DMJ
 SR 658, Km. 0.7 Int.,
 Domingo Ruiz & Santana Wds.,
 Arecibo, PR 00612
 Catastro: 031-083-416-17-000
 Lat:18.441558, Long: -66.672995

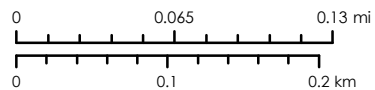
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-01934
-  With BFE or Depth-Zone AE, AO, AH, VE, AR Zone AE, AO, AH, VE, AR
-  0.2% Annual Chance Flood Hazard-Zone X Zone X
-  Area of Minimal Flood Hazard Zone X
-  FIRM Panel



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Source

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

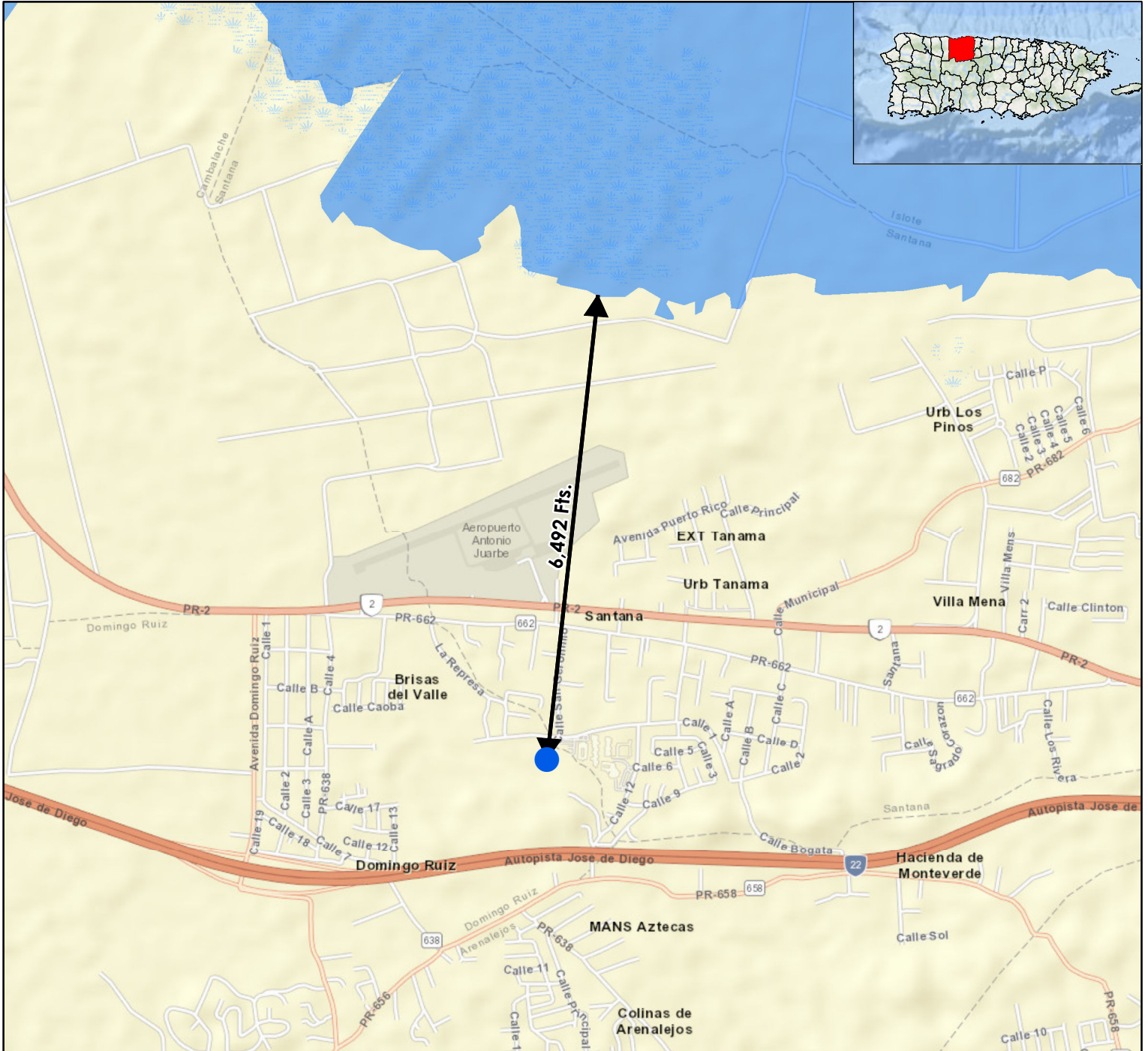


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SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

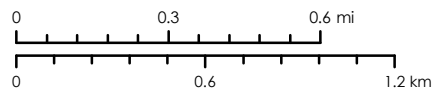
Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- Coastal Zone Management Act Boundary



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Source

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

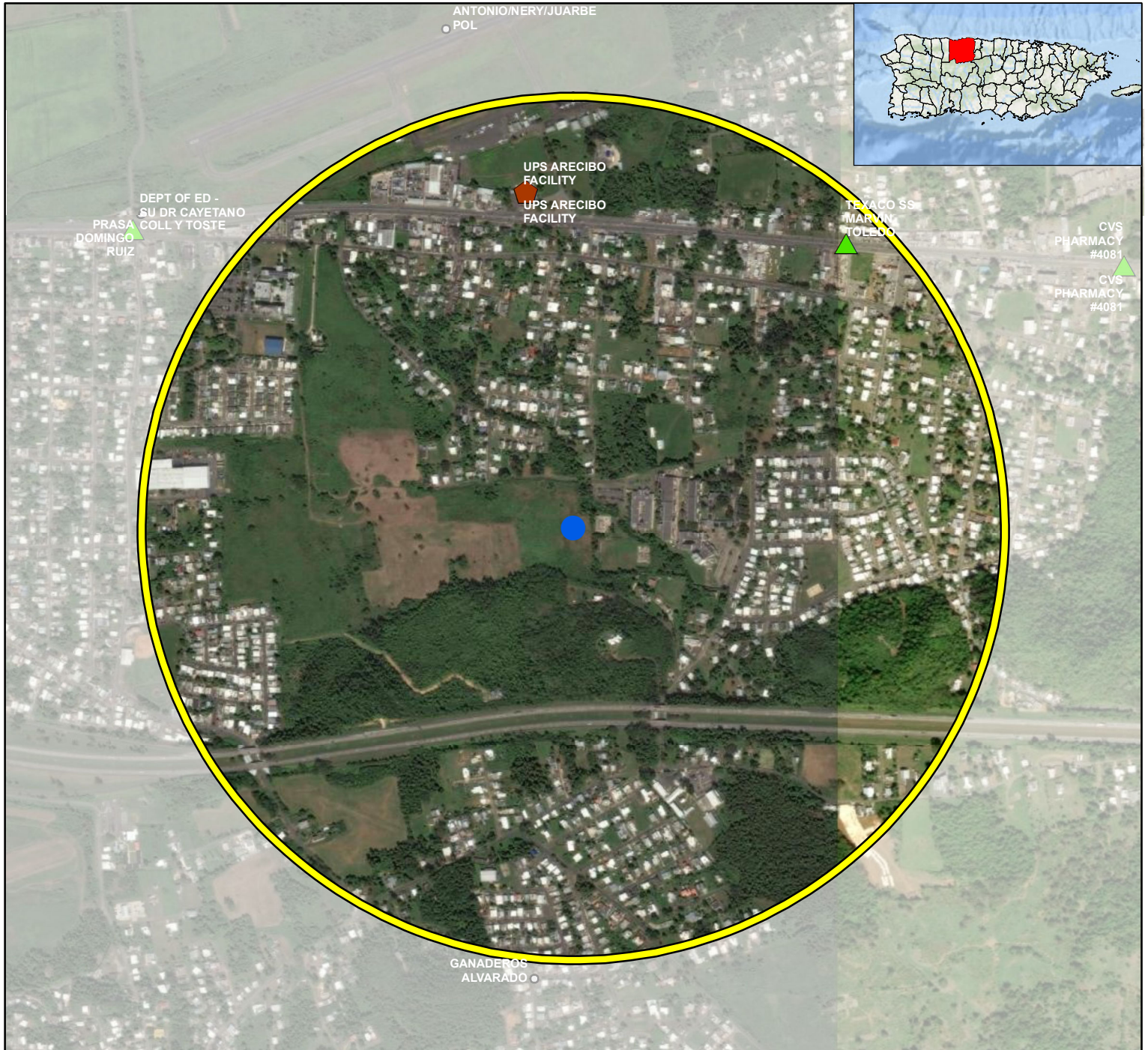


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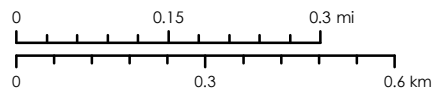
Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- ◆ NPDES
- ▲ RCRA
- 3,000 Ft. Buffer



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Source

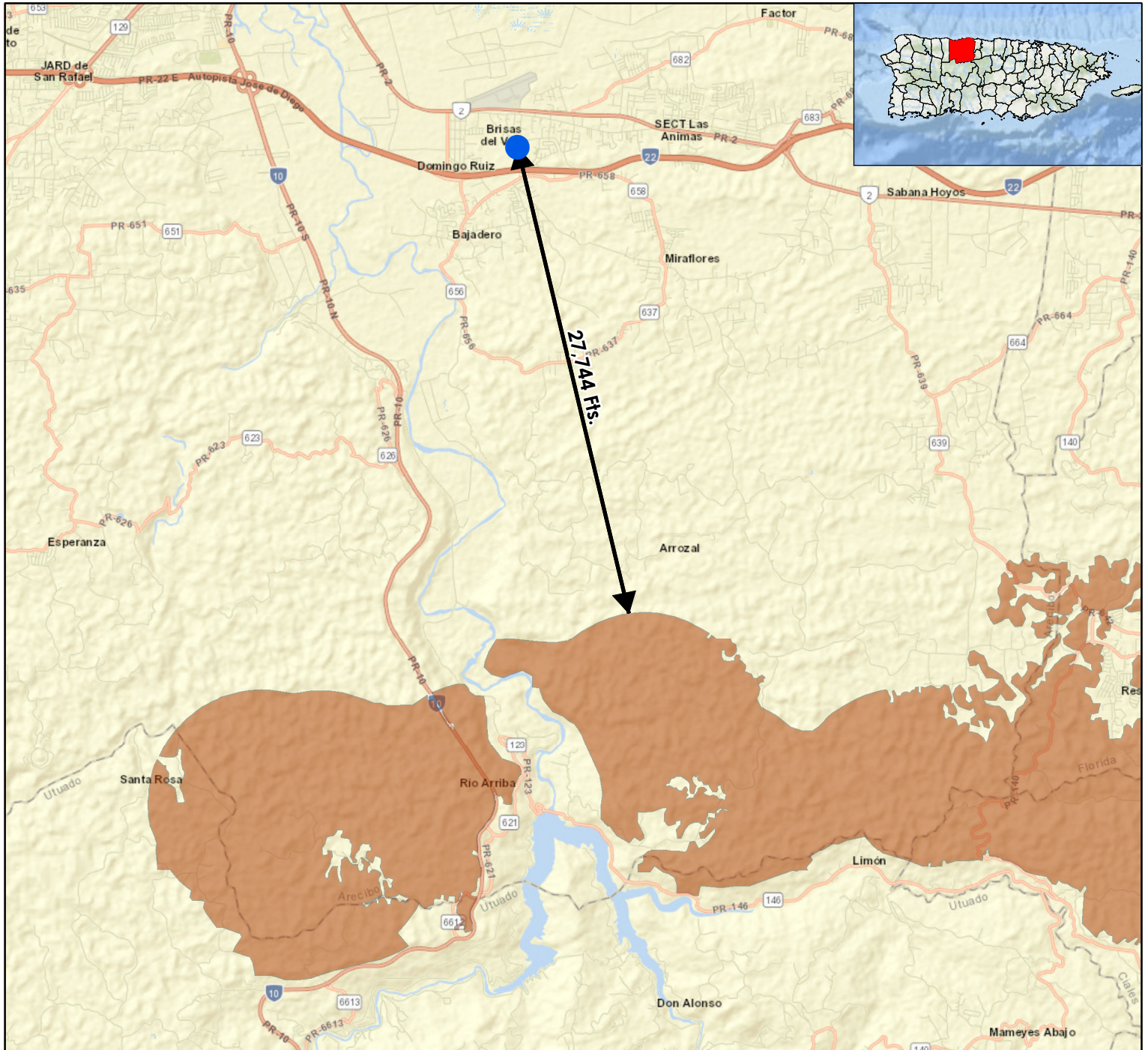
EPA Facility Registry Service (FRS)
<https://www.epa.gov/frs>



1:12,000

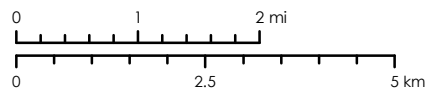
Figure 7:Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- Critical Habitat



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Source

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



1:100,000

Productos Hidroponicos DMJ
 SR 658, Km. 0.7 Int.,
 Domingo Ruiz & Santana Wds.,
 Arecibo, PR 00612
 Catastro: 031-083-416-17-000
 Lat:18.441558, Long: -66.672995

Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow

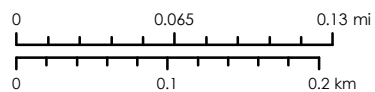


Legend:

● PR-RGRW-01934

Farm Class

- All areas are prime farmland
- Not prime farmland



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 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



Source

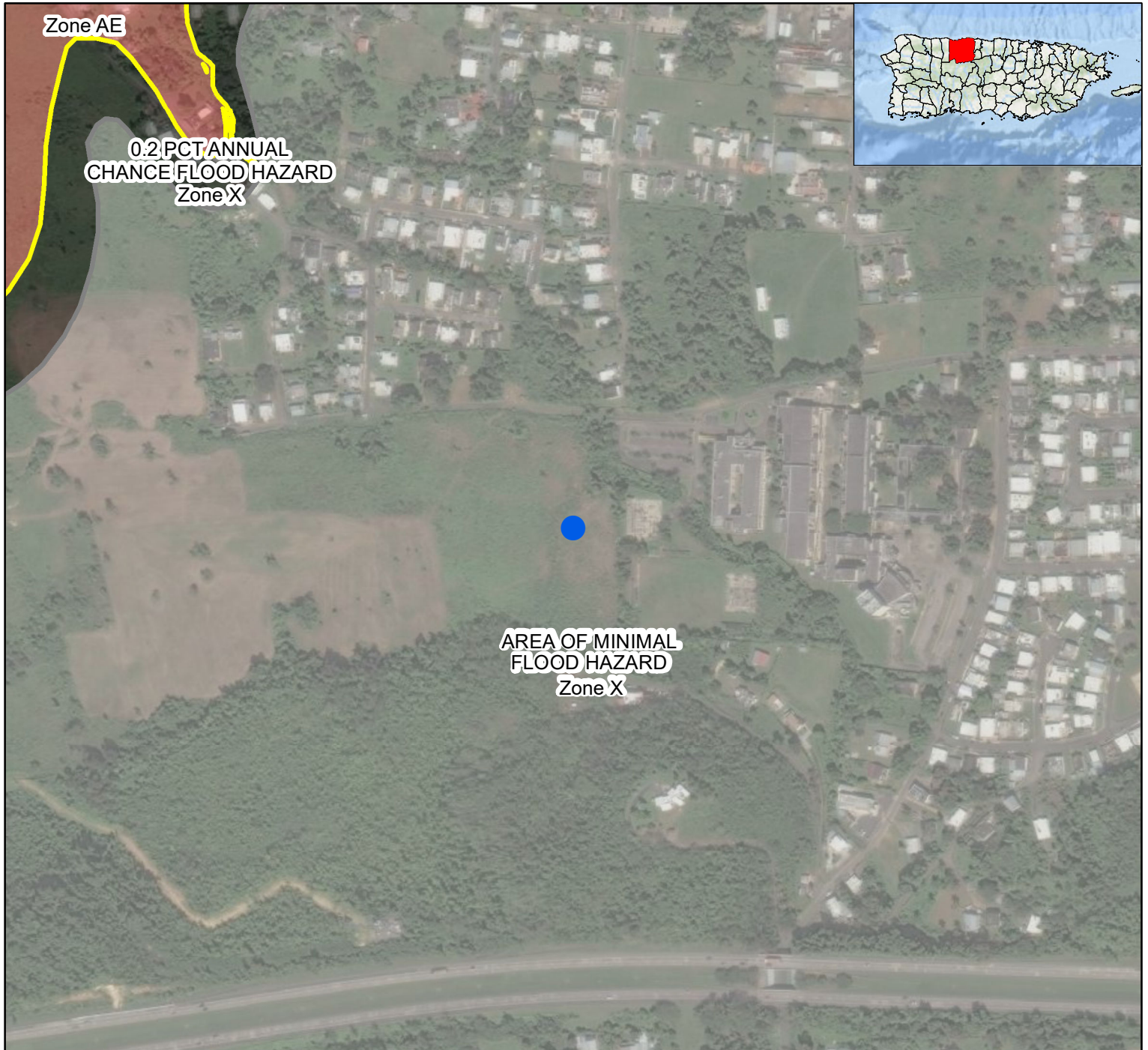
National Resources Conservation Service (NRCS)
 Gridded Soil Survey Geographic Database (gSSURGO)
<https://data.nal.usda.gov/dataset/soil-survey-geographic-database-ssurgo>

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 Catastro: 031-083-416-17-000
 Lat:18.441558, Long: -66.672995

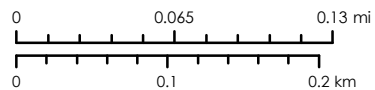
Figure 9: Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01934
- 0.2-percent annual chance flood
- 1-percent annual chance flood
- Flood Zone**
- A
- 0.2% Annual Chance Flood
- Area of Minimal Flood Hazard *Zone X*



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

Source

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

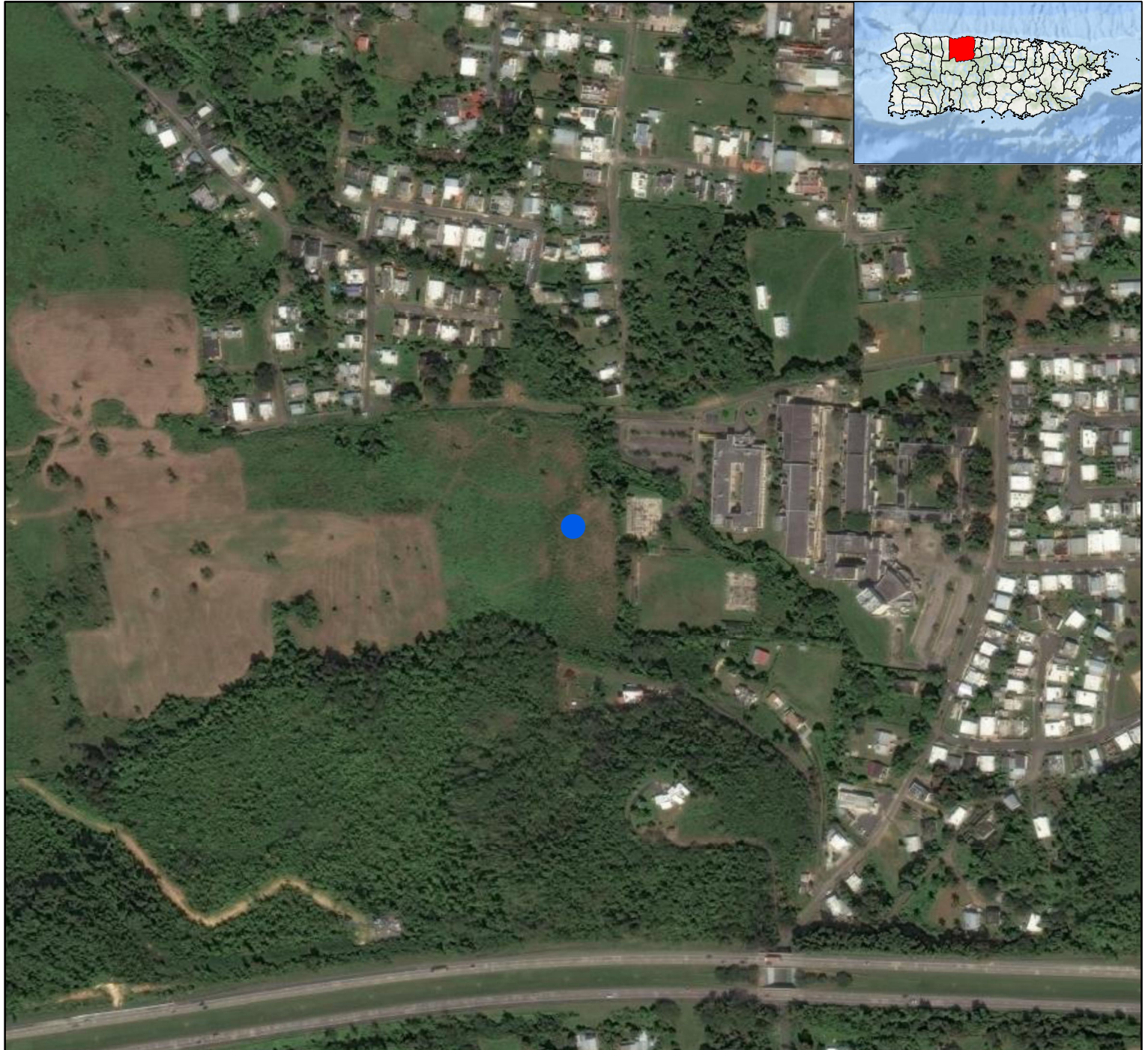


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 SR 658, Km. 0.7 Int.,
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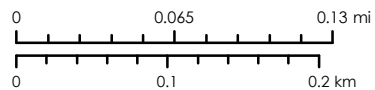
Figure 10: Historic Preservation Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-PGRW-01934
- Archaeological Resource Zones
- Traditional Urban Center
- Historic Communities
- P Cultural_Resources - Public Plaza
- Cultural_Resources - Registry ICP
- Cultural_Resources - Historic Places JP
- ▲ Cultural_Resources - Scenic Places
- Cultural_Resources - Cultural Value Places
- Cultural_Resources - Railway Vestiges



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1:5,000

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>

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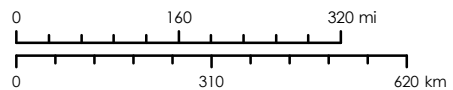
Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- EPA Sole Source Aquifers



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Source

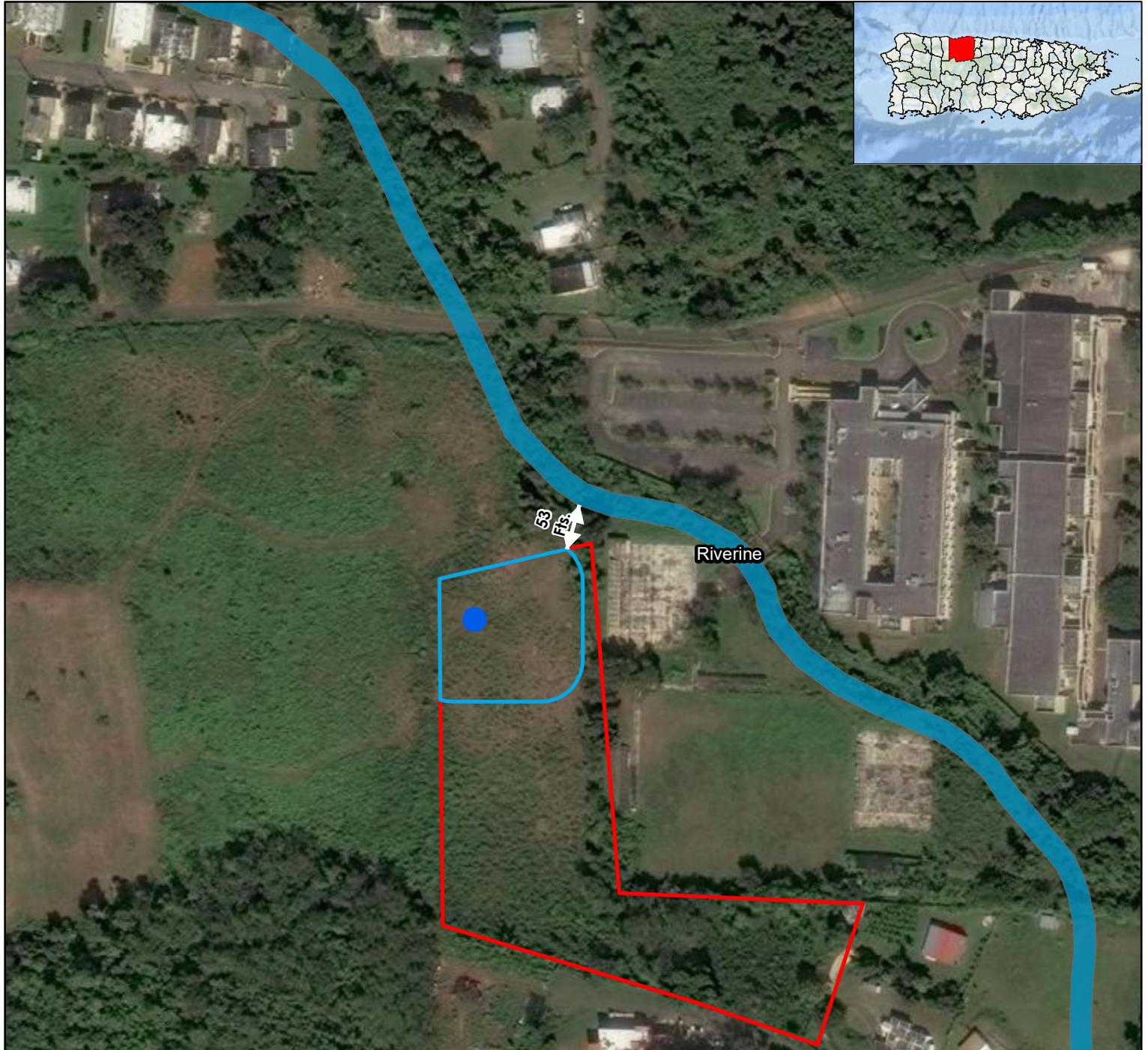
U.S. Environmental Protection Agency
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

1:12,000,000

Productos Hidroponicos DMJ
 SR 658, Km. 0.7 Int.,
 Domingo Ruiz & Santana Wds.,
 Arecibo, PR 00612
 Catastro: 031-083-416-17-000
 Lat:18.441558, Long: -66.672995

Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

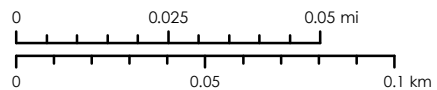


Legend:

- PR-RGRW-01934
- Area of Potential Effect
- PR-RGRW-01934-Parcel

National Wetlands Inventory

- Riverine



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

Source

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

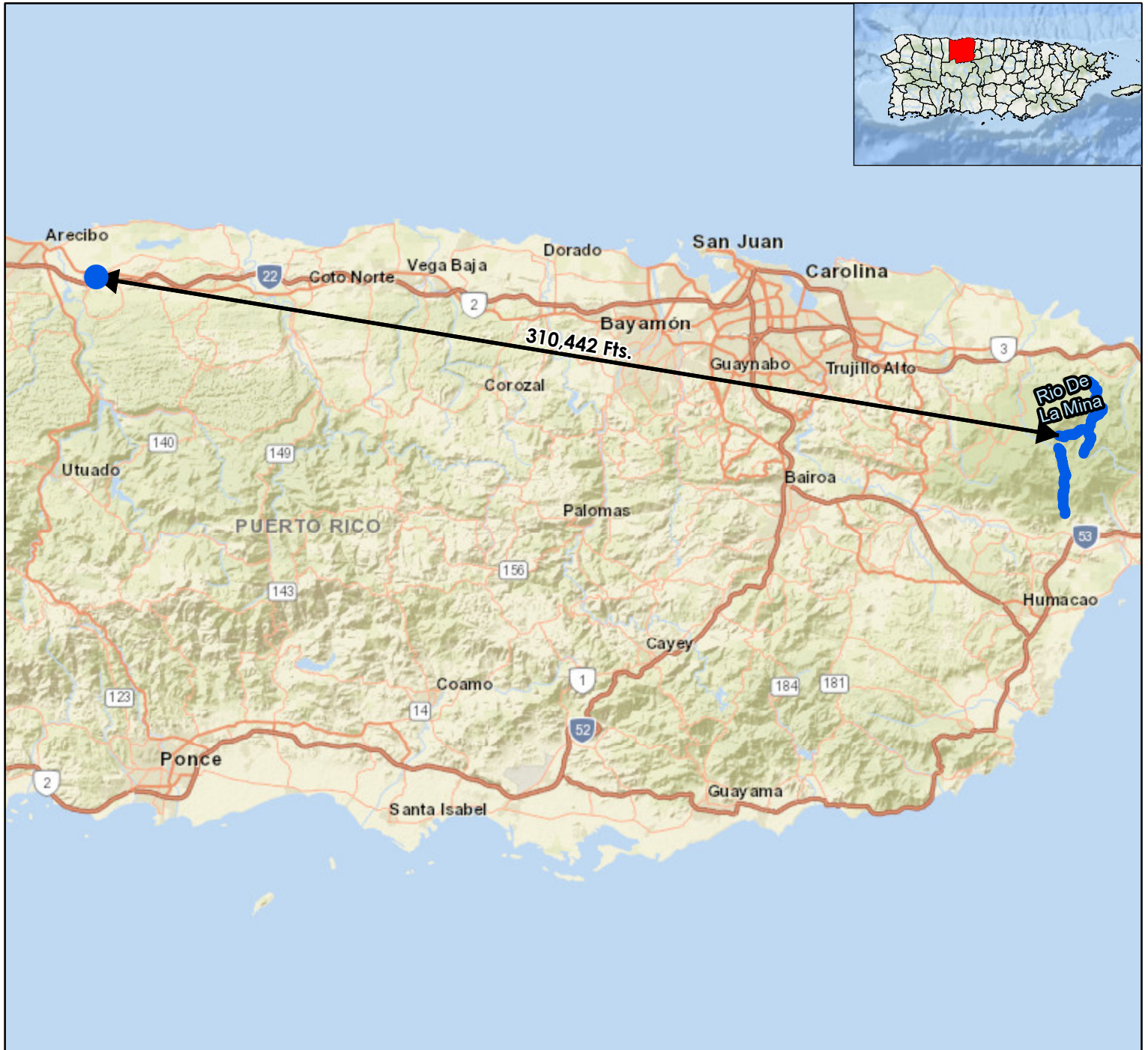


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Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
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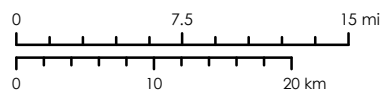
Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- Wild and Scenic Rivers



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Source

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

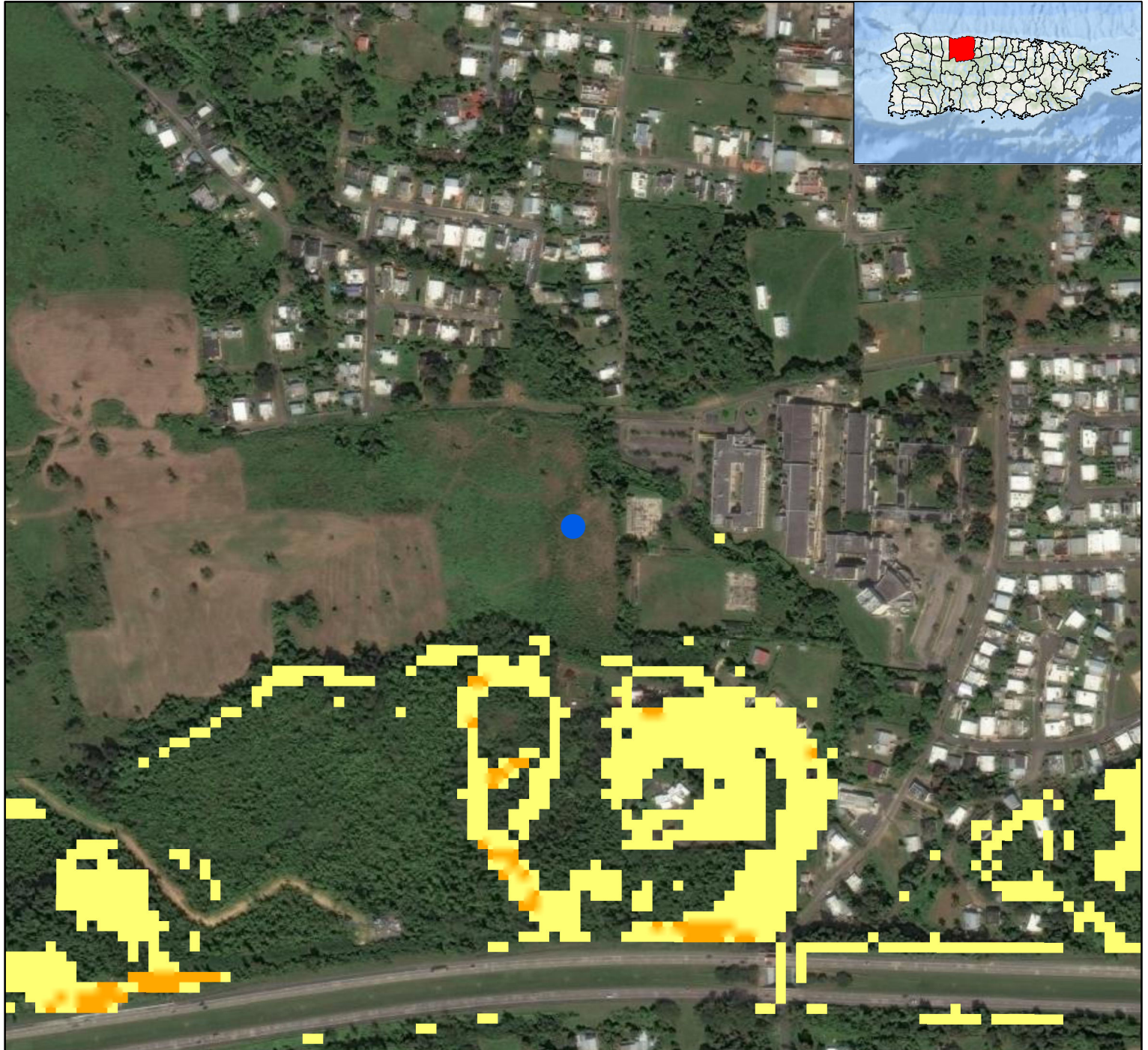


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Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

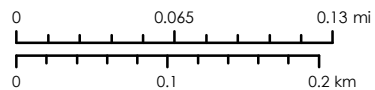
Figure 14: Landslide Susceptibility

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-01934
-  Low
-  Moderate
-  High
-  Very High
-  Extremely High



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Source

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



1:5,000

Appendix 1

ENVIRONMENTAL MEMORANDUM

Date: 10/4/2024

To: Environmental Review Record (ERR) File

Subject: Explanation of Conflicting Information within the ERR

Applicant Name: Productos Hidroponicos DMJ

Application Number: PR-RGRW-01934

This memorandum serves to provide an explanation as to the presence of conflicting pieces of information within the Environmental Review Record (ERR) file.

Confliction Information: Coordinates Address Municipio Parcel ID/Cadaster Number
 Construction Date Applicant Name Other: Date on photo
description

Location(s) of SHPO Package: Date of photo description
Conflicting Information:

Explanation: The date mentioned in the photo description for the proposed location, February 14, 2024, is incorrect. The correct date should be February 17, 2024, which reflects the actual visit date for the project in that area. There was an error in the spelling of the date, therefore, the application does not need to return to SHPO for re-consultation.



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Wednesday, March 27, 2024

Lauren B Poche

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

SHPO-CF-03-23-24-01 PR-RGRW-01934 (Arecibo), Productos Hidroponicos DMJ

Ms. Poche,

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

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

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

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/OJR



Cuartel de Ballajá (Tercer Piso), Calle Norzagaray, Esq. Beneficencia, Viejo San Juan, PR 00901 | PO Box 9023935, San Juan, PR 00902-3935

March 25, 2024

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-01934 – Productos Hidropónicos DMJ - SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds., Arecibo Puerto Rico – No Historic Properties Affected

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Productos Hidropónicos DMJ located at SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds, in the municipality of Arecibo. The undertaking for this project involves the acquisition of land (2.65 acres) and the purchase and installation of two new 40' by 100' greenhouses on the same parcel. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using galvanized rigid pipe and will be buried to a depth of 2 feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary.

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

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

Kindest regards,




Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager

LBP/JLE

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Productos Hidropónicos DMJ		
Case ID: PR-RGRW-01934	City: Arecibo	

Project Location: SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds., Arecibo, PR 00612	
Project Coordinates: 18.441558 -66.672995	
TPID (Número de Catastro): 031-083-416-17-000	
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): n/a	Property Size (acres): 2.65

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: February 17, 2024


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

Project Description (Undertaking)

The proposed activities for PR-RGRW-01934 consist of acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using galvanized rigid pipe and will be buried to a depth of 2 feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary. The project area is located at PR-658 km. 0.7 within the Municipality of Arecibo. Based on a review of historical aerial imagery, the general area has been maintained for agricultural purposes for the past 30 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 two greenhouses plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGrow PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Productos Hidropónicos DMJ	
Case ID: PR-RGRW-01934	City: Arecibo

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 sites within a half-mile (0.50 miles) radius of the project location. The nearest cultural resource is the Pre-Columbian and historic site NCS-13 (AR0100043), located 0.70 miles southwest. The proposed project is located in the foothills at an altitude of 46 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Almirante. The project area APE is in AnB. The closest freshwater source is La Quebradera creek, located 0.03 miles northeast of the project area. The north coast is approximately 2.83 miles (4.55 km) from the project area.

Within the 0.50 miles radius we have eleven archaeological studies, two with positive results. Arana (1995) and Solís (1999) reported several archaeological sites along the route of the Northern Superaqueduct, none of which are located within the 0.50-mile radius of the project.


The soils in the area have been classified as Almirante clay, 2 to 5 percent slopes (AnB). This soil is deep, gently sloping, and well drained. It is in small valleys between limestone hills and on the coastal plains. The permeability is moderate, and the available water capacity is moderate. Runoff is medium. Fertility is medium.

Visual inspection of the APE 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 within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-01934 is located. The closest freshwater body is approximately 0.03 miles northeast of the project area. The construction of public

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Productos Hidropónicos DMJ		
Case ID: PR-RGRW-01934		City: Arecibo

roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

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

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

No Historic Properties Affected

No Adverse Effect


Condition (if applicable):

Adverse Effect

Proposed Resolution (if applicable)

This Section is to be Completed by SHPO Staff Only

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

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGrow PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Productos Hidropónicos DMJ		
Case ID: PR-RGRW-01934	City: Arecibo	

Case ID: PR-RGRW-01934


Project Coordinates: 18.441558 -66.672995

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

Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
None	-	-	-	-	-

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

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/Direction
Iván Méndez	IA-IB/ Escuela Libre de Música	1991	ICP/CAT-AR-91-02-09	Negative	0.11 mi E
Antonio Daubón	IA-IB/ Ampliación Escuela Vocacional de Arecibo	1995	ICP/CAT-AR-95-06-01	Negative	0.11 mi E
Carlos Ayes	IA-IB/ Ensanche de la PR-2	1994	ICP/CAT-AR-94-04-04, SHPO: 11-02-94-04	Negative	0.38 mi N
Eduardo Questell	IA-IB/ Urbanización Residencial Santa Ana	1998	ICP/CAT-AR-98-08-01	Negative	0.19 mi NW
Virginia Rivera	IA-IB/ Troncal Sanitaria Arecibo Sur, Comunidades Miraflores, Bajadero, Carriones y Palo Blanco	1994	ICP/CAT-AR-94-05-01, SHPO: 04-05-94-02	Negative	0.22 mi S
Virginia Rivera	IA-IB/ Sanitary Sewer System for Carriones Community at Arenalejos Ward	1994	ICP/CAT-AR-94-04-07	Negative	0.23 mi S
Anabel Arana	IA/ North Coast Superaqueduct	1995	ICP/CAT-AR-95-05-09, AR-95-05-03 SHPO: 06-16-95-09	Positive. Two Pre-Columbian sites were identified, and other archaeological sites will be affected, all located outside	0.25 mi S

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Productos Hidropónicos DMJ		
Case ID: PR-RGRW-01934	City: Arecibo	

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/ Direction
				the 0.50-mile radius of the project.	
Virginia Rivera	IA-IB/ Sanitary Sewer System for Bithorn Community	1993	ICP/CAT-AR-93-03-06	Negative	0.33 mi SE
Jesús Figueroa	IA-IB/ Urbanización Domingo	2001	SHPO: 09-19-01-01	Negative	0.38 mi NW
Roberto Martínez	IA-IB/ Mejoras al alcantarillado Los Pérez	1994	SHPO: 07-21-94-08	Negative	0.50 mi SE
Carlos Solís y Miguel Rodríguez	IB/ North Coast Superaqueduct	1999	SHPO: 06-16-95-09	Positive. Sixteen archaeological resources with potential NRHP eligibility were identified, all outside the 0.50-mile radius of the project.	0.25 mi S

Project (PR-RGRW-01934) Location – Area of Potential Effect Map (Aerial)

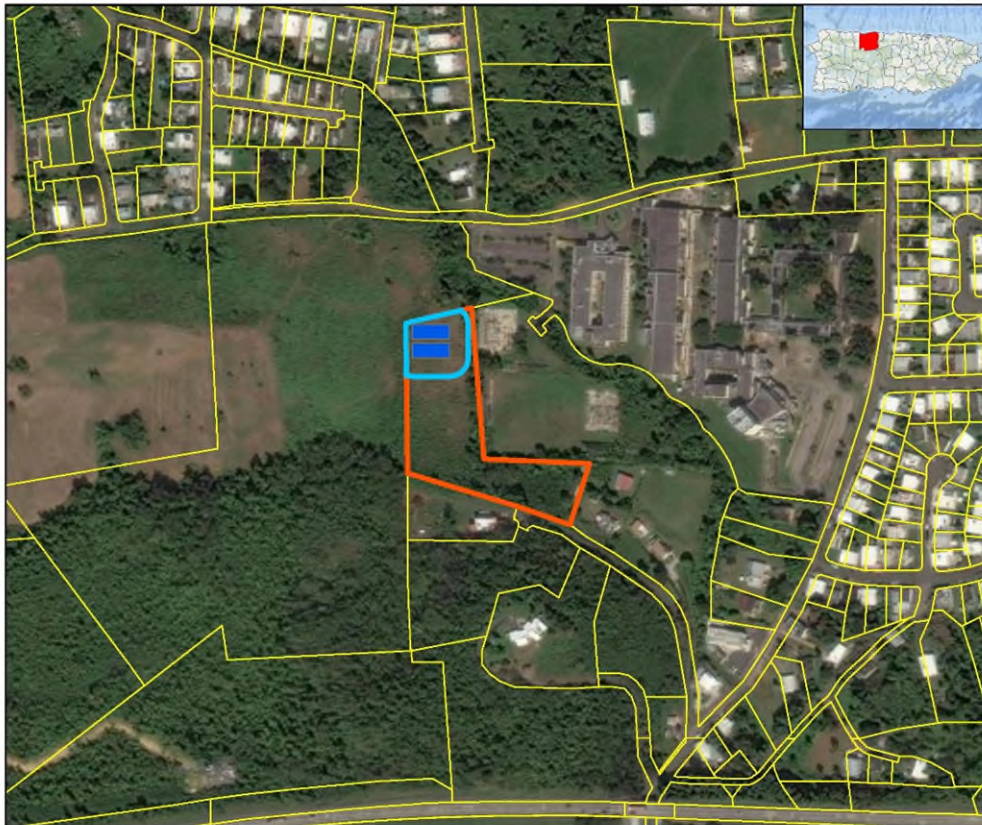
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. I, Serie 1 Suite A-3, Calle Puerto 554, Arecibo, San Juan, P.R. 00920 Tel: (787) 753-0590

Application ID: PR-RGRW-01934





Productos Hidropónicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

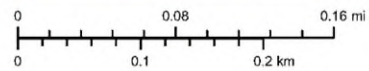
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend:

-  Greenhouses-01934
-  Area of Potential Effect (15 Mts.)
-  PR-RGRW-01934-Parcel
-  CRIM-Parcels-2018



Service Layer Credits: Sources: Esri, GEBCO, NOAA, Natara Geographic, Garmin, IHERE, Geonames.org, and other contributors
Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth



Source

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

Applicant: Productos Hidropónicos DMJ

Case ID: PR-RGRW-01934

City: Arecibo

Project (PR-RGRW-01934) Location - Aerial Map

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

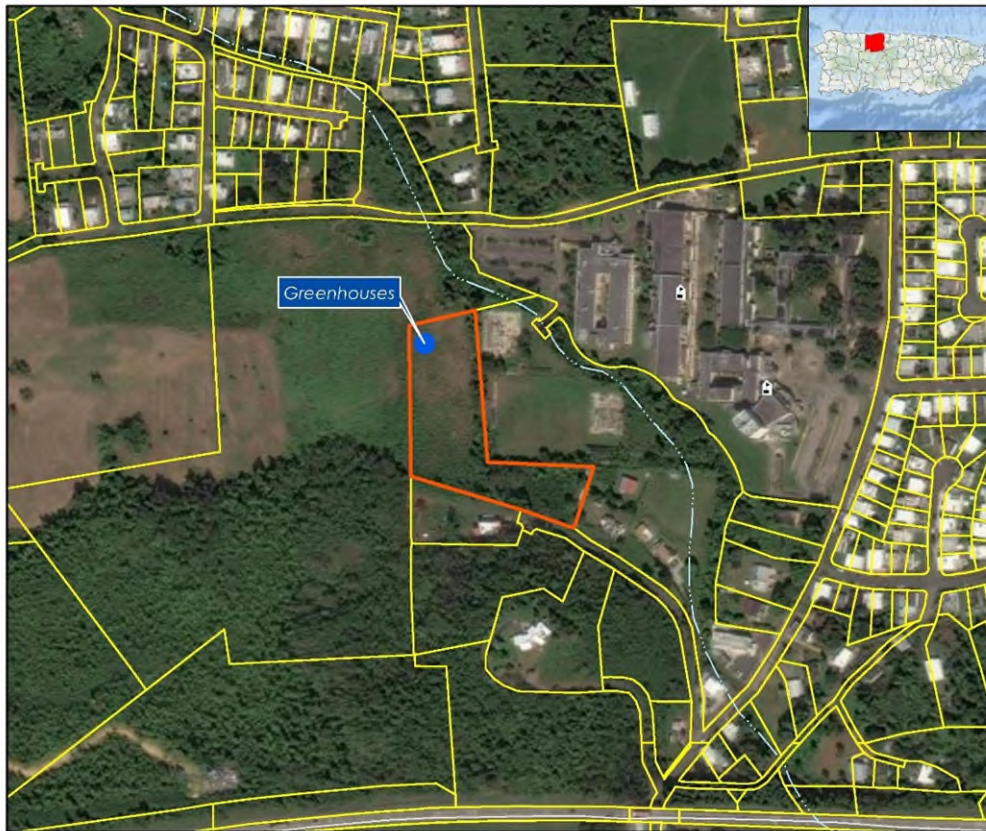
CORP. ID#006 1 Suito J-3, Calle Ponce 564, Arecibo, San Juan, PR. 00920 TEL:787/753-0290

Application ID: PR-RGRW-01934

Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

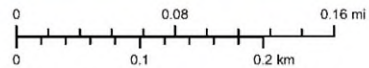
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- PR-RGRW-01934-Parcel
- CRIM-Parcels-2018



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



1:4,000

Source

Centro de Recaudación de Ingresos Municipales (CRM)
<https://catastro.crim.net/cdrprc/>

Project (PR-RGRW-01934) Location - USGS Topographic Map

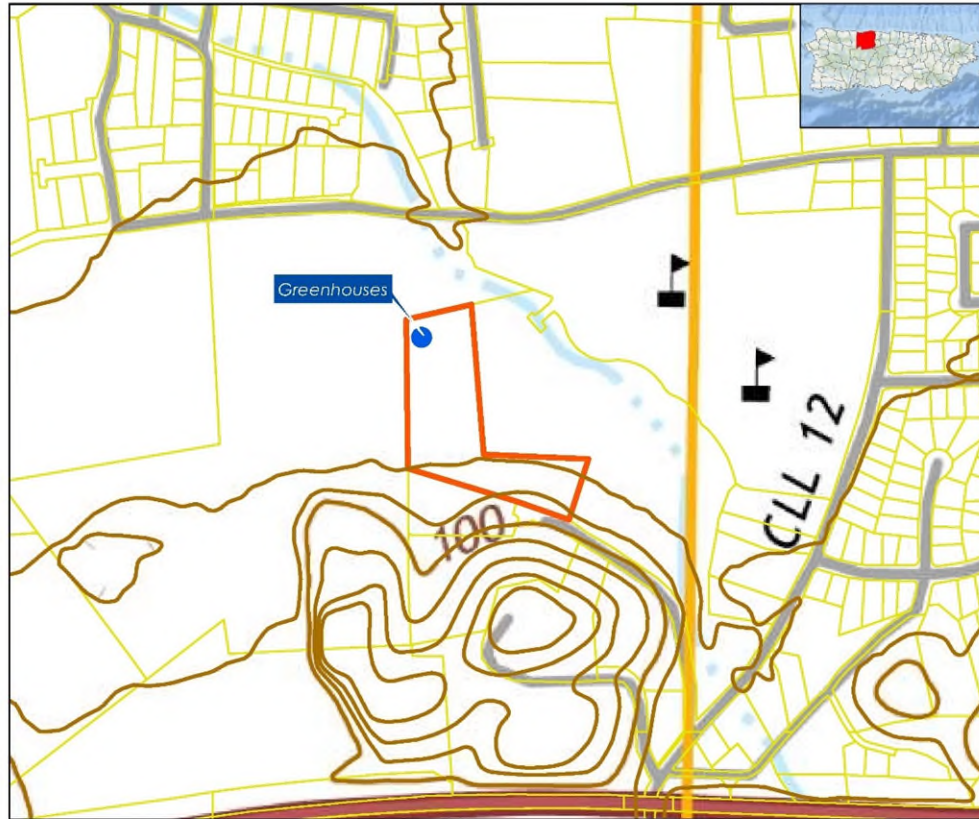
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Carril. 10001, Suite 201, Calle Ponce 554, Arecibo, San Juan, PR. 00923 Tel: (787)703-0280

Application ID: PR-RGRW-01934

Productos Hidropónicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

Location: USGS Topographic Map

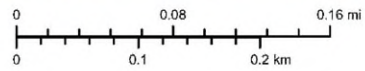
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- Contour Interval 20 Feet
- PR-RGRW-01934-Parcel
- CRIM-Parcels-2018

Quadrangle: Arecibo



Service Layer Credit: Esri, Garmin, GEBCO, NOAA
NGDC, and other contributors and Google Earth



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Source

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

Project (PR-RGRW-01934) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. Iberia 1, Suite J-3, Calle Perseo 55A, Arecibo, San Juan, P.R. 00920 Tel: (787) 753-0290

Application ID: PR-RGRW-01934

Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

Soils Map

Puerto Rico Department of Housing ReGrow

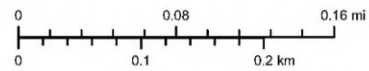


Legend:

- PR-RGRW-01934
- PR-RGRW-01934-Parcel
- Soil Map Unit Symbol

Soil Map Unit Symbol

- AnB - Almirante clay, 2 to 5 percent slopes
- ByB - Bayamon clay, 2 to 5 percent slopes
- EcB - Espinosa clay, 2 to 5 percent slopes
- SmF - San Sebastian gravelly clay, 20 to 60 percent slopes



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



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Source

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

Project (PR-RGRW-01934) Location with Previous Investigations - Aerial Map

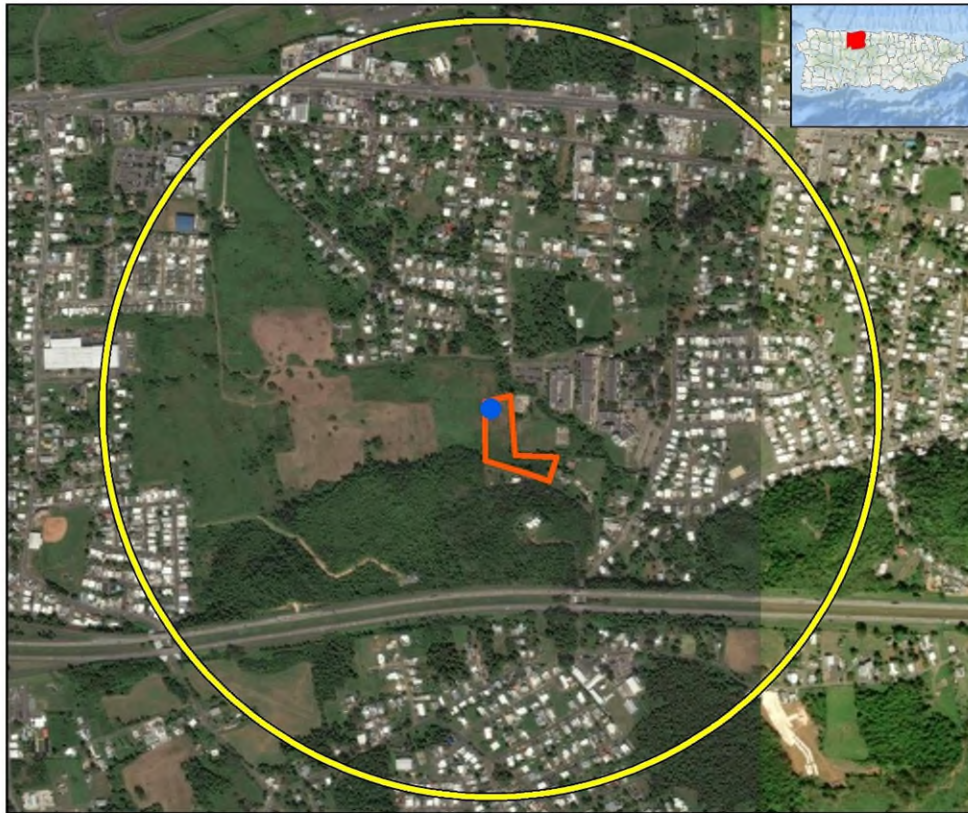
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
CONDOMINIO 1 Suite 2-0, Calle Ponce 504, Arecibo, San Juan, P.R. 00902 (98)76763-0290

Application ID: PR-RGRW-01934

Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

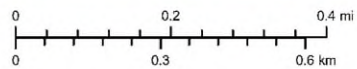
Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- 0.50 Mile (0.8 Km) Buffer
- PR-RGRW-01934-Parcel



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



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Project (PR-RGRW-01934) Location with Previous Investigation - USGS Topographic Map

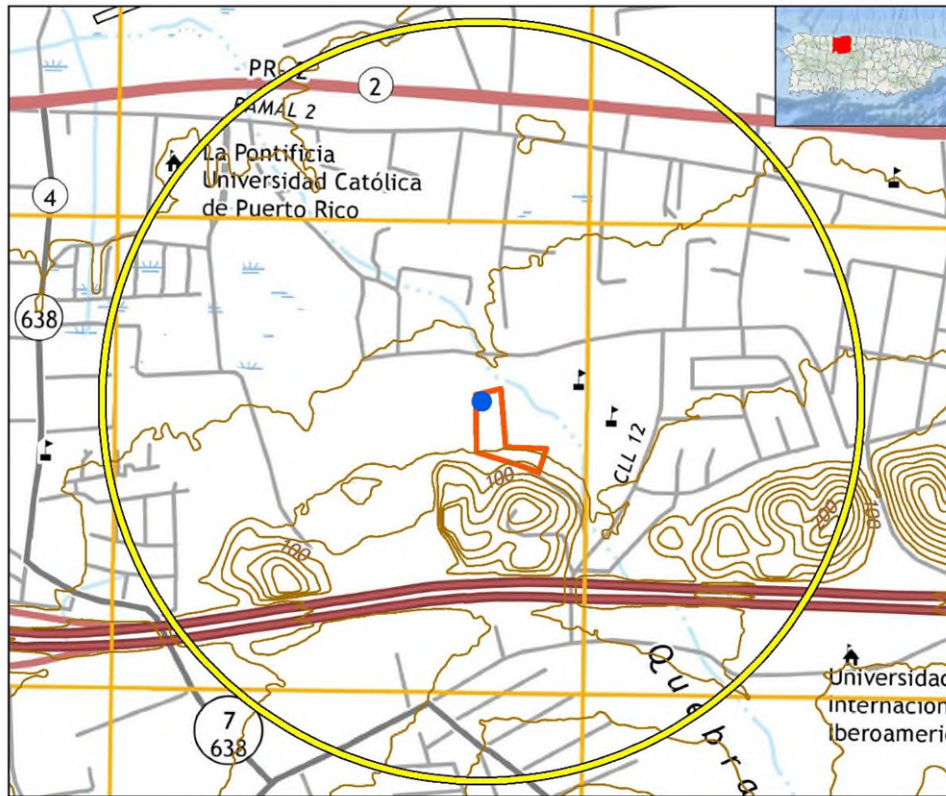
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corporation, Suite 100, Calle Ponce de León, Arecibo, P.R. 00612 (787) 253-0290

Application ID: PR-RGRW-01934

Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
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Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

Previous Investigations: USGS Topographic Map

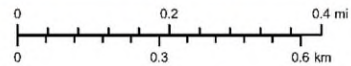
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- 0.50 Mile (0.8 Km) Buffer
- Contour Interval 20 Feet
- PR-RGRW-01934-Parcel

Quadrangle: Arecibo



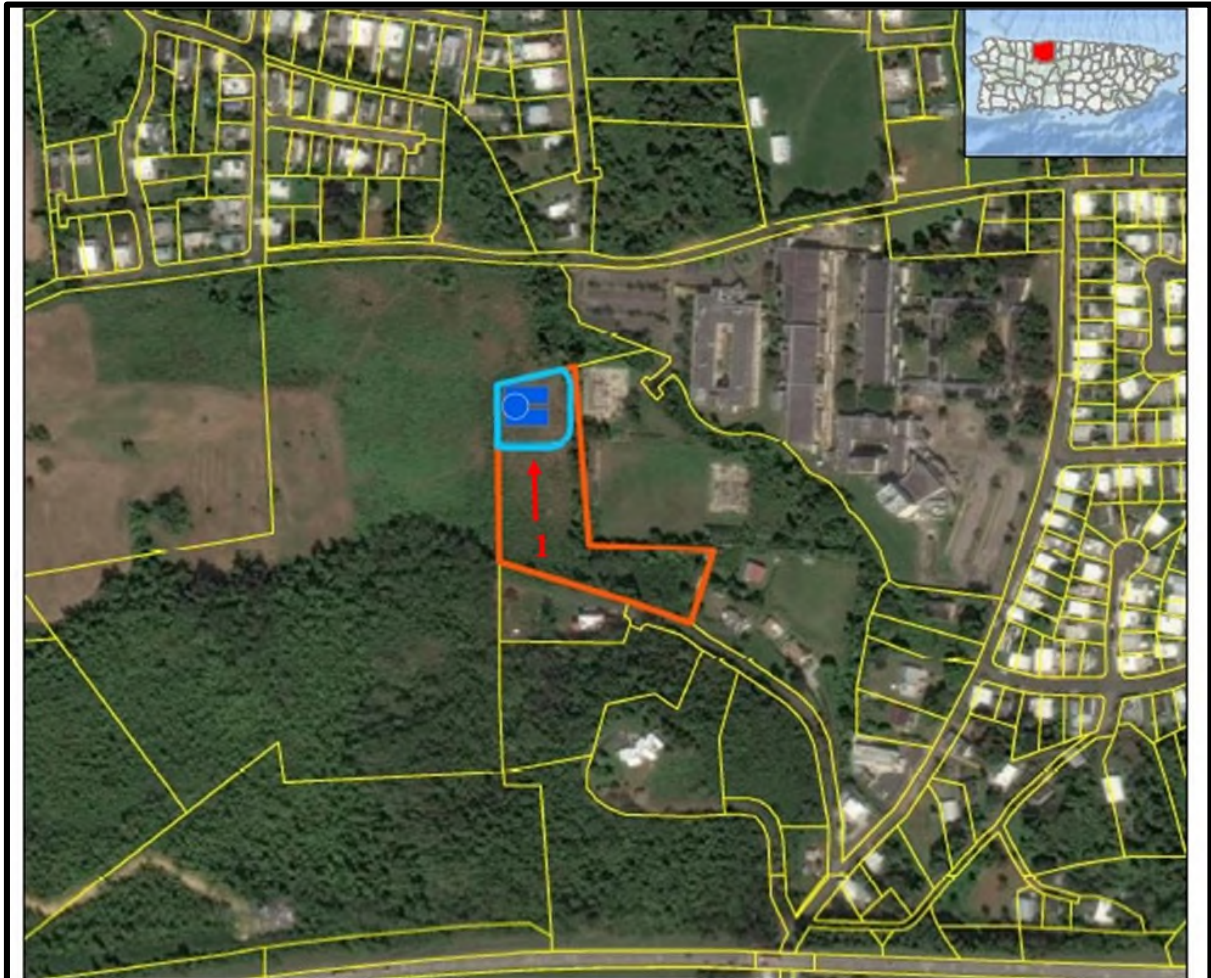
Service Layer Credits: Esri, Garmin, GEBCO, NOAA
NGDC, and other contributors



Source

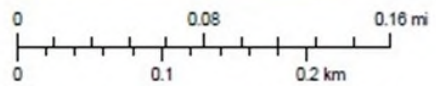
United States Geological Survey (USGS)
National Geographic Map Database
<https://ngmdb.usgs.gov/ngmdb/home.html>

Photograph Key



Legend:

-  PR-RGRW-01934
-  Greenhouses-01934
-  Area of Potential Effect (15 Mts.)
-  PR-RGRW-01934-Parcel
-  CRIM-Parcels-2018



Service Layer Credits: Sources: Esri, GEBCO, NOAA, National Geographic, Garmin, HERE, Geonames.org, and other contributors
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth



1:4,000

Source

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

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: Productos Hidropónicos DMJ

Case ID: PR-RGRW-01934

City: Arecibo



Photo #:1

Date: February 14, 2024

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



October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT

Appendix 2



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

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

Data is current as of March 31, 2023

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

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

Change the State:

Important Notes

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

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

Important Notes

logo

You are here: EPA Home > Green Book > Lead (2008) Nonattainment Area Partial County Descriptions

Lead (2008) Nonattainment Area Partial County Descriptions

Data is current as of March 31, 2024

Detailed Description of Certain Area Boundaries for Partial Counties

ARIZONA

Hayden, AZ

Gila County

The portions of Gila County that are bounded by T4S, R14E; T4S, R15E; T4S, R16E; T5S, R15E; T5S, R16E

Pinal County

The portions of Pinal County that are bounded by: T4S, R14E; T4S, R15E; T4S, R16E (except those portions in the San Carlos Indian Reservation); T5S, R14E; T5S, R15E; T5S, R16E (except those portions in the San Carlos Indian Reservation); T6S, R14E; T6S, R15E; T6S, R16E (except those portions in the San Carlos Indian Reservation).

CALIFORNIA

Los Angeles County-South Coast Air Basin, CA

Los Angeles County

That portion of Los Angeles County which lies south and west of a line described as follows:

Beginning at the Los Angeles-San Bernardino County boundary and running west along the Township line common to Township 3 North and Township 2 North, San Bernardino Base and Meridian;

then North along the range line common to Range 8 West and Range 9 West;

then west along the Township line common to Township 4 North and Township 3 North;

then north along the range line common to Range 12 West and Range 13 West to the southeast corner of Section 12, Township 5 North and Range 13 West;

then west along the south boundaries of Sections 12, 11, 10, 9, 8, and 7, Township 5 North and Range 13 West to the boundary of the Angeles National Forest which is collinear with the range line common to Range 13 West and Range 14 West;

then north and west along the Angeles National Forest boundary to the point of intersection with the Township line common to Township 7 North and Township 6 North (point is at the northwest corner of Section 4 in Township 6 North and Range 14 West);

then west along the Township line common to Township 7 North and Township 6 North;

then north along the range line common to Range 15 West and Range 16 West to the southeast corner of Section 13, Township 7 North and Range 16 West;

then along the south boundaries of Sections 13, 14, 15, 16, 17 and 18, Township 7 North and Range 16 West;

then north along the range line common to Range 16 West and Range 17 West to the north boundary of the Angeles National Forest (collinear with the Township line common to Township 8 North and Township 7 North);

then west and north along the Angeles National Forest boundary to the point of intersection with the south boundary of the Rancho La Liebre Land Grant;

then west and north along this land grant boundary to the Los Angeles-Kern County boundary.

KANSAS

Saline County, KS

Saline County

Saline County (part):

Area bounded by Schilling Rd. on the north, 1/4 mile west of S. Ohio St. on the east, Water Well Rd. on the south, and 9th Street on the west.

MINNESOTA

Eagan, MN

Dakota County

Dakota County (part): Portions of Dakota county that are bounded by: Lone Oak Rd. (County Rd. 26) to the north, County Rd. 63 to the east, Wescott Rd. to the south, and Lexington Ave. (County Rd. 43) to the west.

MISSOURI

Iron, Dent, and Reynolds Counties, MO

Dent County

Dent County (part): Sections 4, 9, 16, 21, 28, 33 of T34N, R2W.

Iron County

Iron County (part): Sections 6-7, 18-19, 30-32 of T34N, R1W and Sections 1-3, 10-15, 22-27, 34-36 of T34N, R2W.

Reynolds County

Reynolds County (part): Sections 5-7 of T33N, R1W and Sections 1-3, 10-12 of T33N, R2W.

OHIO

Canton-Stark County, OH

Stark County

The portions of Stark County that are bounded on the north by State Route OH-153 (12th Street NE; Mahoning Road), on the east by Broadway Avenue, on the south by State Route OH-172 (Tuscarawas Street E; Lincoln Street E), and the west by State Route OH-43-Northbound (Cherry Avenue NE).

PENNSYLVANIA

Lower Beaver Valley, PA

Beaver County

Area is bounded by Potter Township, Vanport Township, and Center Township.

Lyons, PA

Berks County

Berks County (part): Area is bounded by Kutztown Borough, Lyons Borough, Maxatawny Township and Richmond Township.

North Reading, PA

Berks County

Berks County (part): Area is bounded by Alsace Township, Laureldale Borough, and Muhlenberg Township.

PUERTO RICO

Arecibo, PR

Arecibo Municipio

Arecibo Municipio (part):

Area bounded by 4 km from the boundaries of the Battery Recycling Company facility.

Discover.

Connect.

Ask.

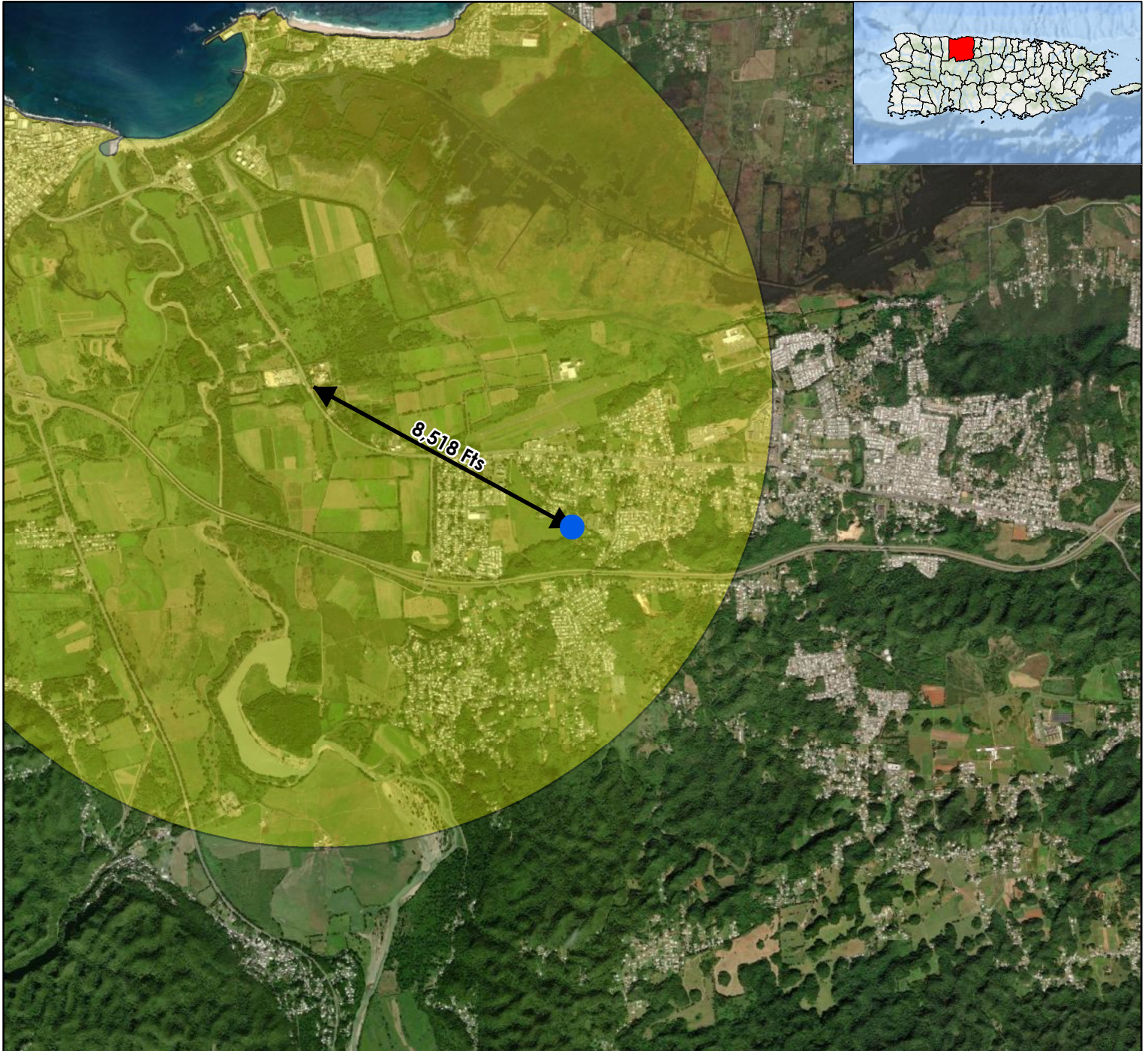
Follow.

2024-03-31



Productos Hidroponicos DMJ
SR 658, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat:18.441558, Long: -66.672995

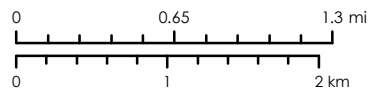
Non-Attainment Areas Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-01934
-  Non-Attainment Areas



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

Source

EPA NEPAassist
<https://nepassisttool.epa.gov/nepassist/nepamap.aspx>



1:50,000

THE BATTERY RECYCLING COMPANY

ARECIBO, PR

Cleanup Activities

[Sign up](#) for this Superfund site's mailing list

On this page:

- [Background](#)
- [What Has Been Done to Clean Up the Site?](#)
- [What Is the Current Site Status?](#)
- [Emergency Response and Removal](#)

On related pages:

- [Operable Units](#)
- [Cleanup Progress](#)

Background

The Battery Recycling Company Superfund Site (Site) is located on the coastal and alluvial deposits of the Río Grande de Arecibo floodplain, approximately 0.5 miles east of the Río Grande de Arecibo, and approximately 2.75 miles north of where the north-flowing river emerges from the mountains to the south. The floodplain and river continue for approximately 1.5 miles north of the Site before discharging to the Arecibo Bay of the Atlantic Ocean on Puerto Rico's north coast. The Site includes property that was operated by The Battery Recycling Company, Inc. (BRC Property), located at Puerto Rico State Road No. 2 (PR-2), kilometer 72.2 Cambalache Ward, Puerto Rico. The BRC Property occupies approximately 16 acres.

The BRC Property is bounded on three sides (north, east, and south) by agricultural or undeveloped land, and on the west side by PR-2. A former cattle pasture a land crab habitat in the drainage pathways and canals that run toward the Caño Tiburones, and a residential neighborhood are located north of the BRC Property. A hardware store and concrete block business are located on the opposite side of PR-2 to the west.

The Battery Recycling Company (BRC) began its spent lead-acid battery recycling operations in 1994. Initially, BRC performed small scale spent lead-acid battery breaking and lead smelting, but between 2004-2005, operations increased and became a large-scale secondary smelter. Operations at the BRC Property ceased in 2014 and included, but were not limited to, breaking and sorting lead-acid batteries and refining the lead to be resold as lead blocks to battery manufacturers. Improper handling of the hazardous substances and hazardous wastes by BRC led to high levels of lead contamination at the Site. In addition, workers carried lead dust on their clothes and personal equipment into their cars and homes. Consequently, in November 2010, April 2011, and May 2011, the Centers for Disease Control and Prevention (CDC) tested

Company's employees and relatives for blood lead levels. Some blood samples collected from the susceptible population (children below 7 years of age and pregnant and lactating women) exhibited lead levels above 10 micrograms per deciliter, which was the applicable CDC blood lead reference value at the time. Sampling of cars and residences of employees indicated lead levels above 40 micrograms per square foot ($\mu\text{g}/\text{ft}^2$), with some vehicles measuring above 100,000 $\mu\text{g}/\text{ft}^2$. In 2011 and 2012, EPA conducted removal assessments of residential properties and vehicles belonging to current and former BRC's employees.

Between January and April 2016, EPA collected soil (surface and subsurface) and stormwater samples from the Site to evaluate possible removal action, as well as to assess the Site for possible inclusion on the Superfund National Priorities List. Based on sampling results and information gathered during the course of the removal activities, on August 3, 2017, EPA listed the Site on its Superfund National Priorities List to address the releases of lead and potential releases of other hazardous substances at the Site.

Prior to 1994, the Facility was operated by Puerto Rico Chemical Co. (subsidiary of Hooker Chemical Corporation, currently known as Occidental Chemical Corporation) for the manufacture of organic chemicals such as fumaric and phthalic acid from the mid-1960s until October 1979 when an explosion led to plant closure. Groundwater sampling found elevated groundwater concentrations on site of 1,1-dichloroethene (DCE), trans- 1,2-DCE, toluene, trichloroethene, and vinyl chloride. Groundwater contamination was also found off-site.

What Has Been Done to Clean Up the Site?

Following the soil sampling events in 2008 and 2010, which resulted in the identification of elevated levels of lead at the Site, on June 7, 2011 EPA entered into a CERCLA Administrative Settlement Agreement and Order on Consent (Settlement Agreement), Index Number-02-2011-2010, with BRC's owner and operator to conduct removal activities at the Site.

In 2011 and 2012, EPA conducted removal assessments of residential properties and vehicles belonging to current and former BRC employees. The first phase of the removal assessments in June 2011 resulted in removal actions at residential properties and vehicles containing lead contamination. The second phase included the reassessment of properties and vehicles that had previously been remediated and removal actions at those with elevated lead levels remaining. On September 9, 2014, due to BRC's failure to complete the removal activities required under the Settlement Agreement, EPA took over the removal action called for therein. The removal activities included, but were not limited to, removing lead contamination from the adjacent cattle pasture as well as instituting decontamination measures at the Facility to mitigate the migration of contamination from employees clothing.

In 2015, EPA conducted additional XRF screening of samples collected from the northeastern corner of the BRC Property and the BRC Property Drainage Ditch, which indicated the presence of lead in both areas, with concentrations generally greater than 800 mg/kg and as high as 88,800 mg/kg.

From 2016 until 2022, EPA continued to perform time-critical removal actions to address soil contamination at the Site.

What Is the Current Site Status?

In 2019, EPA began implementing long-term remedial activities, Remedial Investigation/Feasibility Study, to further assess site conditions and define the extent of the contamination caused by the past releases of hazardous substances from the site and identify remedies, as needed. The Remedial Investigation/Feasibility Study was completed in 2023. The results of the remedial investigation are described in Remedial Investigation Report 2023, while the remedial alternatives for soil and groundwater are described in the Feasibility Study. Both documents are included in the Administrative Record of the Site.

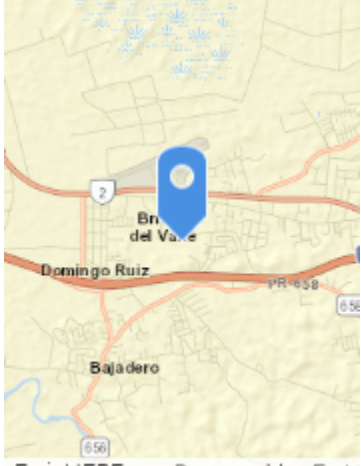
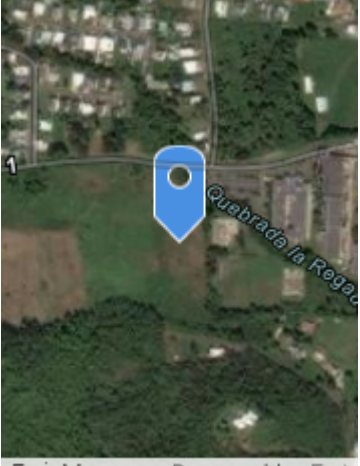
Emergency Response and Removal

EPA completed Time Critical Removal Actions in 2022.

APRIL 15, 2024

Appendix 3

APPLICANT/LOCATION INFORMATION	
Applicant ID:	PR-RGRW-01934
Name:	Productos Hidroponicos DMJ
Parcel ID:	031-083-416-17-000
Latitude:	18.441558
Longitude:	-66.672995
Elevation:	
Development	
Street Address:	SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds.,
Municipio:	Arecibo, PR
Zip Code:	00612
Site Inspector:	Patricia Carmenatty
Date of Visit:	February 12, 2024
Time of Visit:	16:35

FIELD OBSERVATIONS

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

Land to be purchased

Photo Direction: Northwest

Comments:



Photo Direction: N/A

Comments:



Entrance

Photo Direction: Southeast

Comments:



Photo Direction: West

Comments:



Photo Direction: North

Comments: perimeters of the land



Photo Direction: N/A

Comments:

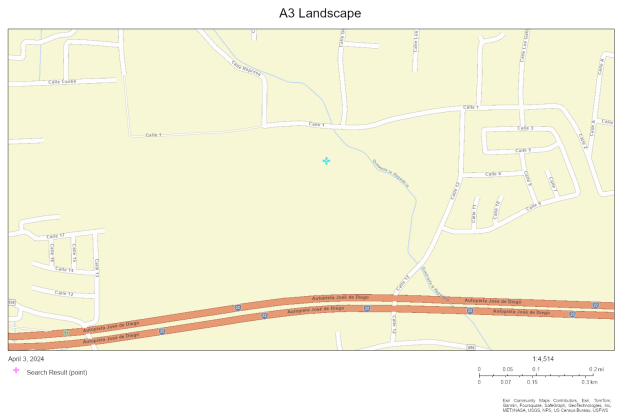
EPA

EJScreen Community Report

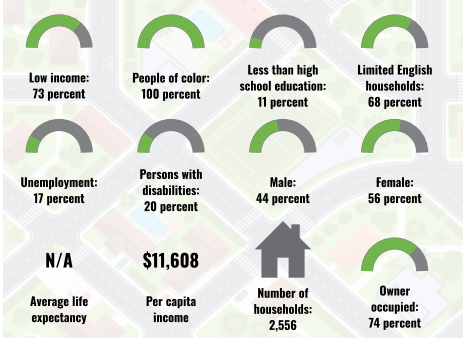
This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Arecibo Municipio, PR

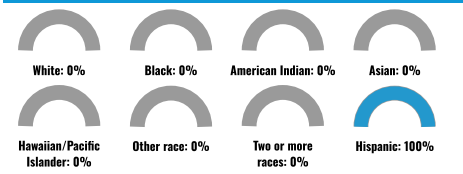
1 mile Ring Centered at 18.441558,-66.673000
Population: 7,247
Area in square miles: 3.14



COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



LANGUAGES SPOKEN AT HOME

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

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

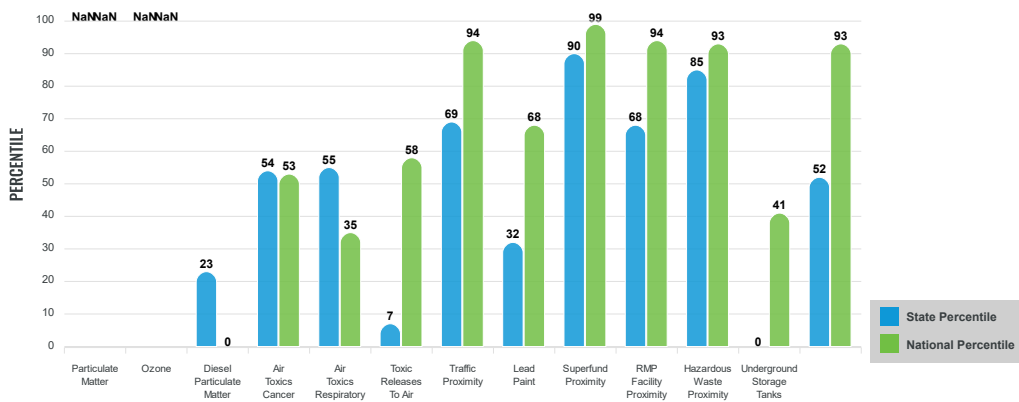
Environmental Justice & Supplemental Indexes

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

EJ INDEXES

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

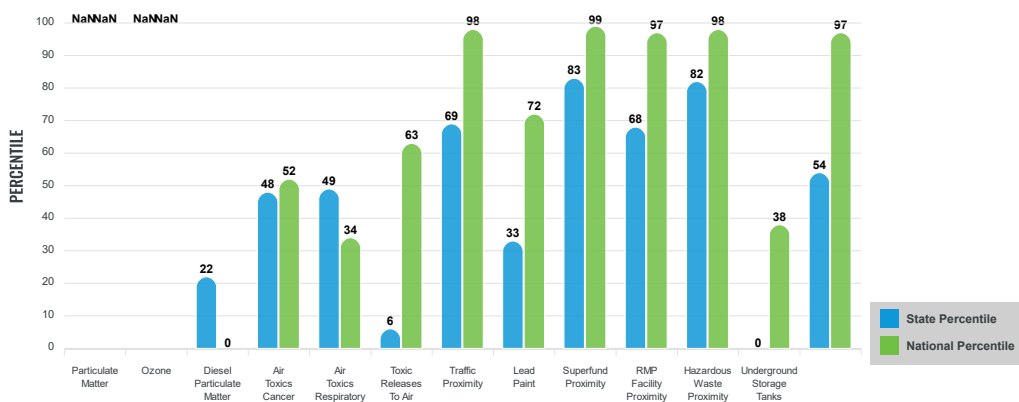
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

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

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



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

Report for 1 mile Ring Centered at 18.441558,-66.673000

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m³)	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter (µg/m³)	0.0195	0.0667	23	0.261	0
Air Toxics Cancer Risk* (lifetime risk per million)	20	20	15	25	5
Air Toxics Respiratory HI*	0.2	0.19	17	0.31	4
Toxic Releases to Air	54	4,300	6	4,600	18
Traffic Proximity (daily traffic count/distance to road)	190	180	70	210	73
Lead Paint (% Pre-1960 Housing)	0.05	0.16	33	0.3	26
Superfund Proximity (site count/km distance)	0.37	0.15	93	0.13	92
RMP Facility Proximity (facility count/km distance)	0.33	0.47	66	0.43	69
Hazardous Waste Proximity (facility count/km distance)	1.4	0.76	83	1.9	67
Underground Storage Tanks (count/km²)	0.2	1.7	60	3.9	32
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.0047	2.3	52	22	61
SOCIOECONOMIC INDICATORS					
Demographic Index	87%	83%	46	35%	98
Supplemental Demographic Index	42%	43%	40	14%	99
People of Color	100%	96%	28	39%	97
Low Income	73%	70%	46	31%	95
Unemployment Rate	17%	15%	64	6%	93
Limited English Speaking Households	68%	67%	44	5%	99
Less Than High School Education	11%	21%	24	12%	62
Under Age 5	1%	4%	31	6%	16
Over Age 64	22%	22%	50	17%	72
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

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

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	1
Water Dischargers	4
Air Pollution	2
Brownfields	0
Toxic Release Inventory	0

Other community features within defined area:

Schools	3
Hospitals	0
Places of Worship	0

Other environmental data:

Air Non-attainment	Yes
Impaired Waters	Yes

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

Report for 1 mile Ring Centered at 18.441558,-66.673000

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	N/A	N/A	N/A	20%	N/A
Heart Disease	N/A	N/A	N/A	6.1	N/A
Asthma	N/A	N/A	N/A	10	N/A
Cancer	N/A	N/A	N/A	6.1	N/A
Persons with Disabilities	21.1%	21.6%	45	13.4%	88

CLIMATE INDICATORS

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

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	21%	32%	31	14%	76
Lack of Health Insurance	7%	7%	59	9%	51
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for 1 mile Ring Centered at 18.441558, -66.673000



Detailed Facility Report

Facility Summary

TEXACO SS MARVIN TOLEDO

PR-2 KM 69.5, ARECIBO, PR 00612

FRS (Facility Registry Service) ID: 110007821027

EPA Region: 02

Latitude: 18.447021

Longitude: -66.667544

Locational Data Source: RCRAINFO

Industries: --

Indian Country: N

Enforcement and Compliance Summary

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

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): No Information

Resource Conservation and Recovery Act (RCRA): Inactive Other, (PRR000008664)

Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information

Greenhouse Gas Emissions (eGGRT): No Information

Toxic Releases (TRI): No Information

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

Go To Enforcement/Compliance Details

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

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110007821027					N	18.447021	-66.667544
RCRAInfo	RCRA	PRR000008664	Other	Inactive ()			N		

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110007821027	TEXACO SS MARVIN TOLEDO	PR-2 KM 69.5, ARECIBO, PR 00612	Arecibo Municipio
RCRAInfo	RCRA	PRR000008664	TEXACO SS MARVIN TOLEDO	RD 2 KM 69.5, ARECIBO, PR 00612	Arecibo Municipio

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

Facility Tribe Information

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

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

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

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

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	PRR000008664	No	03/30/2024	0	03/29/2024

Three-Year Compliance History by Quarter

Statute	Program/ Pollutant/ Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
RCRA (Source ID: PRR000008664)		04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified
	Violation Agency												

Informal Enforcement Actions

Last 5 Years

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

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

Formal Enforcement Actions

Last 5 Years

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

Environmental Conditions

Watersheds

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

No data records returned

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
-------	--------------	--------------------	----------------------	-----------------	-----------------------	--------------------	----------------	----------------------	----------------	-----------

No data records returned

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
Ozone	No	--	No	--
Lead	Yes	Lead (2008)	No	--
Particulate Matter	No	--	No	--
Carbon Monoxide	No	--	No	--
Sulfur Dioxide	No	--	No	--

Pollutants

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

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

No data records returned

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

Chemical Name
No data records returned

Community

Environmental Justice

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

EJScreen Indexes Shown

Compare to US State

Index Type Environmental Justice Supplemental

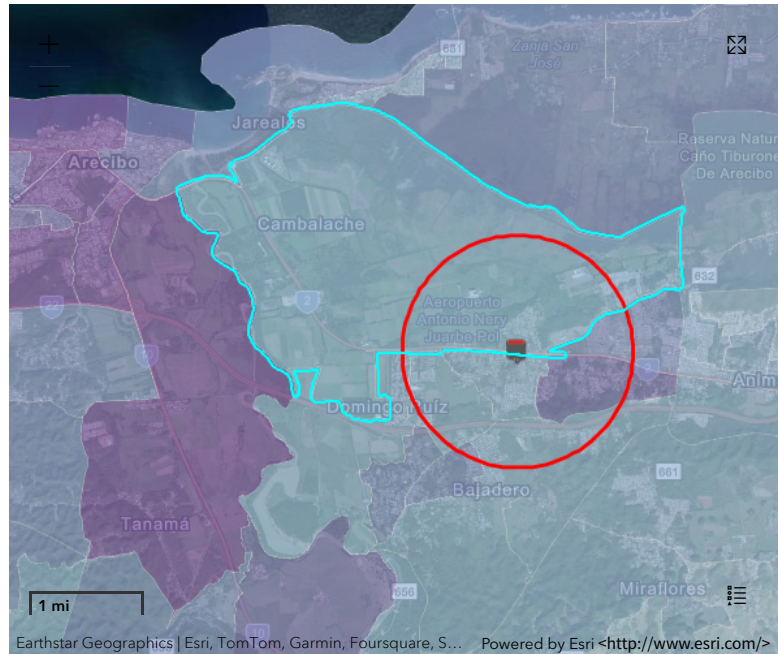
Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 720133003024	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	5	7
Particulate Matter 2.5	--	--
Ozone	--	--
Diesel Particulate Matter	0	--
Air Toxics Cancer Risk	50	53
Air Toxics Respiratory Hazard Index	31	36
Toxic Releases to Air	53	68
Traffic Proximity	82	99
Lead Paint	78	87
Risk Management Plan (RMP) Facility Proximity	96	99
Hazardous Waste Proximity	96	99
Superfund Proximity	98	99
Underground Storage Tanks (UST)	76	97
Wastewater Discharge	92	99

Facility 1-mile Radius Facility Census Block Group



Demographic Profile of Surrounding Area (1-Mile Radius)

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

General Statistics (U.S. Census)	
Total Persons	5,179
Population Density	1,666/sq.mi.
Housing Units in Area	2,275

General Statistics (ACS (American Community Survey))	
Total Persons	3,814
Percent People of Color	99%
Households in Area	1,345
Households on Public Assistance	57
Persons With Low Income	2,895
Percent With Low Income	76%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.447021

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	272 (5%)
Minors 17 years and younger	1,191 (23%)
Adults 18 years and older	3,989 (77%)
Seniors 65 years and older	826 (16%)

Race Breakdown (U.S. Census) - Persons (%)	
White	4,325 (84%)
African-American	437 (8%)
Hispanic-Origin	5,151 (99%)
Asian/Pacific Islander	1 (0%)
American Indian	16 (0%)
Other/Multiracial	400 (8%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	124 (4.56%)

Geography	
Center Longitude	-66.667544
Land Area	100%
Water Area	0%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	373 (27.67%)
\$15,000 - \$25,000	270 (20.03%)
\$25,000 - \$50,000	477 (35.39%)
\$50,000 - \$75,000	193 (14.32%)
Greater than \$75,000	35 (2.6%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
9th through 12th Grade	122 (4.49%)
High School Diploma	898 (33.03%)
Some College/2-year	455 (16.73%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	779 (28.65%)



Detailed Facility Report

Facility Summary

UPS ARECIBO FACILITY

STATE ROAD PR-2 KM 69.7, ARECIBO, PR 00612

FRS (Facility Registry Service) ID: 110066916323

EPA Region: 02

Latitude: 18.448

Longitude: -66.674

Locational Data Source: NPDES

Industries: --

Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	10
Qtrs with Significant Violation	7
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): Non-Major, Permit Effective (PRNOEJ02C), Non-Major, Permit Terminated; Compliance Tracking Off (PRR053187)

Resource Conservation and Recovery Act (RCRA): No Information

Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details

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

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information

Greenhouse Gas Emissions (eGGRT): No Information

Toxic Releases (TRI): No Information

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

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110066916323					N	18.448	-66.674
ICIS-NPDES	CWA	PRNOEJ02C	Non-Major: General Permit Covered Facility	Effective	Industrial Stormwater	04/21/2028	N	18.448019	-66.673901
ICIS-NPDES	CWA	PRR053187	Non-Major: General Permit Covered Facility	Terminated; Compliance Tracking Off	Industrial Stormwater	02/28/2026	N	18.448	-66.674

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110066916323	UPS ARECIBO FACILITY	STATE ROAD PR-2 KM 69.7, ARECIBO, PR 00612	
ICIS-NPDES	CWA	PRNOEJ02C	UPS ARECIBO FACILITY	STATE ROAD PR-2 KM 69.7, ARECIBO, PR 00612	Arecibo Municipio
ICIS-NPDES	CWA	PRR053187	UPS ARECIBO FACILITY	STATE ROAD PR-2 KM 69.7, ARECIBO, PR 00612	Arecibo Municipio

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	PRNOEJ02C	4215	Courier Services, Except By Air
ICIS-NPDES	PRR053187	4215	Courier Services, Except By Air

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
No data records returned		

Facility Tribe Information

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

Enforcement and Compliance

Compliance Monitoring History Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
CWA	PRR053187	ICIS-NPDES	Inspection/Evaluation	Industrial Stormwater - Reconnaissance without Sampling	EPA	09/14/2021	
CWA	PRR053187	ICIS-NPDES	Offsite Record Review	308 Information Request - Desk Audit	EPA	07/05/2021	
CWA	PRR053187	ICIS (NPDES)	Information Request	Formal	EPA	12/17/2020	

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

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	PRNOEJ02C	No	12/31/2023	0	03/29/2024
CWA	PRR053187	No	12/31/2023	10	03/29/2024

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/ Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA	(Source ID: PRNOEJ02C)	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/29/24
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	Undetermined
	Quarterly Noncompliance Report History													
CWA	(Source ID: PRR053187)	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/29/24
	Facility-Level Status	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Violation Identified	Violation Identified	Violation Identified	Terminated Permit	Terminated Permit	Terminated Permit
	Quarterly Noncompliance Report History	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Failure to Report DMR - Not Received	Reportable Noncompliance	Reportable Noncompliance	Reportable Noncompliance			
	Single Event Violations	Agency												
CWA	WW Storm Water Non-Construction - Failure to Conduct Inspections	EPA	03/31/2017	→	→	→	→	→	→	→	→	→	→	→
CWA	WW Storm Water Non-Construction - Failure to Implement SWPPP/SWMP	EPA	03/31/2017	→	→	→	→	→	→	→	→	→	→	→
CWA	WW Storm Water Non-Construction - Failure to Monitor	EPA	03/31/2017	→	→	→	→	→	→	→	→	→	→	→
	Late or Missing Discharge Monitoring Report (DMR) Measurements													
	Counts of Late DMR Measurements				4									
	Counts of Missing DMR Measurements			4										

Informal Enforcement Actions Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
---------	--------	-----------	----------------	-------------	------

No data records returned

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

Formal Enforcement Actions Last 5 Years

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

No data records returned

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
210100020302	Cano Tiburones	CAÑO TIBURONES ESTUARY VIA LA REGADERA CREEK	No	No	--	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
PR	2020	PRNE7.1	CAÑO TIBURONES ESTUARY	Impaired - With Restoration Plan	PATHOGENS	--	Insufficient Information	--	Not Supporting	--

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
Ozone	No	--	No	--
Lead	Yes	Lead (2008)	No	--
Particulate Matter	No	--	No	--
Carbon Monoxide	No	--	No	--
Sulfur Dioxide	No	--	No	--

Pollutants

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

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

No data records returned

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

Chemical Name

No data records returned

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

DMR and TRI Multi-Year Loading Report

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

No data records returned

Community

Environmental Justice

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

EJScreen Indexes Shown

Compare to US State

Index Type Environmental Justice Supplemental

Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 720133003024	US (Percentile)	
	Facility Census Block Group	1-mile Max
Supplemental Indexes		
Count of Indexes At or Above 80th Percentile	5	7
Particulate Matter 2.5	--	--
Ozone	--	--
Diesel Particulate Matter	0	--
Air Toxics Cancer Risk	50	53
Air Toxics Respiratory Hazard Index	31	36
Toxic Releases to Air	53	68
Traffic Proximity	82	99
Lead Paint	78	87
Risk Management Plan (RMP) Facility Proximity	96	99
Hazardous Waste Proximity	96	99
Superfund Proximity	98	99
Underground Storage Tanks (UST)	76	97
Wastewater Discharge	92	99

Facility 1-mile Radius Facility Census Block Group



Earthstar Geographics | Esri, TomTom, Garmin, Foursquare, SafeGraph, GeoT... Powered by Esri <<http://www.esri.com/>>

Demographic Profile of Surrounding Area (1-Mile Radius)

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

General Statistics (U.S. Census)	
Total Persons	5,008
Population Density	1,610/sq.mi.
Housing Units in Area	2,236

General Statistics (ACS (American Community Survey))	
Total Persons	3,575
Percent People of Color	99%
Households in Area	1,286
Households on Public Assistance	40
Persons With Low Income	2,765
Percent With Low Income	78%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.448
Center Longitude	-66.674
Land Area	100%
Water Area	0%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	364 (28.28%)
\$15,000 - \$25,000	367 (28.52%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	258 (5%)
Minors 17 years and younger	1,108 (22%)
Adults 18 years and older	3,901 (78%)
Seniors 65 years and older	858 (17%)

Race Breakdown (U.S. Census) - Persons (%)	
White	4,115 (82%)
African-American	448 (9%)
Hispanic-Origin	4,984 (100%)
Asian/Pacific Islander	1 (0%)
American Indian	13 (0%)
Other/Multiracial	431 (9%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	133 (5.15%)
9th through 12th Grade	132 (5.11%)
High School Diploma	908 (35.15%)
Some College/2-year	441 (17.07%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	626 (24.24%)

Income Breakdown (ACS (American Community Survey)) - Households (%)	
\$25,000 - \$50,000	374 (29.06%)
\$50,000 - \$75,000	135 (10.49%)
Greater than \$75,000	47 (3.65%)

Appendix 4: USFWS Informal Consultation Package and supporting documentation



United States Department of the Interior

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



In Reply Refer to:
FWS/R4/CESFO/72013-Gen

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

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

Re: CDBG-DR PR-RGRW-01934 Productos
Hidropónicos DMJ, Arecibo, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated September 05, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the purchase of land (2.65-acres) and the purchase and installation of two greenhouses (40 feet (Ft) x 100 Ft) on State Road PR-658, Km. 0.7 Int., Domingo Ruiz and Santana Wards (18°26'29.6"N 66°40'22.8"W) in the municipality of Arecibo. The installation of the greenhouses will require ground disturbance.

Using the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Chilabothrus inornatus*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0064312). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa, which determined that the proposed actions for this project will have no effect (NE) on this species. As for the Puerto Rican harlequin butterfly, a consultation is required.

Based on the nature of the project, scope of work, information available, and analysis of the existing habitat (the area has been maintained for agricultural purposes for the past 30 years), PRDOH has determined that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican boa instead of the NE obtained by using the DKey. Conservation measures will be

implemented in case an encounter with this species occur. As for the Puerto Rican harlequin butterfly, PRDOH has determined that the proposed actions will have NE on this species due to the lack of suitable habitat since its critical habitat is located 27,744 Ft away from project site.

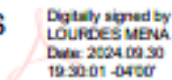
We acknowledge receipt of PRDOH's NE determination for the Puerto Rican harlequin butterfly. Currently, we do not have information to refute that determination. Because the PRDOH made a NE determination PRDOH is not required to conduct formal or informal section 7 consultation with the Service, and the Service is not required to concur with PRDOH's NE determination.

As for the Puerto Rican boa, we have reviewed the information provided and in our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect this species with the implementation of the conservation measures.

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

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

Sincerely,

**LOURDES
MENA**  Digitally signed by
LOURDES MENA
Date: 2024.09.30
19:30:01 -0400

Lourdes Mena
Field Supervisor

drr

cc:
HORNE
HUD

September 4, 2024

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

RE: Informal Consultation for Case PR-RGRW-01934 at SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds., Arecibo, PR 00612.

Dear Ms. Mena:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-01934, located at coordinates for the purchase of land and greenhouses installation: latitude 18.441558, longitude -66.672995; on SR 658, Km. 0.7 Int., Domingo Ruiz & Santana Wds., Arecibo, PR 00612, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-01934 consist of acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using four galvanized rigid pipes and these pipes will be buried to a depth of 2 feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary. Based on a review of historical aerial imagery, the general area has been maintained for agricultural purposes for the past 30 years. The area has not undergone any development for the past years, it has remained as an undeveloped green space. For the proposed project, the applicant's intention is to use the greenhouses to expand their cilantro business and start growing microgreens. The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the greenhouses, see Figure 3: Area of Potential Effect.

Existing Conditions and Trends:

The proposed project parcel 031-083-416-17-000, the area is designated as prime farmland, See Figure 4: Farmland Protection Map. The proposed project is located in a rural area of Arecibo. The area for the proposed greenhouses has a flat topography, covered in grass, refer to Photo 1 and Photo 2. The soils in the area have been classified as Almirante clay, 2 to 5 percent slopes (AnB). The land has been used for

agricultural uses for more than 30 years and the proposed project will not change the land use associated with these placements. The closer Final Critical Habitat is located 27,744 feet from the project location, see Figure 5: Critical Habitats Map. La Regadera creek is located about 170 feet away from where the greenhouses will be installed and 53 feet from the Area of potential effect. This is an intermittent stream located more than 100 feet away, therefore, no wetland will be affected by the project undertaking., see Figure 6: Wetlands Map.

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

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

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated March 18, 2024, in the US Fish and Wildlife Service’s online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have “No Effect” determination on the Puerto Rican Boa, see Exhibit B. However, considering that there will be ground disturbance due to the installation of the greenhouses, it is determined that the Puerto Rican boa will have a “May Affect, but is Not Likely to Adversely Affect” (NLAA). On the other hand, the acquisition of land and installation of greenhouses will have a “No Effect” (NE) determination on the Puerto Rican Harlequin butterfly. The butterfly prefers a forested habitat, mosaic of forested habitat with canopy cover between 50 to 85 percent, average canopy height of 20 feet, and plant host cover of more than 30 percent. Given that the area is flat with only grass and there are no trees in the proposed area for the greenhouses, the ground disturbance caused by the installation of the greenhouses will have no effect on the butterfly's habitat.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	Puerto Rican Boa Conservation Measures 2024
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	No Effect	No conservation measures
Critical Habitats		
There are no critical habitats within the project area.		

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

References:

Puerto Rican boa (*Chilabothrus inornatus*)

Species Profile: <https://ecos.fws.gov/ecp/species/6628>

USFWS Puerto Rican boa Conservation Measures

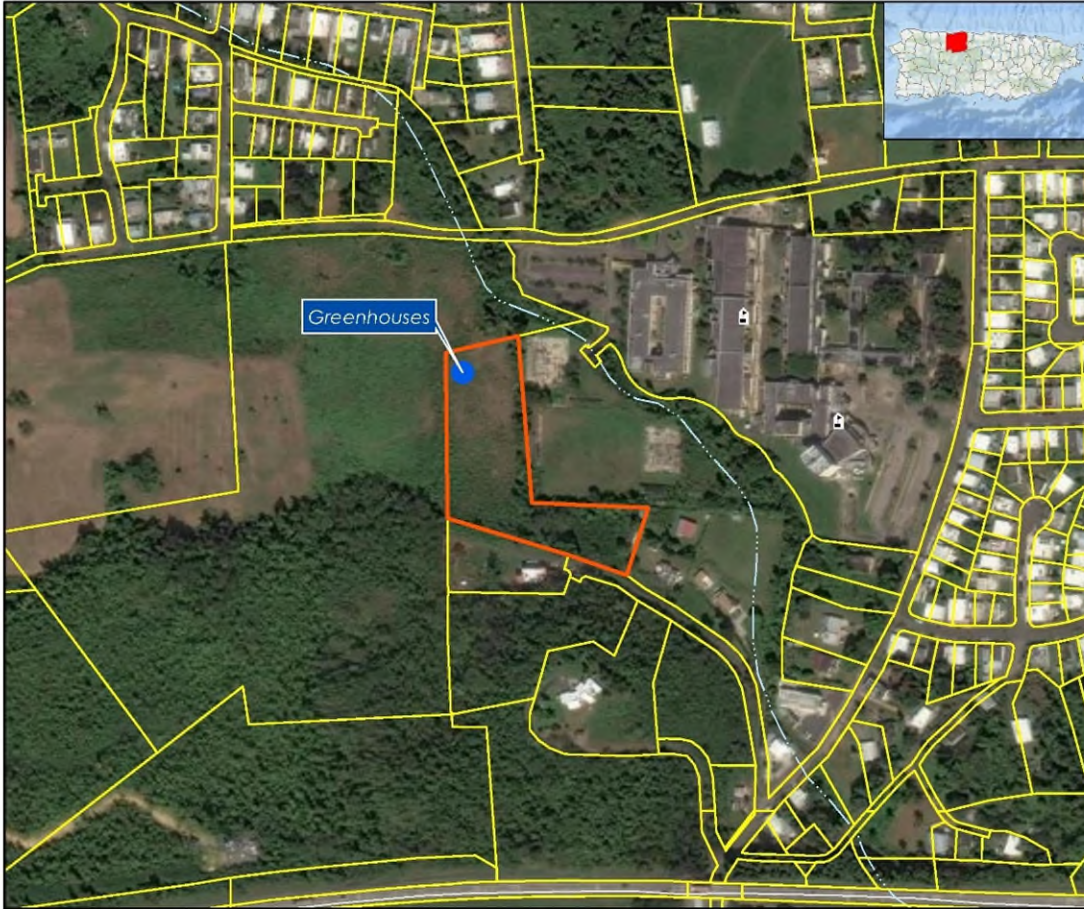
Puerto Rican Harlequin Butterfly (*Atlantea tulita*)

Species profile: <https://ecos.fws.gov/ecp/species/9005>

Exhibit A: Figures

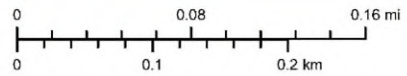
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- PR-RGRW-01934-Parcel
- CRIM-Parcels-2018



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



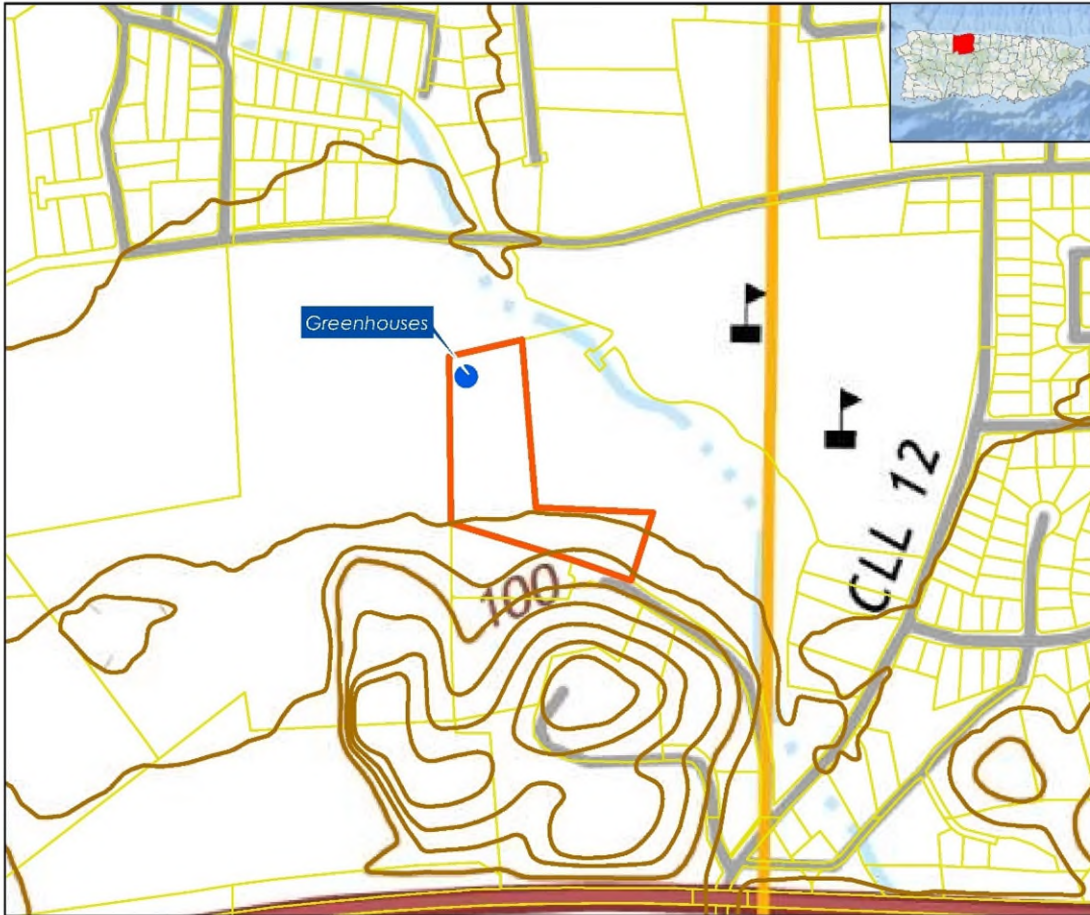
1:4,000

Source

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

Figure 1: PR-RGRW-01934 Location Map

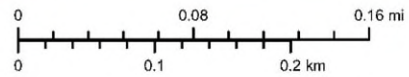
Location: USGS Topographic Map
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- Contour Interval 20 Feet
- PR-RGRW-01934-Parcel
- CRIM-Parcels-2018

Quadrangle: Arecibo



Service Layer Credits: Esri, Garmin, GEBCO, NOAA, N.GDC, and other contributors and Google Earth



1:4,000

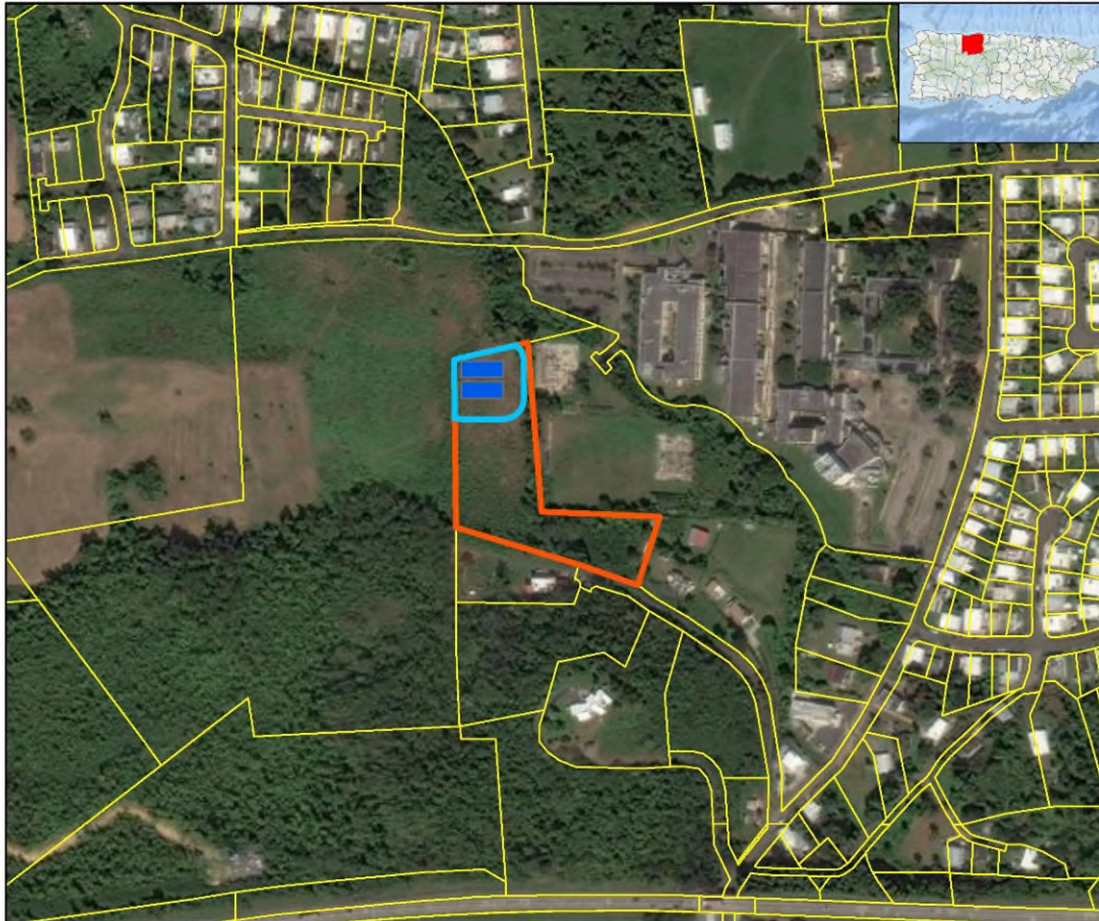
Source

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

Figure 2: PR-RGRW-01934 Topographic Map

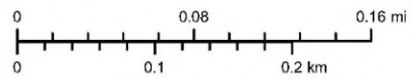
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend:

- Greenhouses-01934
- Area of Potential Effect (15 Mts.)
- PR-RGRW-01934-Parcel
- CRIM-Parcels-2018



Service Layer Credits: Sources: Esri, GEBCO, NOAA, National Geographic, Garmin, IHERE, Geonames.org, and other contributors
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors and Google Earth



1:4,000

Source

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

Figure 3: PR-RGRW-01934 Area of Potential Effect Map

Farmland Protection

Puerto Rico Department of Housing ReGrow

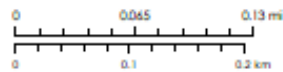


Legend:

● PR-RGRW-01934

Farm Class

- All areas are prime farmland
- Not prime farmland



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



Source

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

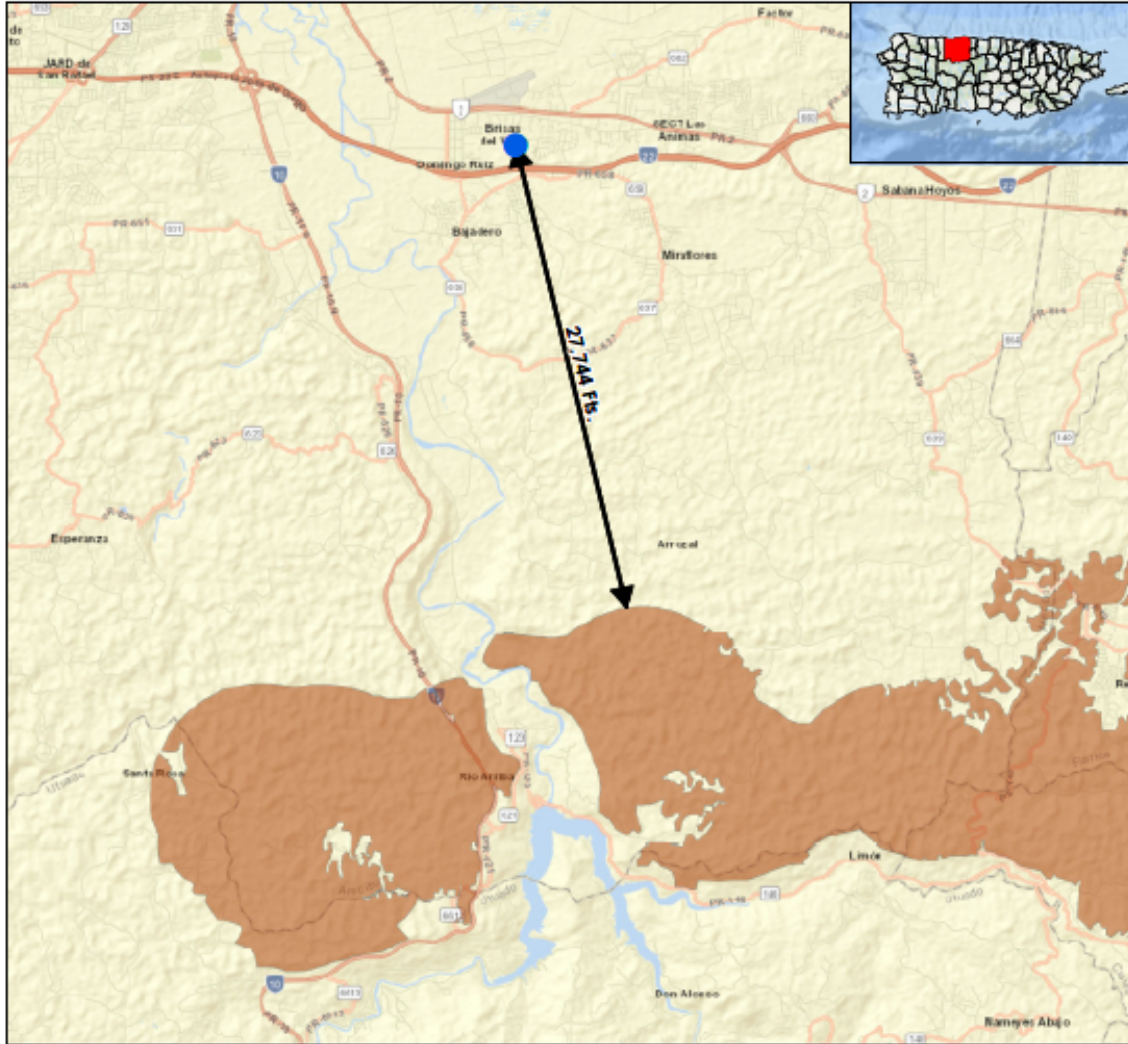
1:5,000

Figure 4: PR-RGRW-01934 Farmland Protection Map

Productos Hidroponicos DMJ
SR 65B, Km. 0.7 Int.,
Domingo Ruiz & Santana Wds.,
Arecibo, PR 00612
Catastro: 031-083-416-17-000
Lat: 18.441558, Long: -66.672995

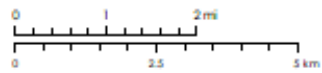
Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
- Critical Habitat



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

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



1:100,000

Figure 5: PR-RGRW-01934 Critical Habitats Map

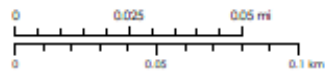
Wetlands Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01934
 - Area of Potential Effect
 - PR-RGRW-01934-Parcel
- National Wetlands Inventory**
- Riverine



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

Source

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



1:2,000

Figure 6: PR-RGRW-01934 Wetlands Map

Exhibit B: Information for Planning and Consultation (IPaC)



United States Department of the Interior



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

In Reply Refer To:

03/18/2024 18:30:12 UTC

Project Code: 2024-0064312

Project Name: PR-RGRW-01934

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0064312

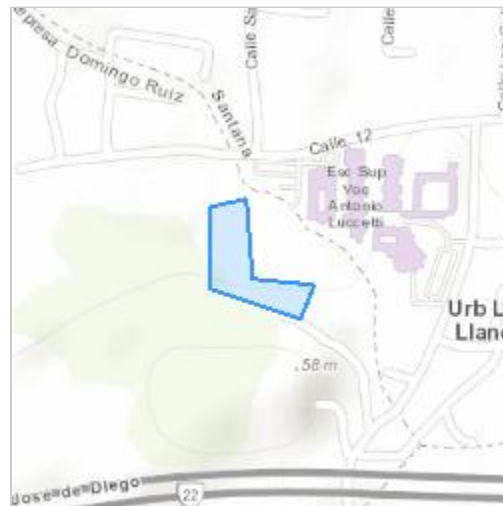
Project Name: PR-RGRW-01934

Project Type: New Constr - Above Ground

Project Description: The proposed activities for PR-RGRW-01934 consist of acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using galvanized rigid pipe and will be buried to a depth of 2 feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary. The project area is located at PR-658 km. 0.7 within the Municipality of Arecibo. Based on a review of historical aerial imagery, the general area has been maintained for agricultural purposes for the past 30 years.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.44104295,-66.67292152646925,14z>



Counties: Arecibo County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

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

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

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

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/7PM3IMNCAJHGXCGTYU6QGWSNQ/documents/generated/7159.pdf	Endangered

INSECTS

NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9005 General project design guidelines: https://ipac.ecosphere.fws.gov/project/7PM3IMNCAJHGXCGTYU6QGWSNQ/documents/generated/7168.pdf	Threatened

CRITICAL HABITATS

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

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

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Egon Gonzalez
Address: Calle 37 GG1 Jardines De Caparra
City: Bayamon
State: PR
Zip: 00959
Email: egonadrian94@yahoo.com
Phone: 7874617368



United States Department of the Interior



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

In Reply Refer To:
Project code: 2024-0064312
Project Name: PR-RGRW-01934

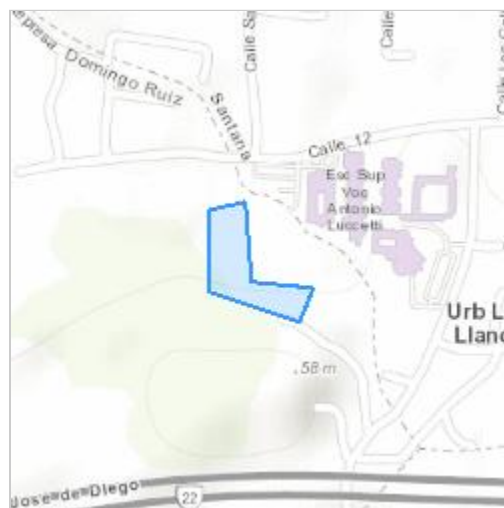
03/18/2024 18:30:54 UTC

Subject: Consistency letter for the project named 'PR-RGRW-01934' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On March 18, 2024, Egon Gonzalez used the Caribbean DKey; dated January 19, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01934'. The project is located in Arecibo County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.44104295,-66.67292152646925,14z>



The following description was provided for the project 'PR-RGRW-01934':

The proposed activities for PR-RGRW-01934 consist of acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using galvanized rigid pipe and will be buried to a depth of 2 feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary. The project area is located at PR-658 km. 0.7 within the Municipality of Arecibo. Based on a review of historical aerial imagery, the general area has been maintained for agricultural purposes for the past 30 years.

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

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

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

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

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

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

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

- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened

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

We appreciate your interest in protecting endangered species and their habitats. It is the Service's mission to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of our people. If you have any questions or require additional information, please contact our office at Caribbean_es@fws.gov.

Action Description

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

1. Name

PR-RGRW-01934

2. Description

The following description was provided for the project 'PR-RGRW-01934':

The proposed activities for PR-RGRW-01934 consist of acquisition of land (2.65 acres) and the purchase and installation of two 40' by 100' greenhouses. The installation of the greenhouses will require ground disturbance. The greenhouses will be anchored to the ground using galvanized rigid pipe and will be buried to a depth of 2 feet. A rainwater collection system that works by gravity is already included in the greenhouses quote. No new connection for water or electricity will be necessary. The project area is located at PR-658 km. 0.7 within the Municipality of Arecibo. Based on a review of historical aerial imagery, the general area has been maintained for agricultural purposes for the past 30 years.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.44104295,-66.67292152646925,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

Yes

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

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Egon Gonzalez
Address: Calle 37 GG1 Jardines De Caparra
City: Bayamon
State: PR
Zip: 00959
Email: egonadrian94@yahoo.com
Phone: 7874617368

Exhibit C: Field Visit Photos



Photo #:1

Date: February 14, 2024

Description (include direction): Area where the greenhouses will be installed, looking northwest.



Photo #:2

Date: February 14, 2024

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



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

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

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

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



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

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

Conservation Measures:

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

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

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

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



**U.S. FISH & WILDLIFE SERVICE
CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE**

Conservation Measures for the Puerto Rican harlequin butterfly (*Atlantea tulita*)

Section 7 (a)(1) of the Endangered Species Act (ESA) mandates Federal agencies to aid in the conservation of federally listed species. Section 7 (a)(2) requires the Federal agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of federally listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect listed species, such as approval of private activities through the issuance of Federal funding, permits, licenses, or any other actions. Any person that injures, captures, or kills a Puerto Rican harlequin butterfly, or destroy its eggs or any other of its life stage (caterpillars, chrysalis) is subject to penalties under the ESA. Thus, Federal Actions agencies must initiate consultation with the Service under Section 7 of the ESA for any action that could affect the Puerto Rican harlequin butterfly. To initiate a consultation under the Section 7 of the ESA, the Federal Action agency must submit a project package to the Service with the established minimum requirements (see below). The conservation measures included below should be incorporated into the project plans to minimize possible impacts to the Puerto Rican harlequin butterfly. Download the [project evaluations fact sheet](#) to learn more about the requirements or visit our [project evaluations webpage](#).



The Puerto Rican (PR) harlequin butterfly (*Atlantea tulita*), is a threatened species endemic to Puerto Rico, whose currently known range is limited to the Northern Karst

physiographic region and the West-central Volcanic-serpentine physiographic region of the Island. Through this range, we have identified six areas occupied by the PR harlequin butterfly that we refer to as a populations: (1) along the coastal cliff in the municipalities of Isabela, Quebradillas, and Camuy; (2) Guajataca in the municipality of Isabela; (3) Río Abajo Commonwealth Forest between the municipalities of Arecibo and Utuado; (4) Río Encantado area along the municipalities of Arecibo, Florida and Ciales; (5) Maricao Commonwealth Forest in the municipality of Maricao; and (6) Susúa Commonwealth Forest between the municipalities of Sabana Grande and Yauco. In addition, adult PR harlequin butterflies have been anecdotally reported in other areas of Puerto Rico, including the municipalities of Aguadilla, Barceloneta, Ciales, Florida, Luquillo, Ceiba, Guánica, San Germán, Las Marias and Lares.

The PR harlequin butterfly is a medium sized butterfly with a life cycle includes four distinct anatomical stages: imago (adult), egg, larva (caterpillar, with several size phases called instars), and chrysalis. The species has a wingspan of about 5.1 to 6 centimeters (cm) (2 to 2.5 inches (in)) wide and is characterized by its orange, brownish-black and beige coloration patterns. The caterpillar (larva) is dark orange with a brownish black to black, thin sub-lateral line, over a thin line of white intermittent dots crossing the body from the head to the anal plate, and has spines with hairs on each body segment. The caterpillar is less than .476 centimeters (cm) (0.19 in) in the first instar (growth stage between molts) and about 3.3 cm (1.29 in) in the fifth instar. Both eggs and caterpillars have been found almost exclusively on the host plant prickly bush (*Oplonia spinosa*). The chrysalis (pupa from which the butterfly (adult, or imago) emerges) of the PR harlequin butterfly is black, with orange and white dashes, and yellow pimples. The size of chrysalis is around 3 cm (1.2 in). In the wild, the chrysalis is more often found attached to branches of plants located close to the host plant, but it has been observed attached to dried twigs of the host plant.

The PR harlequin butterfly is difficult to detect, and the species is easily misidentified with other common butterflies such as the monarch butterfly (*Danaus plexippus portoricensis*), Antillean crescent (*Antillea pelops*), and Gulf fritillary (*Agraulis vanilla insularis*). The PR harlequin butterfly adults seem to be more active in the morning, from 9:00 am to 12:00 pm, when they are often observed flying searching for food or patrolling their territory for mating or laying eggs. The species flies slowly and is weak and fragile; thus, it is considered a poor disperser. There is information that this butterfly can disperse up to 1,026 meters (m) (3366.1 feet (ft)), approximately 1 kilometer (km) (0.6 mile (mi)) from one breeding site to another. The species seems to have specific ecological requirements for reproduction and its dispersion.

The PR harlequin butterfly was federally listed as threatened on January 3, 2023 (87 FR 73655), due to threats related to habitat modification and loss, its small populations size, and because of analyses of projected effects on the species resulting from relevant factors like increment of urban development rate and climate changes, which may negatively influence the continued existence of the species in the foreseeable future.

The Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PR harlequin butterfly and its

habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional recommendations can be made besides the ones presented in this document.

1. All project construction personnel must be informed about the potential presence of the PR harlequin butterfly or its occupied host plant, prickly bush (*Oplonia spinosa*), in the project areas and the need to avoid harming the species and its occupied host plant. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act. Educational material (e.g., posters, flyers, or signs with photos or illustrations of all the life stages of the PR harlequin butterfly (i.e., eggs, caterpillar, chrysalis, and adult) as well as its host plant, should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the boundaries of the work area in the field clearly delineate to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the PR harlequin butterfly (all life stages) and the prickly bush must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the PR harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the prickly bush is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalis are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the PR harlequin butterfly is observed flying in that same area where the plant is located. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the PR harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to caribbean_es@fws.gov after the 36-hour search is concluded.
7. If, after the initial search or after the 24 to 36-hour search, any life stage of the PR harlequin butterfly is found in the prickly bush, take the following actions:
 - Clearly mark the host plant with flagging tape.

- Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
- Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the plant. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
- Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.

8. For all PR harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All PR harlequin butterfly sighting reports should be sent to the U.S. Fish and Wildlife Service, Caribbean Ecological Service Field Office at caribbean_es@fws.gov.

9. For questions regarding the PR harlequin butterfly, the Point of Contact is:

- José Cruz-Burgos, Threatened and Endangered Species Program Coordinator:
 - Mobile: 305-304-1386
 - Office phone: 786-244-0081
 - Office Direct Line: 939-320-3120
 - Email: jose_cruz-burgos@fws.gov