

# **Environmental Assessment**

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

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-00667

**Project Name:** Siembra Vida, Inc.

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

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

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

**Preparer:** Clifford Jarman

**Certifying Officer Name and Title:** Permit and Compliance Officers: Sally Acevedo Cosme, Pedro De León Rodríguez, María T. Torres Bregón, Angel G. López-Guzmán, Ivelisse Lorenzo Torres, Santa Damarys Ramírez Lebrón, and Janette I. Cambrelén

**Consultant** (if applicable): Tetra Tech, 251 Calle Recinto Sur, Ste. 202, San Juan, PR 00091

**Direct Comments to:** PRDOH (environmentcdbg@vivienda.pr.gov)

#### **Project Location:**

The property is a 0.49-acre site located at Carr. PR-429 Km 1.0 Interior Bo. Barrero, Municipality of Rincón, Puerto Rico (Parcel ID# 153-003-113-25-000). The coordinates of the project site are 18.309803, -67.237138.

The project area is currently used for growing table vegetables. The site has a grassy hill side between the road and the property's buildings and gardens. There is a shipping container house with additional metal building ancillary structures, small metal buildings for storage, a temporary tent working area, and numerous water storage tanks.

At the time of the inspection there was no connection to the utility grid, with the applicant using water reserves from the rain stored in numerous tanks and a small solar array for electricity.

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

The proposed project site is approximately 0.46 acres. The proposed use of grant funds is for the construction of a replacement of removable and detachable nursery roof (shade house) and agricultural tunnel (greenhouse), installation of solar panels, and purchase of a walk-in cooler and water cistern,

The new 60 feet long and 42 feet wide removable and detachable nursery roof and greenhouse would be located at located at 18.30963, -67.23699. The walk-in cooler and water cistern would be located under the new nursery roof.

The new array of solar panels would be located on the gentle slope between the road and the farm buildings at coordinates 18.31004, -67.23698. The array would be installed within a space 99 feet long by 48 feet wide. Concrete beams to support solar panels will be used on the installation process. The estimated ground disturbance for the solar panel installation will be approximately fewer than one foot below surface. No structures will be demolished during the project.

The site has existing water collection system and storage tanks. The new water cistern would be in addition to these tanks. The new solar array would provide additional electricity to the property. There are no connections to other utilities.

Site photos are included in **Appendix A**. A site map (Figure 1) is included in **Appendix B**.

**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. The purpose of this project is to increase the productivity of the farm. This agricultural project associated with the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern is in keeping with the overall objectives of the Economic Development Program.

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

The proposed project is for the construction of a new removable nursery roof/agricultural tunnel, and a new solar array which will be used for agricultural purposes. Therefore, there is no change in land use associated with the project. Some ground disturbance will be required. This site is currently used for growing table vegetables.

**Structure of this Environmental Review Report (ERR).**

This ERR discusses the Funding Information immediately below. The environmental impacts of the proposed action are discussed in the Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities checklist and Environmental Factors checklist. The listing of Additional Studies Performed, and Sources, Agencies and Persons Consulted follows the checklists. The discussions of Public Outreach, Cumulative Impacts, Alternatives, and Summary of Findings and Conclusions are presented at the end of the ERR, before the listing of Mitigation Measures and Determination signatures. The appendices contain detailed information.

- Appendix A – Site Inspection
- Appendix B – Maps
- Appendix C – Additional Documentation
- Appendix D – Endangered Species
- Appendix E – SHPO Consultation

**Funding Information**

Grant Number	HUD Program	Funding Amount
B-17-DM-72-0001, B-18-DP-72-0001, B-19-DP-78-0002, B-18-DE-72-0001	Community Development Block Grant – Disaster Recovery (CDBG-DR), CDBG-DR, Re-Grow Puerto Rico Urban-Rural Agricultural Program	\$11,938,162,230

**Estimated Total HUD Funded Amount:** \$50,000

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$50,000

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

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project consists of the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern. The nearest civil airport is approximately 37,278 feet from the proposed site. The nearest military airport is approximately 440,609 feet from the proposed site. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport

		Hazards requirements. Refer to Figure 2 in <b>Appendix B.</b>
<p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in western Puerto Rico. The distance to the nearest CBRS unit is 42,308 feet. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in <b>Appendix B.</b></p>
<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C0515J, effective date November 18, 2009. This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in <b>Appendix B.</b>)</p>

<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a county or air quality management district that is in non-attainment status for any criteria pollutants. The Municipio of Rincon is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants" The project consists of the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern. The proposed project would have no impact on air quality. The project is in compliance with Clean Air Act. Refer to EPA listing in <b>Appendix C.</b></p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The proposed project is located in a Coastal Zone. The PR Department of Natural and Environment Resources (DNRA) is the agency responsible for the evaluation of development projects that are proposed in the CZMA zone. The proposed project consists of the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern. The construction of a</p>

		<p>nursery roof/agricultural tunnel and a new solar array does not qualify as the construction of a structure that would require a consistency determination from DNRA. The only stipulation is that the proposed project does not add lights that are visible on the beach (i.e., potential sea turtle impact). The project is in compliance with the Coastal Zone Management Act. See Figure 7 in <b>Appendix B</b>.</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>A site visit was conducted on November 17, 2022. No debris, rubbish, or visible signs of vegetative stress, site contamination, or toxic substances were noted at the proposed project site.</p> <p>Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project. There is one site, a NPDES water discharger located 1,162.96-feet northwest of the project site (See ECHO report in <b>Appendix C</b>. The Condominio Sol y Playa Corp. is classified as a minor unpermitted facility with no violation reported in the last three years. Due to the location of the site and no violations, there would not be any impacts to the project site.</p> <p>See <b>Appendix C</b>. Refer to Figures 8 and 9 in <b>Appendix B</b>. The project is in compliance with Contamination and Toxic Substances.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project will have No Effect on listed species. According to EPA NEPAAssist Enviromapper, the nearest critical or proposed critical habitat is 82,741 feet to the southeast of the proposed project location. Per the Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the Puerto Rican Boa and the West Indian Manatee can be found, but there are no critical habitats at this location. The proposed project will have no potential to affect species or habitats due to the agricultural nature of the activities involved in the project. The project consists of a new removable nursery</p>

		<p>roof/agricultural tunnel with walk-in cooler and water cistern and the new solar array in an area that is currently, and has been, used for agricultural purposes.</p> <p>If a Puerto Rican Boa is found in the proposed project activity site; work shall cease until the Boa moves off on its own. If the Boa does not move off, the CM shall contact the local office of the PRDNER (Puerto Rico Department of Natural and Environmental Resources) and ask for them to relocate the Boa as established by the USFWS Puerto Rican Boa Conservation Measures guideline.</p> <p><a href="https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf">https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</a></p> <p>Refer to Figures 10 and 11 in <b>Appendix B</b> and IPaC report in <b>Appendix D</b>. This project is in compliance with the Endangered Species Act.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project does not include development, construction, or rehabilitation that will increase residential density.</p> <p>The project is in compliance with Explosive and Flammable Hazard requirements.</p> <p>Refer to site visit report in <b>Appendix A</b>.</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project site is not designated as Prime Farmland or farmland of statewide importance.</p> <p>The proposed project consists of the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern.</p> <p>The project does not include any activities that could potentially convert agricultural land to nonagricultural use. This project is in compliance with the Farmland Protection Policy Act. Refer to Figure 12 in <b>Appendix B</b>.</p>
<p><b>Floodplain Management</b></p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C0515J, effective date November 18, 2009. The project site is not located in Preliminary Firm or an Advisory Base Flood Elevation (ABFE)</p>

<p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>		<p>special flood hazard area. See Figures 4, 5 and 6 in <b>Appendix B</b>. This project is in compliance with Executive Order 11988.</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The site was evaluated on January 17, 2023 and revised on March 17, 2023, by an SOI Qualified Archaeologist. Documentation with maps was subsequently submitted to SHPO on April 10, 2023 (<b>Appendix E</b>). SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential on Effects on April 14, 2023. (See Figure 13 in <b>Appendix B</b>). The proposed project is in compliance with Historic Preservation requirements.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The proposed project does not include new construction for residential use or rehabilitation of an existing residential property. Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No  <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 Aquifer requirements.</p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The west coast is 1,109 feet southwest of the property. The closest fresh-water bodies include Caño García located approximately 898 feet south of the property, and Quebrada Grande de Calvache 1,426 feet northwest of the property.</p> <p>There are no wetlands within or 100 feet from the vicinity of the proposed project area. The project is in compliance with Executive Order 11990. Refer to Figure 14 in <b>Appendix B</b>.</p>
<p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No  <input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 500,762 feet. The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in <b>Appendix B</b>.</p>

ENVIRONMENTAL JUSTICE		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	No adverse environmental impacts were identified in any other compliance review portion of this project that may disproportionately be high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed project is located on a private farm. The project consists of the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern.  The project site is not zoned. The 2015 Land use plan has it designated as Urban Land. The 2019 proposed classification is

		Urban Residential. The proposed action would not change the current agricultural land use of the Project site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>The proposed project is located in hill terrain. The terrain is classified as Malaya clay loam (McF2), 20 to 60 percent slopes, eroded, surrounded by farmland and secondary forest vegetation cover, 10 meters above mean sea level.</p> <p>Projects larger than 1 acre must comply with the CWA and develop a SWPPP with the NPDES. The proposed project area is approximately 0.46 acres.</p> <p>The project site is already graded and used for cultivation of vegetables in trays and raised gardens. The area for the solar array is a grassy hillside.</p> <p>The project site area is rated “low to moderate” for landslide susceptibility (see Figure 18 in <b>Appendix B</b>). The proposed location of the nursery/agricultural tunnel is in the “low” susceptibility area, the solar array would be on the hillside in the “moderate to high” susceptibility area. There will be no human habitation associated with the “moderate to high” susceptibility area, therefore extensive mitigation measures will not be required, such as retaining walls or special engineering design.</p> <p>Standard construction BMPs would be used to control erosion and runoff during construction.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>During implementation of the project, construction activities may result in temporary elevation of ambient noise levels in immediate areas around active construction areas. The only nearby receptors are the residents of the farm.</p> <p>There is no access to the project area by the public. Standard BMPs, such as construction fencing, would be applied to protect the farm residents and public from typical construction hazards.</p>
Energy Consumption	2	The project would not be connected to the local electricity provider. There would be no change in energy demand in the area.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	Temporary employment of workers related to construction activities would result, but no new permanent jobs would be created as a result of this project. These workers are expected to come from the local region. However, since the project will include an economic component, it may aid in restoring some employment opportunities and increase income.  The proposed project would not negatively impact employment or income patterns.
Demographic Character Changes, Displacement	2	The proposed project would not result in demographic character changes or displacement. Given the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.
Commercial Facilities	2	The agricultural activity of the project property will improve. Other commercial facilities would not be impacted by the proposed project.
Health Care and Social Services	2	Health care and social services facilities would not be impacted by the proposed project. The project would not increase demand for health care and social services facilities.
Solid Waste Disposal / Recycling	2	Any soil from installation of the solar panels would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., greenhouse covering fabrics) would be stored for later use. The amount of impact of solid waste resulting from the construction of the greenhouse and installation of the solar array would be minor. During operations,

		the products and by-products would be agricultural, which waste would be biodegradable.
Wastewater / Sanitary Sewers	2	The proposed project would not include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged.
Water Supply	2	Applicant collects rainwater in storage tanks. The proposed project will have no impact on water availability in the area.
Public Safety - Police, Fire and Emergency Medical	2	The proposed project would not create any new demand for emergency or health services.
Parks, Open Space and Recreation	2	The proposed project would not create or destroy any new parks, open space, or recreational activities. It also would not increase use of those facilities.
Transportation and Accessibility	2	The proposed project would not involve the creation of new roads nor any increase in long-term traffic on existing roads. There would be some minor use of the existing road during construction. All residents and businesses would retain access to their properties during and after the project.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The proposed project will be situated on land previously used for agriculture and will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	The proposed project will occur on land currently used for agricultural purposes and will continue in that capacity. The proposed project will have no impact on vegetation and wildlife.
Climate Change	2	This is a small project with no measurable impact on climate change factors.

		With respect to climate change impact on the project, agricultural activities could be affected by drought. The project site was already used for cultivation of plantains.
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**Additional Studies Performed:** None required.

**Field Inspection** (Date and completed by):

Site inspection was conducted on November 17, 2022 by Josue Troche.

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

Puerto Rico State Historic Preservation Office

FAA, National Plan for Integrated Airport Systems:

[www.faa.gov/airports/planning\\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf)

John H. Chafee Coastal Barrier Resources System, Puerto Rico [map](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf).  
[www.fws.gov/CBRA/Maps/Locator/PR.pdf](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf)

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

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

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

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

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

US Fish and Wildlife Service, Environmental Conservation Online System:  
<https://ecos.fws.gov/ecp/report/species-listings-by-state?stateAbbrev=PR&stateName=Puerto%20Rico&statusCategory=Listed>

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

US Geological Survey, Data Release of May Showing Concentration of Landslides Caused by Hurricane Maria,

[www.sciencebase.gov/catalog/item/59de6459e4b05fe04ccd39d8](http://www.sciencebase.gov/catalog/item/59de6459e4b05fe04ccd39d8)

**List of Permits Obtained:**

None required

**Public Outreach** [24 CFR 58.43]:

The local community has been very proactive in the recovery process. Puerto Rico Department of Agriculture has worked closely with the agricultural community. The project includes a FONSI / NOI-RROF in compliance with NEPA regulations for HUD.

**Cumulative Impact Analysis** [24 CFR 58.32]:

In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the proposed project. The growth of agricultural products at the farm would not increase. The project would allow more efficient growth and processing of the agricultural products. Rainwater storage would increase but would only impact the existing site water supply. There are no wells nearby to be affected.

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

The RGRW Program's goal is to increase agricultural capacity while promoting and increasing food security island-wide. This Program seeks to enhance and expand agricultural production related to economic revitalization and sustainable development activities. The applicant submitted a proposal to enhance and expand agricultural production on their property. The proposed use of grant funds will allow the applicant to expand the cultivation, processing, and delivery of agricultural products through the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern. Any alternative that would involve an off-property location would not enhance and expand agricultural production or allow for the economic development for this applicant. The actions are proposed in an area near the existing residence and existing gardens. The proposed site is currently used for gardening and vegetable production. Alternative locations on the property would be farther from the residence and gardens.

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

Under the No Action Alternative, the applicant would not receive federal funding for the construction of a new removable nursery roof/agricultural tunnel, a new solar array, and the purchase of a walk-in cooler and water cistern which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A

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

**Summary of Findings and Conclusions:**

The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with federal agencies associated with the topics evaluated above. There are no environmental review topics addressed above that result in the need for additional formal compliance steps with federal agencies or the requirement for mitigations other than those listed below. There may be additional approvals or permits from local agencies.

**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	Standard construction BMPs would be used to control erosion and runoff during construction.
Coastal Zone Management	The proposed project cannot add lights that are visible at night on the beach.

**Determination:**

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

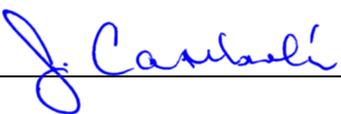
The project will not result in a significant impact on the quality of the human environment.

**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: 04/26/23

Name/Title/Organization: Clifford Jarman, Senior Environmental Scientist, Tetra Tech Inc.

Certifying Officer Signature:  Date: 7/20/2023

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

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

# Appendix A

## Environmental Field Observation - Puerto Rico Department of Housing

APPLICANT INFORMATION			
Application ID	PR-RGRW-00667		
Applicant Name	Siembra Vida Inc.		
Property Address	Carr 429 KM1.0 interior		
Parcel ID	153-003-113-25		
Coordinates	18.309803, -67.237138		
Inspector Name	Josue Troche		
Inspection Date	11/17/2022		
Building Type	Concrete_Metal		
Number of Units	1		
Number of Stories	1		
Year Built; Data Source	C2020; Historian		
ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers)			
OBSERVATION ITEMS	YES	NO	COMMENTS
A. Is the structure in use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Structure is in use with a garden of table vegetables with plans of building a solar array, walk in cooler, water cistern and greenhouse
B. is structure a greenhouse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It's in use for growing table vegetables
C. Is Electricity connected?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D. Is water connected? (Utilities or Well)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1. Are there signs of <b>poor housekeeping</b> on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Are there any <b>55-gallon drums</b> visible on site? If yes, are they leaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Are there any (or signs of any) <b>underground storage tanks</b> on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Are there signs of <b>ASTs</b> on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	600 gallons 600 gallons 600 gallons 600 gallons 600 gallons 400 gallons 400 gallons 400 gallons 400 gallons 600 gallons 400 gallons 400 gallons 25lbs 100lbs Water reserve Water reserve Water reserve Water reserve Water reserve Water reserve Water reserve Water reserve Water reserve Water reserve

			Water reserve Propane tank Propane tank
5. Is there any <b>stained soil or pavement</b> on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Is a water <b>drainage system</b> in use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is a warehouse in use for storage of <b>Fertilizer or Pesticides</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Are there any <b>groundwater monitoring wells</b> on the site or adjacent parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Is there evidence of a <b>faulty septic system</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Is there <b>distressed vegetation</b> on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Is there any visible indication of <b>MOLD</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. Is there any visible evidence of <b>asbestos, chipping, flaking or peeling paint, or hazardous materials</b> present in or on the structure?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Are any <b>additional site hazards</b> observed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Is there any <b>permanent standing water</b> , such as a pond or stream, located on the site (do not include ponding from recent rain / weather events)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15. Does the subject property have <b>water frontage</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is there any indication of the presence of <b>Wetlands</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Are there any obvious signs of <b>animals or birds nesting</b> on or near the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. Is the applicant aware of any <b>significant historical event or persons</b> associated with the structure, or of it being located in a historic district/area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19. Is a <b>historic marker</b> present?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Additional Notes:

Case: 00667

Correct coordinates: 18.30990° N, -67.23698° W

Scope of Work:

Scope of work 1:

18.30963° N, -67.23699° W

60 ft x 42ft available space

Car tent removable (Greenhouse).

Walk in Cooler

Water cistern

Scope of work 2:

18.31004° N, -67.23698° W

Array of solar panels

99 ft x 48 ft available space

Land current in use for:

The land on the present moment is used to grow table vegetables

Past land use was:  
Empty space

What the applicant plans to do:

The applicant plans to do a greenhouse(removable) walk in cooler, water cistern and a solar array

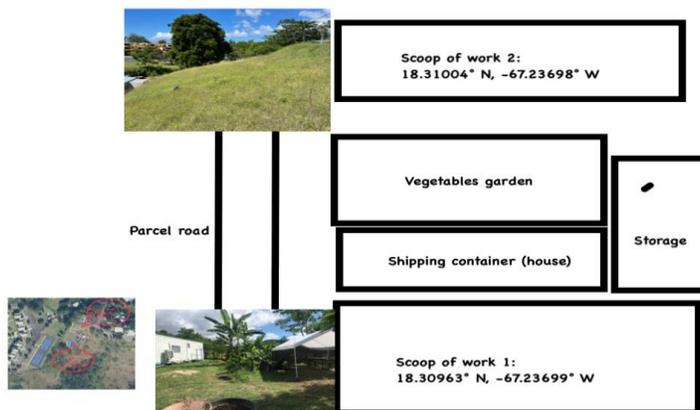
Where the applicant plans to do the ground disturbance for the new structures:

First area:  
18.30963° N, -67.23699° W  
Removable greenhouse  
Water cistern  
Walk in cooler

Second area:  
18.31004° N, -67.23698° W  
Array of solar panels

Any new water connection, well, cisterns or power connection:  
There's no connection to the grid, as of the time of the inspection the application is using water reserves of rain and a small solar array for electricity.

### Site Sketch



**Front of Structure**

Photo Direction: South



**Facing Away From Front**

Photo Direction: North



**Side #1 of Structure**

Photo Direction: Southwest



**Facing Away From Side #1**

Photo Direction: Northeast



**Back of Structure**

Photo Direction: Northwest



**Facing Away From Back**

Photo Direction: Southeast



**Side #2 of Structure**

Photo Direction: Northeast



**Facing Away From Side #2**

Photo Direction: Southwest



**Streetscape #1**

Photo Direction: Northwest



**Streetscape #2**

Photo Direction: Southeast



Address

Photo Direction: Southeast



Outbuildings

Photo Description: Shipping containers

Photo Direction: East



Outbuildings

Photo Description: Storage

Photo Direction: Southeast



Outbuildings

Photo Description: Storage

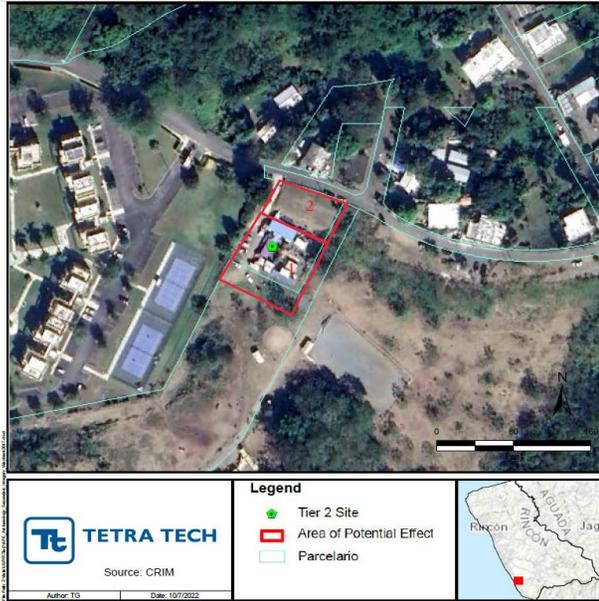
Photo Direction: East



**Structural Details**

Photo Description: Architectural details

Photo Direction: North



**Structural Details**

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: South



Structure Occupied

Photo Description: Vegetables garden

Photo Direction: Southeast



Structure Occupied

Photo Description: Vegetables garden

Photo Direction: West



**Structure Occupied**

Photo Description: Scope of work 1

Photo Direction: Southeast



**Structure Occupied**

Photo Description: Scope of work 1

Photo Direction: South



Structure Occupied

Photo Description: Scope of work 1

Photo Direction: West



Structure Occupied

Photo Description: Scope of work 1

Photo Direction: North



**Structure Occupied**

Photo Description: Scope of work 2

Photo Direction: Northwest



**Structure Occupied**

Photo Description: Scope of work 2

Photo Direction: Northeast



Structure Occupied

Photo Description: Scope of work 2

Photo Direction: Southeast



Structure Occupied

Photo Description: Scope of work 2

Photo Direction: Northeast



Greenhouse Photos

Photo Description: Greenhouse

Photo Direction: South



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: Southeast



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: West



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: East



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: Northeast



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: North



Aboveground Storage Tanks

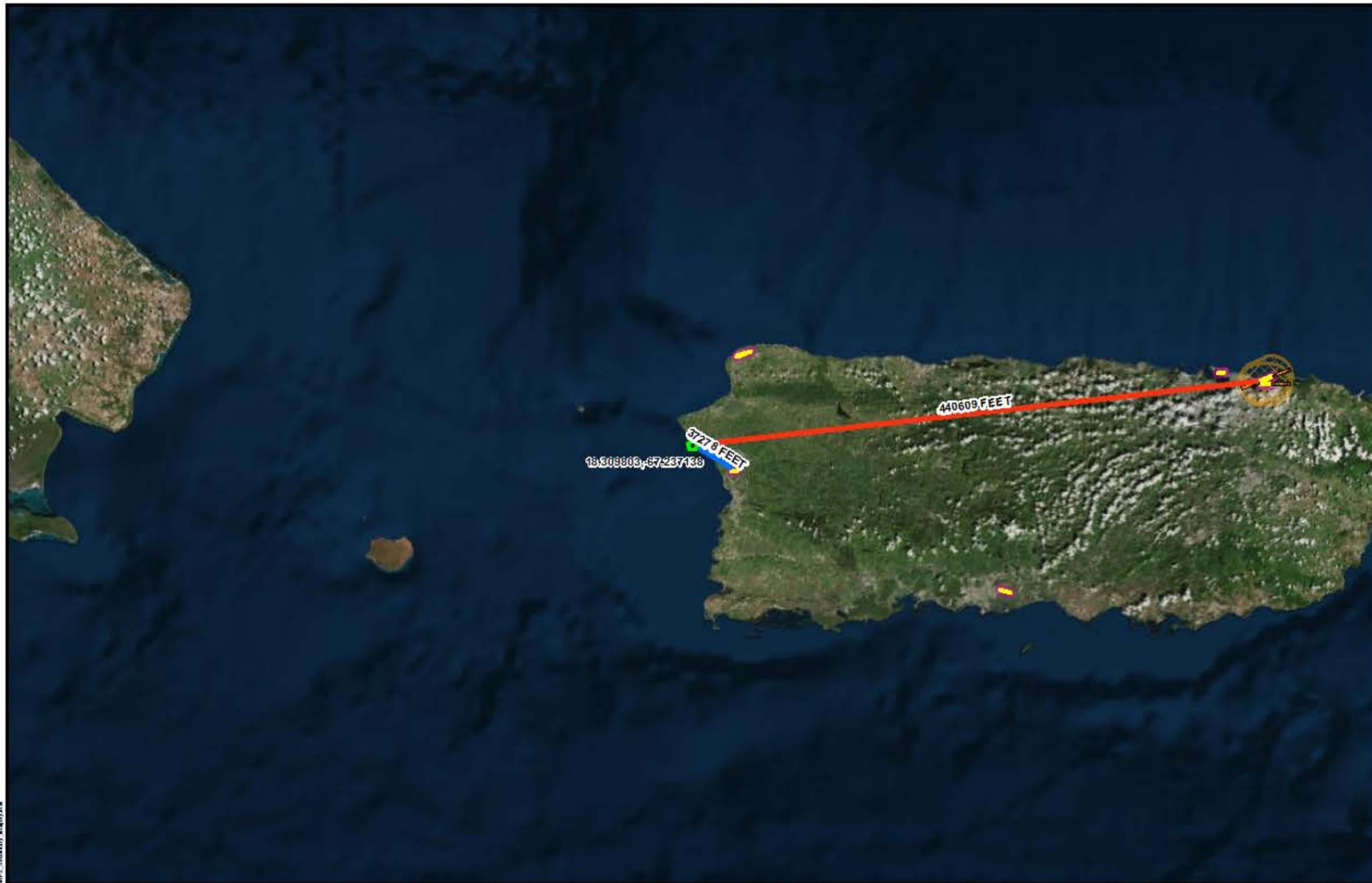
Photo Description: Propane tanks

Photo Direction: North



# Appendix B





**Legend**

-  Project Parcel
-  Civilian Runway Protection Zones
-  Military Accident Potential Zones
-  Airport Runways
-  Civilian Airport 2,500 Feet Buffer
-  Military Airport 15,000 Feet Buffer

**Distance to Nearest Airport  
in Feet: 37278**

**PUERTO RICO**



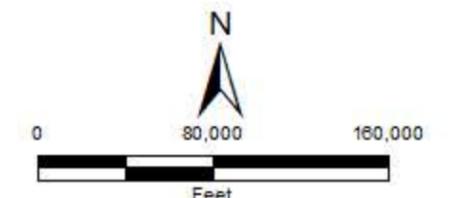
Source: USDOT  
<https://www.faa.gov>

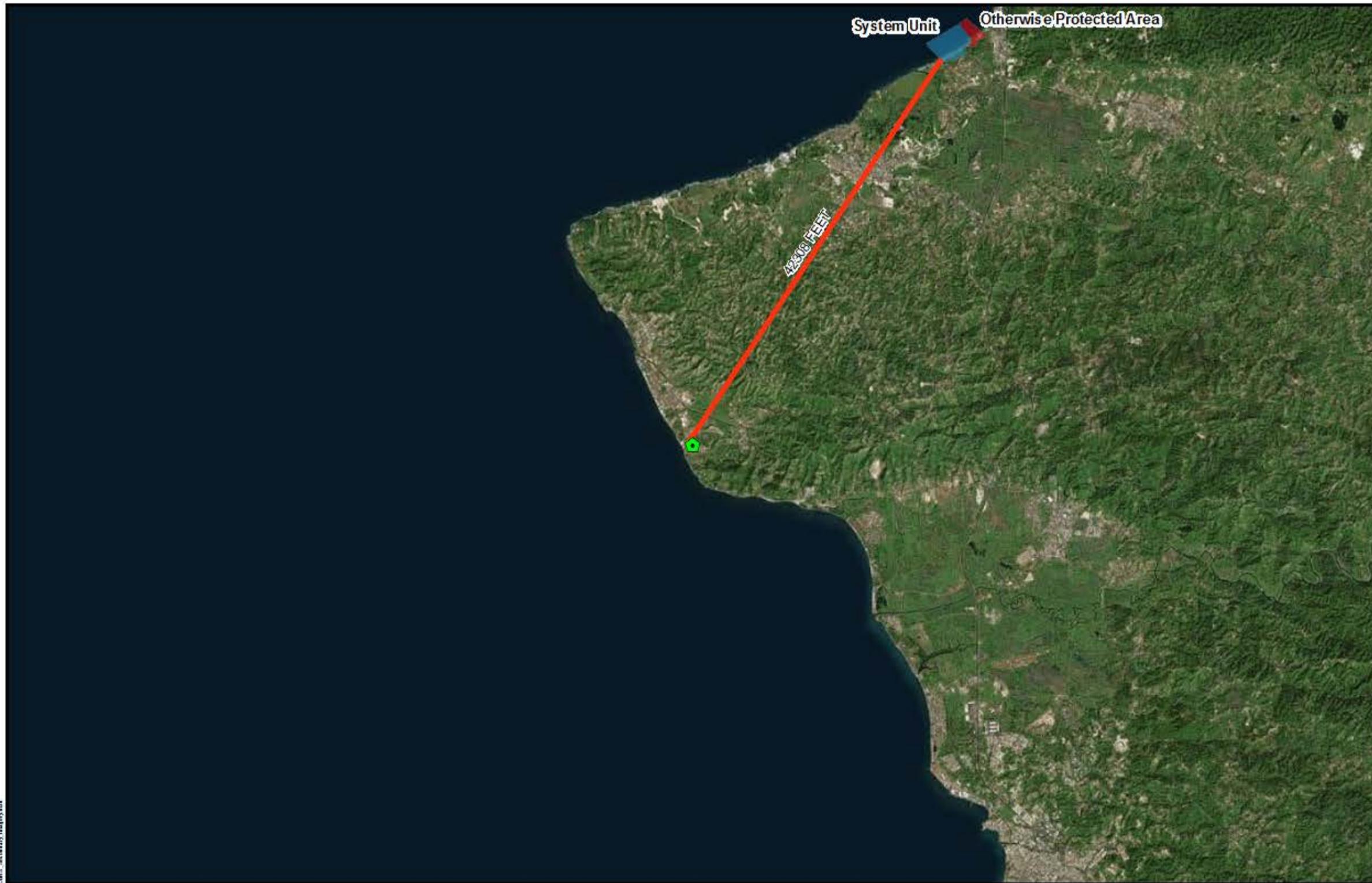
Author: TG Date: 10/4/2022

**FIGURE 2. AIRPORT ZONES**

**APPLICANT ID: PR-RGRW-00667**

ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138





**Legend**

Project Parcel

**Coastal Barrier Resources System Unit Type**

Otherwise Protected Area  
 System Unit

Distance to Nearest Coastal Barrier Resources System in Feet: 42,308

**PUERTO RICO**



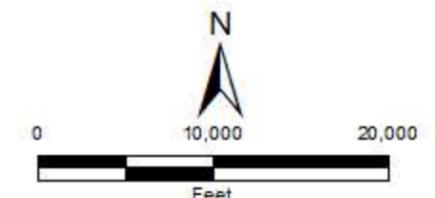
**FIGURE 3. COASTAL BARRIERS IMPROVEMENT ACT  
 APPLICANT ID: PR-RGRW-00667**

ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
 Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138



Source: U. S. Fish & Wildlife Service  
<https://www.fws.gov>

Author: TG Date: 10/4/2022



IN THE PUBLIC INTEREST, THE SECRETARY OF THE INTERIOR, DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, HAS REVIEWED AND APPROVED THIS PLAN FOR THE PROPOSED COASTAL BARRIERS IMPROVEMENT ACT.



# National Flood Hazard Layer FIRMette



67°14'32"W 18°18'52"N



## Legend

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

<b>SPECIAL FLOOD HAZARD AREAS</b>		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
<b>OTHER AREAS OF FLOOD HAZARD</b>		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
<b>OTHER AREAS</b>		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
<b>GENERAL STRUCTURES</b>		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
<b>OTHER FEATURES</b>		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
	Profile Baseline	
<b>MAP PANELS</b>		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/25/2023 at 3:41 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000 67°13'55"W 18°18'18"N  
Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



Source: <https://nepassistool.epa.gov/nepassist/nepamap.aspx>

Date: 11/02/2022

## FIGURE 5. FIRMETTE MAP APPLICANT ID: PR-RGRW-00667

ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR

Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138







- Legend**
-  Project Parcel
  -  Coastal Zone Management Boundary

Distance to nearest Coastal Zone Management Boundary in feet: 0

**PUERTO RICO**



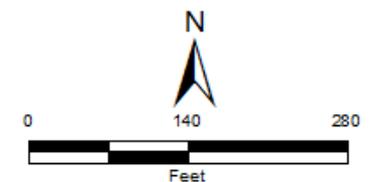
**FIGURE 7. COASTAL ZONE MANAGEMENT  
 APPLICANT ID: PR-RGRW-00667**

**ADDRESS:** Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
**Name of Development:** Siembra Vida, Inc. **Project Coordinates:** 18.309803, -67.237138

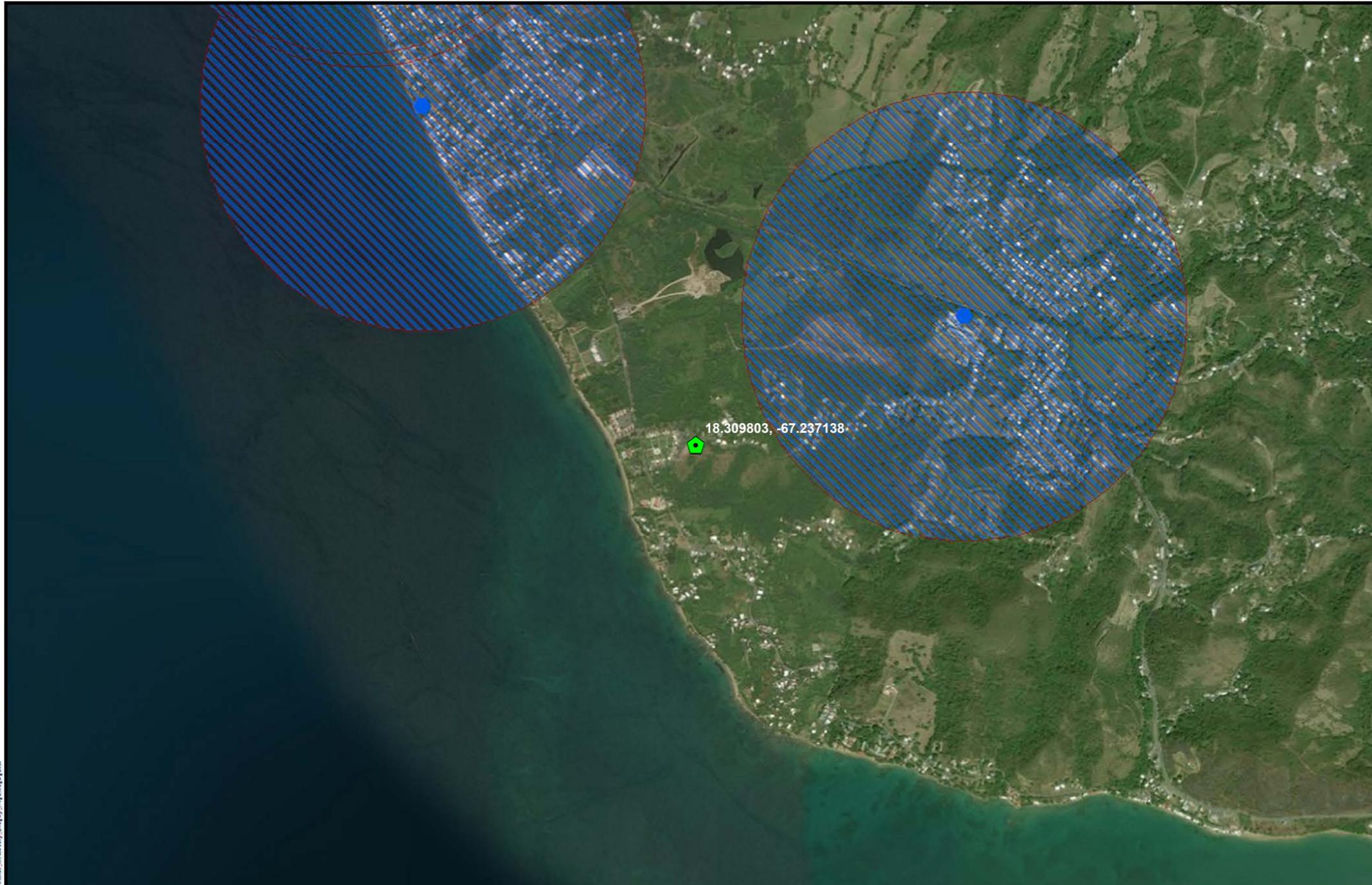


Source: NOAA's Ocean Service  
<https://data.noaa.gov>

Author: TG Date: 10/4/2022



FILE: P:\GIS\PROJECTS\2022\2022-10-04\2022-10-04\_18.309803,-67.237138\_Siembra\_Vida.mxd



**Legend**

- RCRA
- ⬠ Project Parcel
- ▲ Toxic Release Inventory Site
- Superfund Site
- Brownfield Sites
- 3000 Ft Buffer TRI
- 3000 Ft Buffer Superfund
- 3000 Ft Buffer RCRA
- 3000 Ft Buffer Brownfield

**PUERTO RICO**



**FIGURE 8. TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS, AND RADIOACTIVE SUBSTANCES**  
**APPLICANT ID: PR-RGRW-00667**  
**ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR**  
**Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138**

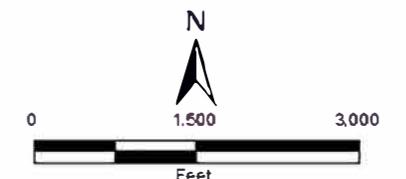


Source: E.P.A.

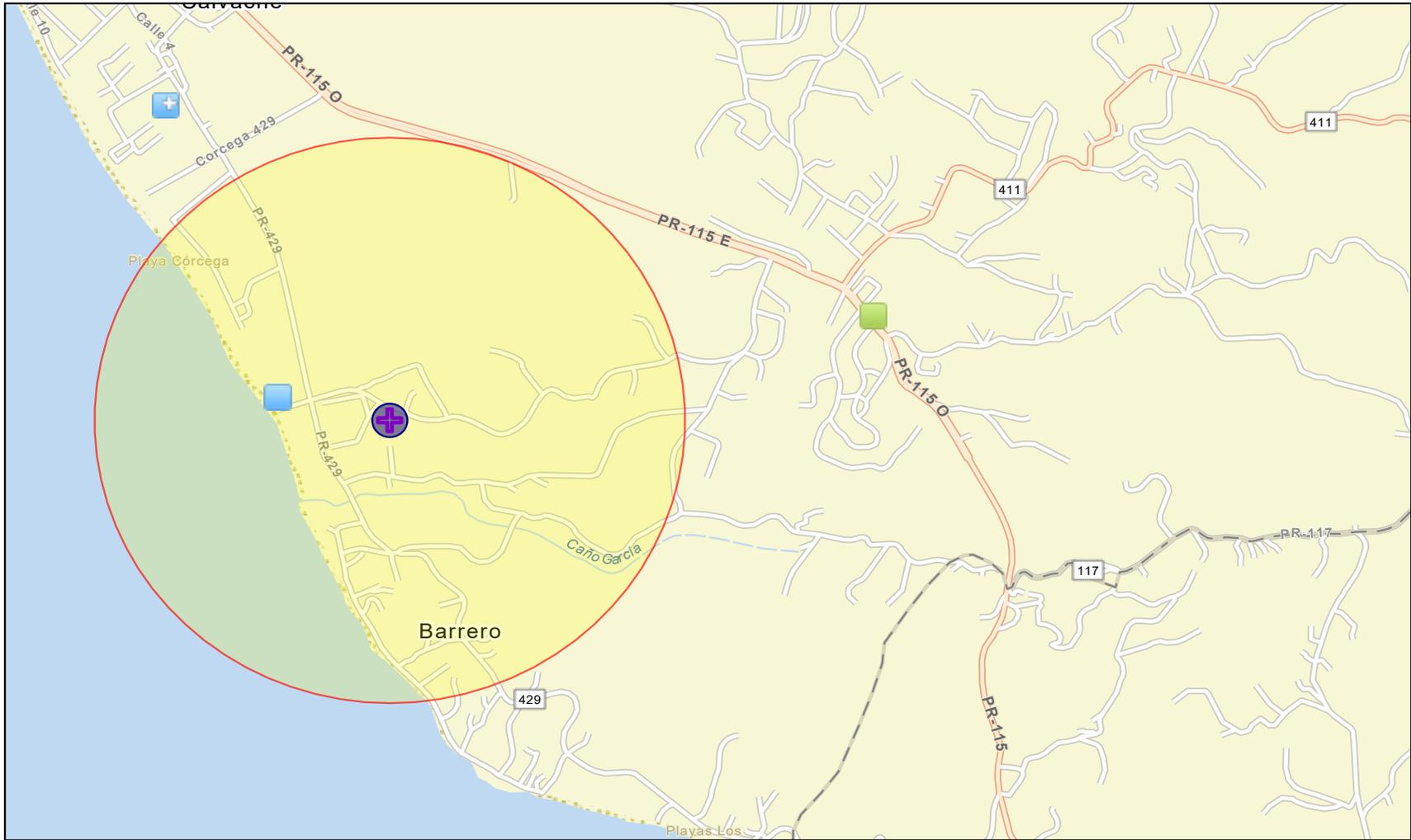
<https://www.epa.gov/fs/geospatial-data-download-service/>

Author: JS/AK

Date: 11/2/2022

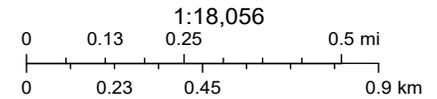


Map data © OpenStreetMap contributors, Imagery © Mapbox, © Tetra Tech, Inc. 2022. All rights reserved.



April 25, 2023

- + Water Dischargers (NPDES)
- Hazardous Waste (RCRAInfo)
- + Search Result (point)
- Water Dischargers (NPDES)
- Project 2
- Project Buffer



Esri Community Maps Contributors, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, NPS, US Census



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

Date: 11/02/2022

## FIGURE 9. NEPASSIST MAP APPLICANT ID: PR-RGRW-00667

ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138







**Legend**

Project Parcel

**Common Name**

Elfin-woods warbler

Puerto Rico harlequin butterfly

Distance to nearest Critical habitat in feet:  
82,741

**PUERTO RICO**



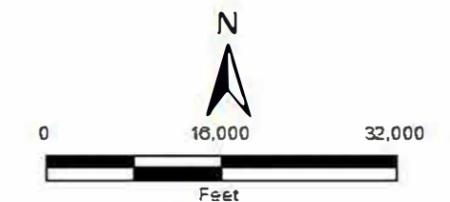
**FIGURE 11. CRITICAL HABITAT  
APPLICANT ID: PR-RGRW-00667**

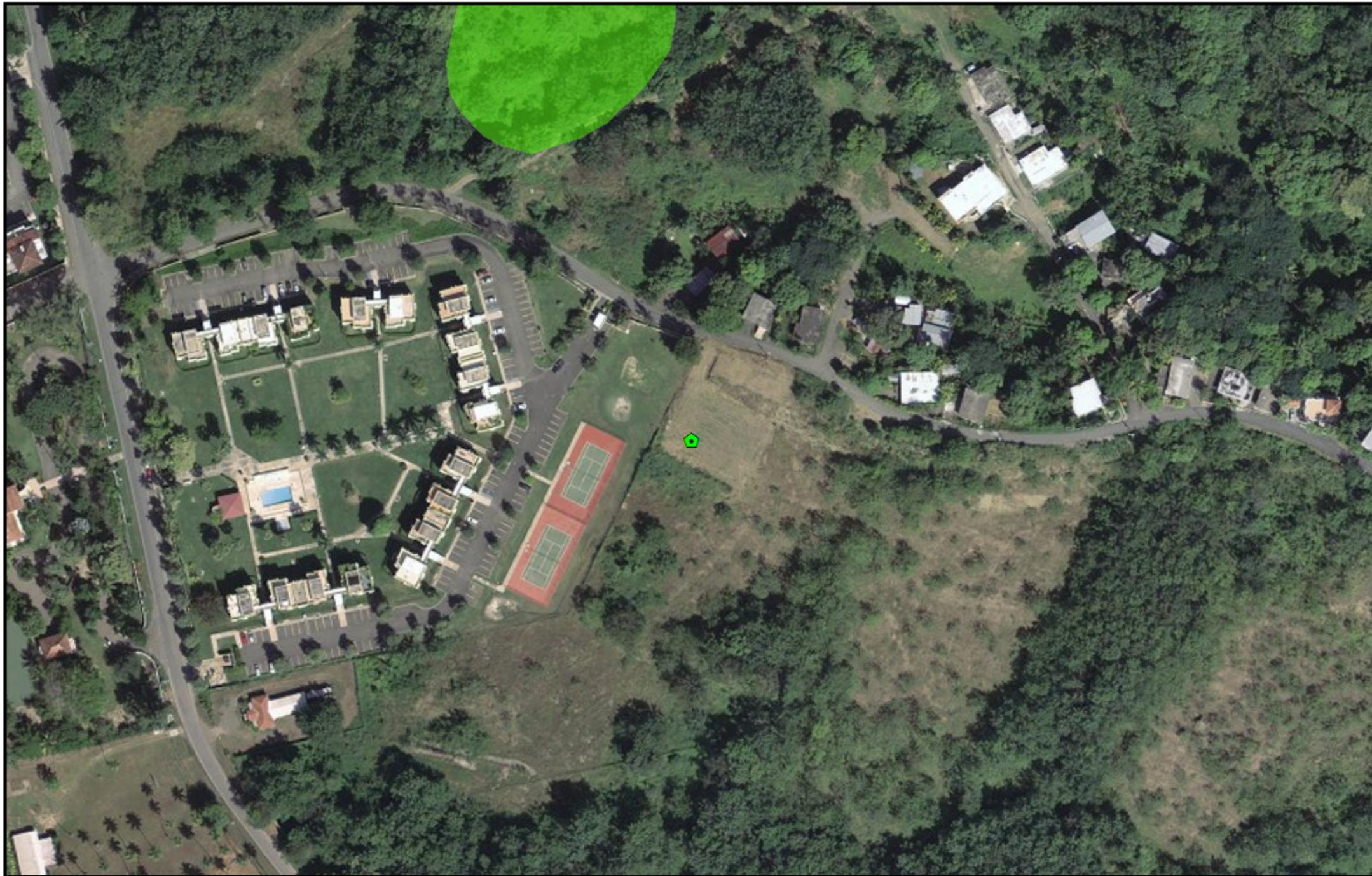
ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138



Source: U.S. FISH & WILDLIFE SERVICE  
<https://ecos.fws.gov>

Author: TC Date: 2/21/2023





**Legend**

 Project Parcel

**Farm Class**

-  All areas are prime farmland
-  Farmland of statewide importance
-  Farmland of statewide importance, if irrigated
-  Prime farmland if drained
-  Prime farmland if irrigated
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Prime farmland if protected from flooding or not frequently flooded during the growing season

**PUERTO RICO**

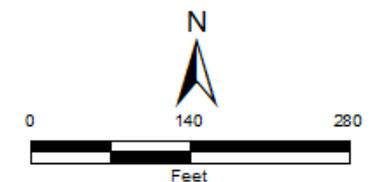


**FIGURE 12. FARMLAND PROTECTION**  
**APPLICANT ID: PR-RGRW-00667**

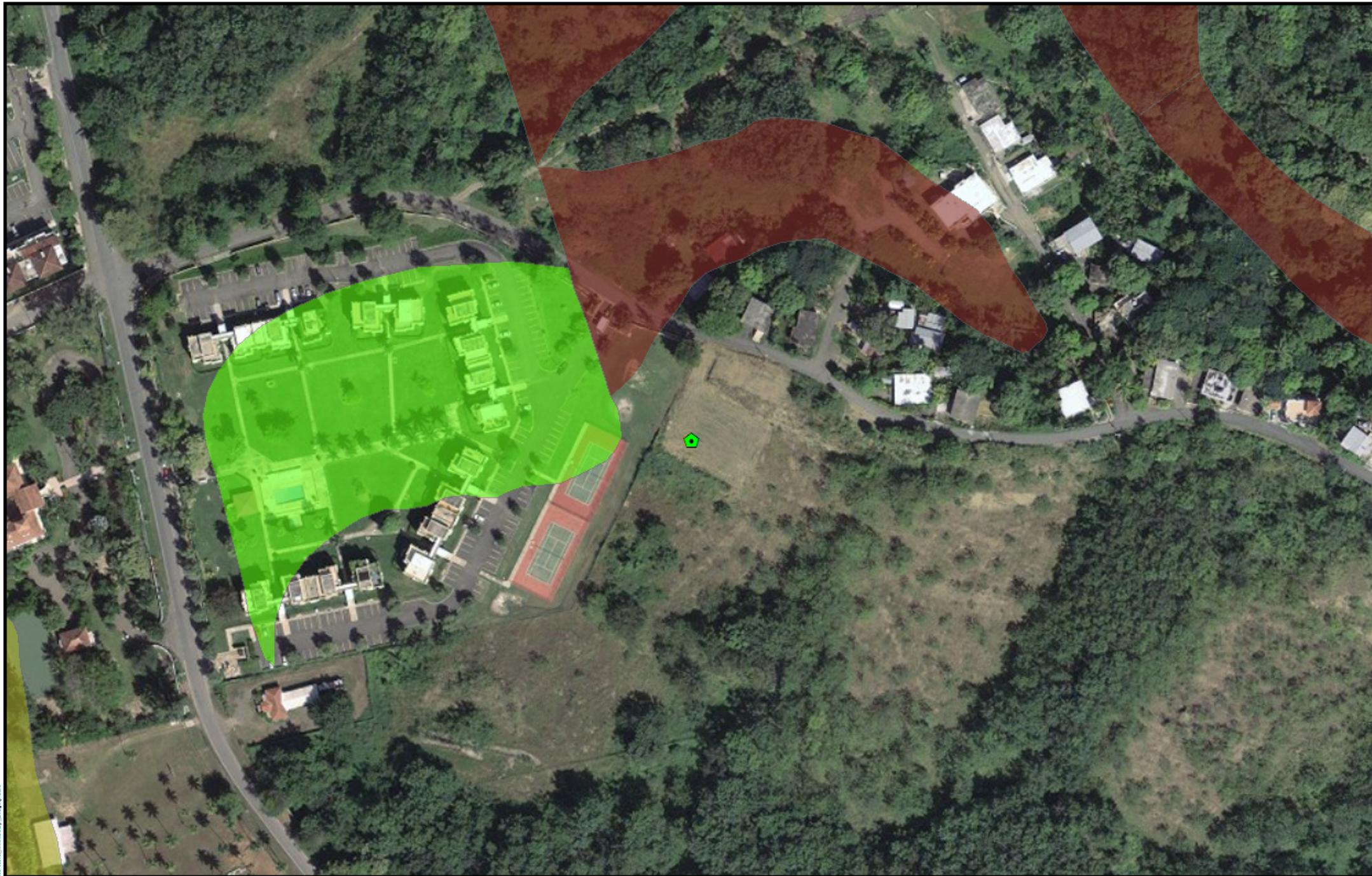
**ADDRESS:** Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
**Name of Development:** Siembra Vida, Inc. **Project Coordinates:** 18.309803, -67.237138



Source: USDA  
<https://websoilsurvey.sc.egov.usda.gov>  
 Author: TG Date: 10/24/2022







- Legend**
- Project Parcel
- WETLAND TYPE**
- Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Riverine

**PUERTO RICO**

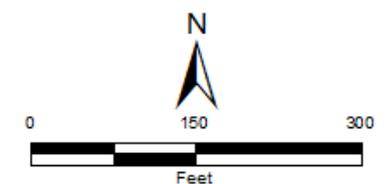


**FIGURE 14. WETLANDS**  
**APPLICANT ID: PR-RGRW-00667**  
**ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR**  
**Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138**

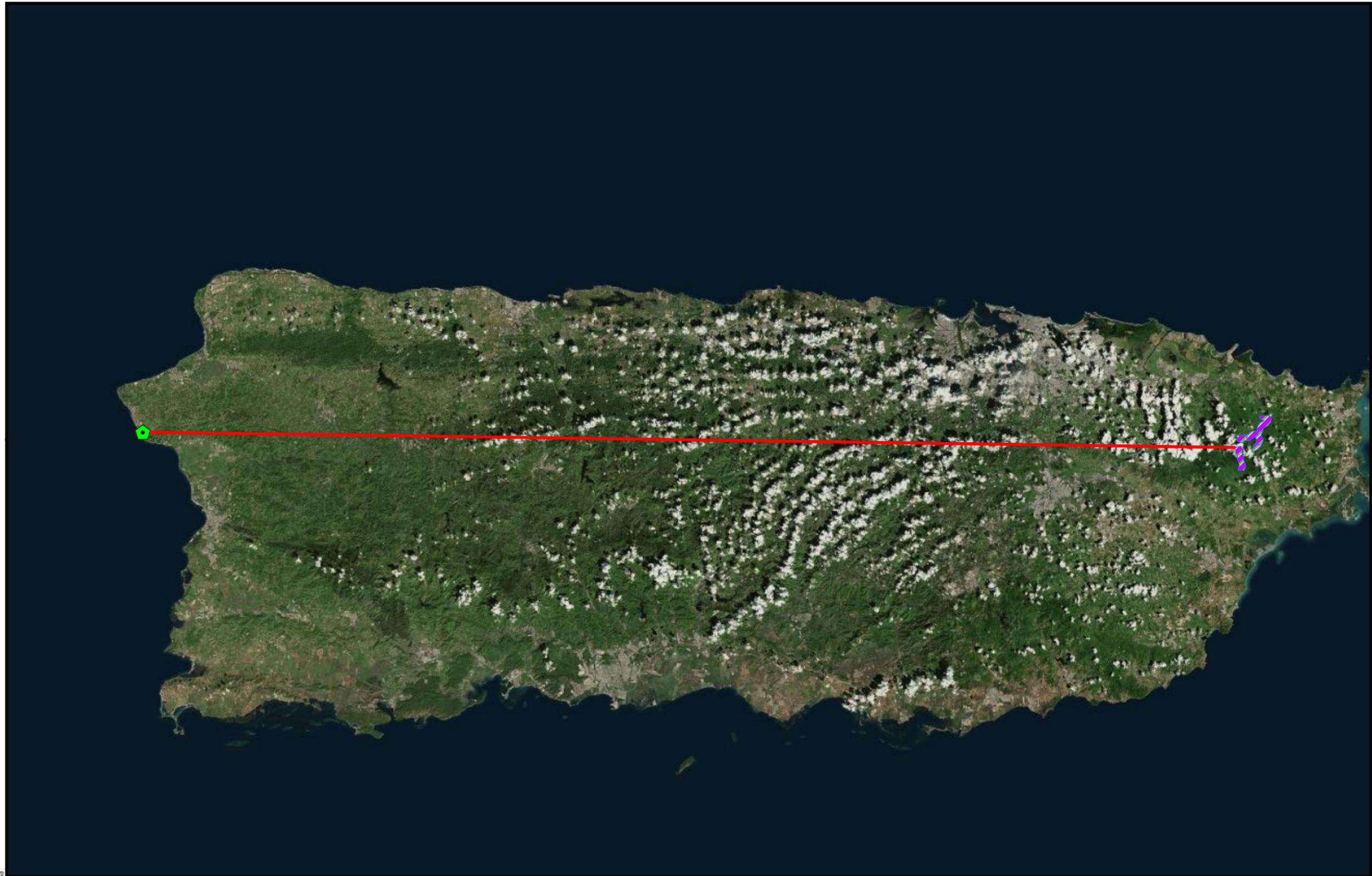


Source: U. S. Fish & Wildlife Service  
<https://www.fws.gov>

Author: TG Date: 10/4/2022



FILE: P:\GIS\PROJECTS\GIS\PROJECTS\PR-RGRW-00667\FIGURE 14.Wetlands\_Map.aprx



- Legend**
-  Project Parcel
  -  Nearest WSR
  -  Wild and Scenic Rivers

Distance to Nearest Wild and Scenic River in Feet: 500762

**PUERTO RICO**



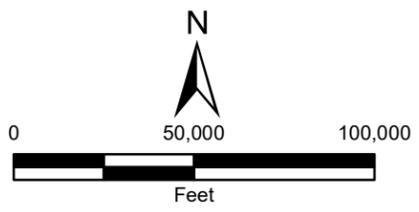
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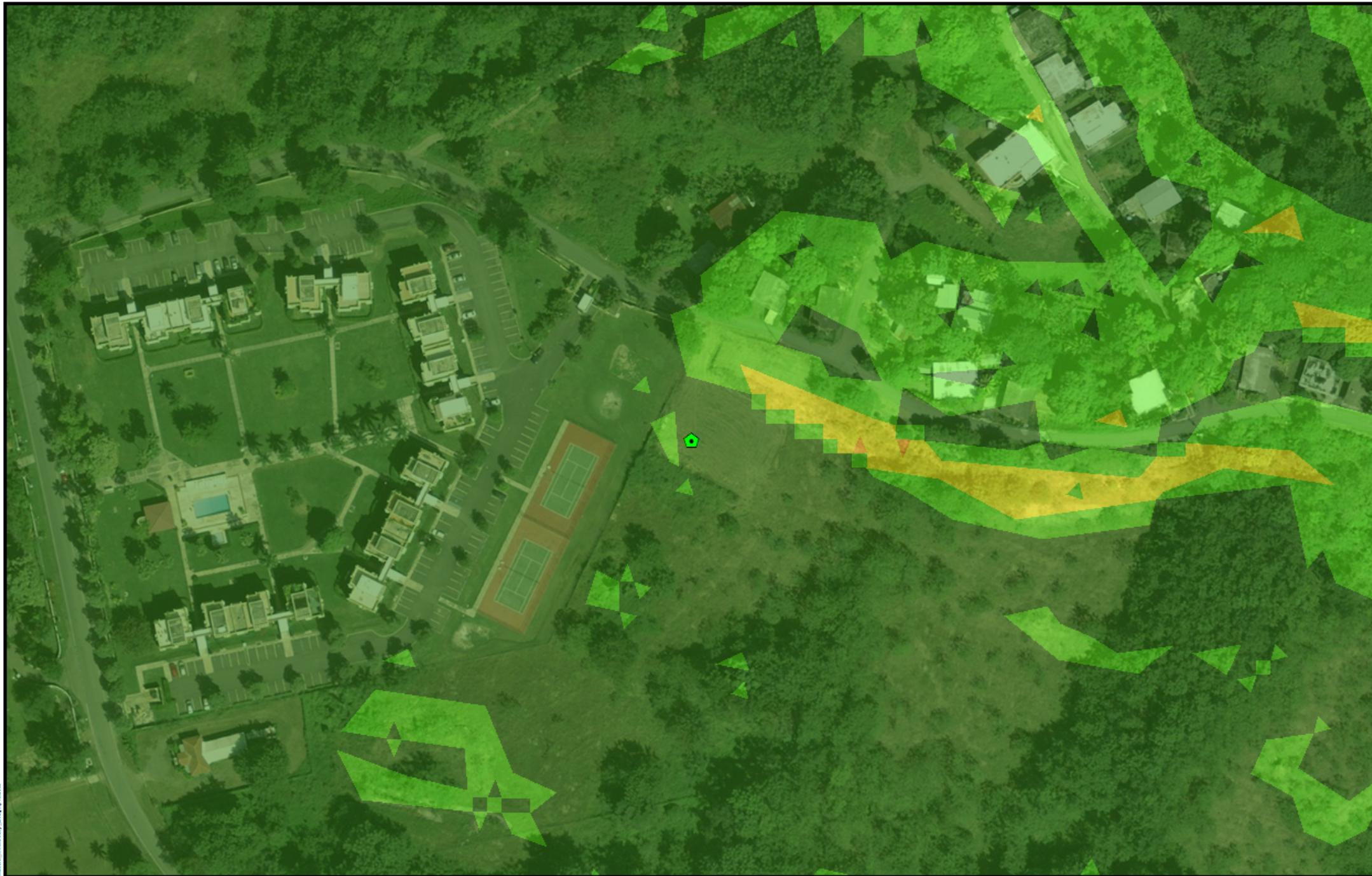


Source: U. S. Forest Service  
<https://www.fs.usda.gov>

Author: TG Date: 4/20/2023

**FIGURE 15. WILD AND SCENIC RIVERS ACT**  
**APPLICANT ID: PR-RGRW-00667**  
 ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
 Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138





- Legend**
-  Project Parcel
- Landslide Susceptibility**
-  Extremely High
  -  Very High
  -  High
  -  Moderate
  -  Low

**PUERTO RICO**

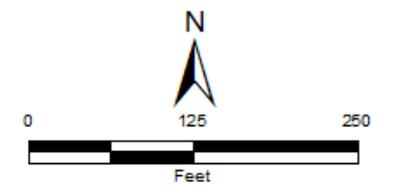


**FIGURE 16. SLOPE AND EROSION**  
**APPLICANT ID: PR-RGRW-00667**

ADDRESS: Carretera 429 KM 1.0 Interior Barrero, Rincon, PR  
 Name of Development: Siembra Vida, Inc. Project Coordinates: 18.309803, -67.237138



Source: PRDOH  
<http://maps.mps.a.rogis.com>  
<http://www.esri.com/arcgis/info/index.html?ti=10506ec07f15491daee17647f19248ee>  
 Author: TG Date: 10/4/2022



# Appendix C

**Green Book** [Contact Us](#)

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 February 28, 2023

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

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

Change the State:

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

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)	State/County FIPS Codes
<b>PUERTO RICO</b>								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11 12 13 14 15 16 17 18 19 20 21 22 23	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	92 93 94 95 96 97 98 99 00 01 02 03 04 05 06 07 08 09	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	18 19 20 21 22 23	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	52,441	72/137

# Detailed Facility Report



## Detailed Facility Report

---

### Facility Summary

CONDOMINIO SOL Y PLAYA, CORP.

ROAD PR-429, KM. 1.2, BO. CALVACHE, RINCON, PR 00677

FRS (Facility Registry Service) ID: 110071067340

EPA Region: 02

Latitude: 18.310472

Longitude: -67.240417

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	Not Applicable
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):** Minor, (PRU000871)  
**Resource Conservation and Recovery Act (RCRA):** No Information  
**Safe Drinking Water Act (SDWA):** No Information

[Go To Enforcement/Compliance Details](#)  
[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		<a href="#">110071067340</a>					N	18.310472	-67.240417
ICIS-NPDES	CWA	PRU000871	Minor: Unpermitted Facility				N	18.310472	67.240417



## Informal Enforcement Actions Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
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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?
210100030214	Unnamed Coastal Watersheds West of Cano La Puente mouth	--	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	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
PR	2020	<a href="#">PRWQ88A</a>	QUEBRADA GRANDE DE CALVACHE	Unknown - With Restoration Plan	--	Not Assessed	Insufficient Information	--	Insufficient Information	--

### Air Quality Nonattainment Areas

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

No data records returned

## Pollutants

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

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

#### Related Reports

[EJScreen Report](#)

Compare to  US  State

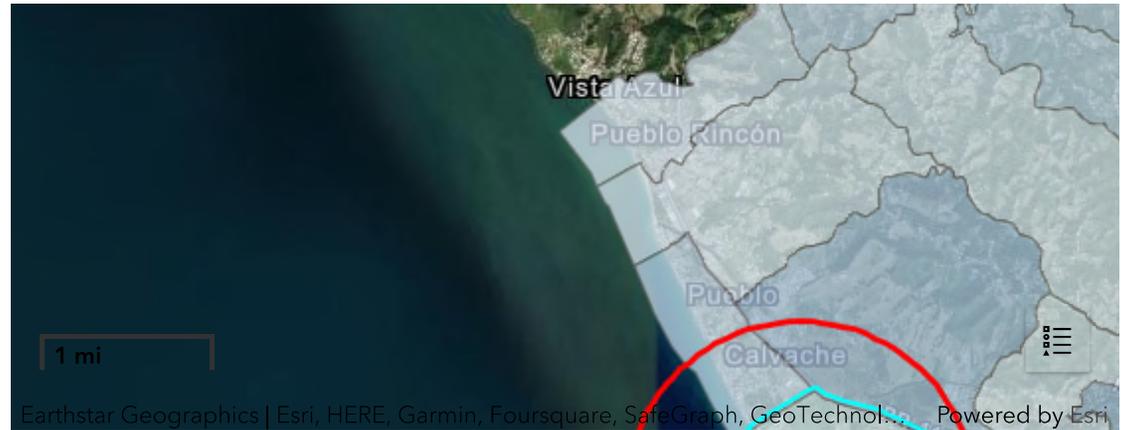
Index Type  Environmental Justice  Supplemental

#### Download Data

Census Block Group ID: 721179596022	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
<b>Count of Indexes At or Above 80th Percentile</b>	<b>2</b>	<b>4</b>
Particulate Matter 2.5	--	--
Ozone	--	--
Diesel Particulate Matter	8	8
Air Toxics Cancer Risk	99	99
Air Toxics Respiratory Hazard Index	46	47
Traffic Proximity	67	72
Lead Paint	61	84
Risk Management Plan (RMP) Facility Proximity	65	65
Hazardous Waste Proximity	64	64
Superfund Proximity	87	87
Underground Storage Tanks (UST)	0	94



Census Block Group ID: 721179596022	US (Percentile)	
Wastewater Discharge	--	--



### Demographic Profile of Surrounding Area (1 mile)

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 2016 - 2020 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](#).

General Statistics (U.S. Census)	
Total Persons	1,806
Population Density	1,080/sq.mi.
Housing Units in Area	1,547

General Statistics (ACS (American Community Survey))	
Total Persons	2,274
Percent People of Color	94%
Households in Area	870
Households on Public Assistance	20
Persons With Low Income	1,695
Percent With Low Income	75%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.310472
Center Longitude	-67.240417
Land Area	54%
Water Area	46%

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	99 (5%)
Minors 17 years and younger	392 (22%)
Adults 18 years and older	1,415 (78%)
Seniors 65 years and older	333 (18%)

Race Breakdown (U.S. Census) - Persons (%)	
White	1,445 (80%)
African-American	161 (9%)
Hispanic-Origin	1,775 (98%)
Asian/Pacific Islander	5 (0%)
American Indian	19 (1%)
Other/Multiracial	176 (10%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	354 (20.76%)
9th through 12th Grade	188 (11.03%)
High School Diploma	486 (28.5%)
Some College/2-year	104 (6.1%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	385 (22.58%)

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	331 (38.09%)
\$15,000 - \$25,000	42 (4.83%)
\$25,000 - \$50,000	295 (33.95%)
\$50,000 - \$75,000	165 (18.99%)
Greater than \$75,000	36 (4.14%)

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LAST UPDATED ON SEPTEMBER 21, 2022

[DATA REFRESH INFORMATION](#)

# Appendix D

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Rincón County, Puerto Rico



# Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📠 (787) 851-7440

✉ [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

## MAILING ADDRESS

Post Office Box 491

Boqueron, PR 00622-0491

## PHYSICAL ADDRESS

Office Park I

State Road #2 Km 156.5, Suite 303}

Mayaguez, PR 00680

NOT FOR CONSULTATION

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [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.

The following species are potentially affected by activities in this location:

## Mammals

NAME	STATUS
<p>West Indian Manatee <i>Trichechus manatus</i></p> <p>Wherever found</p> <p>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.</p> <p><a href="https://ecos.fws.gov/ecp/species/4469">https://ecos.fws.gov/ecp/species/4469</a></p>	<p>Threatened</p> <p>Marine mammal</p>

## Reptiles

NAME	STATUS
<p>Puerto Rican Boa <i>Chilabothrus inornatus</i></p> <p>Wherever found</p> <p>No critical habitat has been designated for this species.</p> <p><a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a></p>	<p>Endangered</p>

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

There are no migratory birds of conservation concern expected to occur at this location.

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

# Marine mammals

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act<sup>1</sup> and the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>2</sup>.

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walrus, polar bears, manatees, and dugongs] and NOAA Fisheries<sup>3</sup> [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take (to harass, hunt, capture, kill, or attempt to harass, hunt, capture or kill) of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [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.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee *Trichechus manatus*  
<https://ecos.fws.gov/ecp/species/4469>

# Facilities

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

## Fish hatcheries

There are no fish hatcheries at this location.

## Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### **Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

# Appendix E



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

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

April 14, 2023

**Lauren Bair Poche**

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

SHPO 04-10-23-07 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:  
PR-RGRW-00667 – SIEMBRA VIDA, INC. – CARR. PR-429 KM 1.0 INTERIOR, BO.  
BARRERO, RINCÓN, PUERTO RICO

Dear Ms. Bair,

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

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

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

Sincerely,

Carlos A. Rubio-Cancela  
State Historic Preservation Officer

CARC/GMO/MB



April 10, 2023

Carlos A. Rubio Cancela  
Director Ejecutivo  
Oficina Estatal de Conservación Histórica  
Cuartel de Ballajá (Tercer Piso)  
San Juan, PR 00902-3935

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

### **Section 106 NHPA Effect Determination Submittal: PR-RGRW-00667 – Siembra Vida Inc. – Carr. PR-429 Km 1.0 Interior, Bo. Barrero, Rincón, Puerto Rico – No Historic Properties Affected**

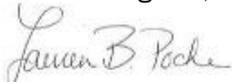
Dear Architect Rubio Cancela,

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH) and the Home Repair, Reconstruction, or Relocation (R3) Program. On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds was approved by the United States Department of Housing and Urban Development (HUD) under the Federal Register Volume 83, No. 28, 83 FR 5844, to assist the Commonwealth of Puerto Rico in meeting unmet needs in the wake of Hurricanes Irma and Maria. On August 14, 2018, an additional \$8.22 billion recovery allocation was allocated to Puerto Rico under the Federal Register Volume 83, No. 157, 83 FR 40314. With these funding allocations, the Puerto Rico Department of Housing (Housing) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents.

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by Siembra Vida Inc. at Carr. PR-429 Km. 1.0 Interior in Bo. Barrero in the municipality of Rincón. This proposed project involves the replacement of a new removable and detachable shade house with a walk-in cooler and water cistern, plus the installation of solar panels. These activities will require ground disturbance. Based on the submitted documentation, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.

Please contact me by email at [lauren.poche@horne.com](mailto:lauren.poche@horne.com) or phone at 225-405-7676 with any questions or concerns.

Kindest regards,



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

Architectural Historian, Historic Preservation Senior Manager

Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b>		
<b>REGrow PUERTO RICO PROGRAM</b>		
<b>Section 106 NHPA Effect Determination</b>		
<b>Subrecipient:</b> Siembra Vida Inc.		
<b>Case ID:</b> PR-RGRW-00667	<b>City:</b> Rincón	

<b>Project Location:</b> Carr. PR-429 Km 1.0 Interior, Bo. Barrero
<b>Project Coordinates:</b> 18.309803, -67.237138
<b>TPID (Número de Catastro):</b> 153-003-113-25-000
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair <input checked="" type="checkbox"/> New Construction
<b>Construction Date (AH est.):</b> c2020
<b>Property Size (acres):</b> 0.49

<b>SOI-Qualified Architect/Architectural Historian:</b>
<b>Date Reviewed:</b>
<b>SOI-Qualified Archaeologist:</b> Jesus E. Vega, Ph.D./ Roberto G. Munoz Pando, MA
<b>Date Reviewed:</b> January 17, 2023/ REVISED March 17, 2023

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

### Project Description (Undertaking)

The proposed activity at Siembra Vida, Inc. is the replacement for a new removable and detachable shade house, with walk-in cooler, and water cistern, plus the installation of solar panels, in compliance with Section 106 NHPA Effect Determination. The correct coordinates of the farm are 18.30990° N, -67.23698° W. At the time of the inspection there was no connection to the utility grid, with the applicant using water reserves from the rain and a small solar array for electricity. Siembra Vida, Inc. is located at Carr. PR-429 Km 1.0 Interior Bo. Barrero, Municipality of Rincón. This activity will require ground disturbance. The applicant indicates that he holds a permit from the Department of Natural and Environmental Resources of Puerto Rico.

### 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 rural project includes two areas or Scopes of Work, as follows. Scope of Work #1 is a new removable and detachable shade house, with walk-in cooler<sup>[1]</sup> and water cistern,

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>RE-grow PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Subrecipient:</b> Siembra Vida Inc.	
<b>Case ID:</b> PR-RGRW-00667	<b>City:</b> Rincón

with an available space 60 feet long and 42 feet wide, located at 18.30963° N, -67.23699° W. Scope of Work #2 is an array of solar panels on a gentle slope, with an available space 99 feet long by 48 feet wide, at coordinates 18.31004° N, -67.23698° W. Concrete beams to support solar panels will be used on the installation process. The estimated ground disturbance for the solar panel installation will be approximately fewer than one foot below surface. No structures will be demolished during the project. This terrain is currently used for growing table vegetables. The direct APE includes a 15-meter buffer to all sides. The visual APE is the viewshed of the proposed project.

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

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no archaeological sites and/or NRHP listed/eligible historic properties within a half-mile radius of the property, as shown in Table 1 below. The proposed project is in hill terrain, previously used for growing plantains, and currently used for breeding livestock. The analysis of the previous aerial photos and maps tends to demonstrate that the area had no major ground disturbance prior to 1975 (see images of 1941 and 1966 maps and aerial images of 1958 and 1975). The area was first disturbed by the construction of road access to the parcel, added to that the construction of the different structures did create a ground disturbance in its immediate surroundings.

The terrain is classified as Malaya clay loam (McF2), 20 to 60 percent slopes, eroded, surrounded by farmland and secondary forest vegetation cover, 10 meters above mean sea level. The west coast is 0.21 miles southwest of the property. The closest fresh-water bodies include Caño García 0.17 miles south of the property, and Quebrada Grande de Calvache 0.27 miles northwest of the property. There are two archaeological studies within a half-mile radius by González Colón (2001) and Rodríguez Morales (2000), both negative, as reported in Table 2. Given this information, archaeological potential in the area is considered low.

Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

Map dated 1941



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

**REGROW PUERTO RICO PROGRAM**

**Section 106 NHPA Effect Determination**



**Subrecipient:** Siembra Vida Inc.

**Case ID:** PR-RGRW-00667

**City:** Rincón

Aerial image dated 1958



Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

Map dated 1966



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

**REGROW PUERTO RICO PROGRAM**

**Section 106 NHPA Effect Determination**



**Subrecipient:** Siembra Vida Inc.

**Case ID:** PR-RGRW-00667

**City:** Rincón

Aerial image dated 1975



<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REgROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Subrecipient:</b> Siembra Vida Inc.		
<b>Case ID:</b> PR-RGRW-00667		<b>City:</b> Rincón

Table 1. Archaeological Sites and/or NRHP Listed/Eligible Historic Properties Within a Half-Mile Radius of Project Area

Name	SHPO ID	IPRC ID	Location	Description	NRHP
No data	No data	No data	No data	No data	No data

Table 2. Cultural Resource Studies Conducted Within a Half-Mile Radius of Project Area

Author	Title	Year	SHPO/IPRC ID	Results	Location
Juan González Colón	Phase 1A, Macor by the Sea	2001	CAT-RN-01-03-08	Negative	0.16 mi SW
Hermínio R. Rodríguez Morales	Phase 1, Mejoras al Sistema de Distribución de Agua Potable	2000	CAT-RN-00-03-06	Negative	0.23 mi NW

## Determination

The following historic properties have been identified within the APE:

- Direct Effect:
  - N/A
- Indirect Effect:
  - N/A

Based on the results of our historic property identification efforts, there are no reported historic sites or significant cultural properties within a half-mile radius of the proposed project area. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to where the direct Area of Potential Effect (APE) of case PR-RGRW-00667 is located. The proposed project area is not within the boundaries or visual APE of any NRHP listed/eligible historic properties, or to a Traditional Urban Center or Historic District. Therefore, the Program has determined that the project actions described in the undertaking will not impact any cultural properties.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Subrecipient:</b> Siembra Vida Inc.	
<b>Case ID:</b> PR-RGRW-00667	<b>City:</b> Rincón

**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: <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Concurs</b> with the information provided.</li> <li><input type="checkbox"/> <b>Does not concur</b> with the information provided.</li> </ul>	
<b>Comments:</b>	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:

Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

### Project (Parcel) Location – Area of Potential Effect Map (Aerial)



File Path: Z:\MIS\GIS\PR\DR\106\106-00667\106-00667-001\MapDocs\Aerial\MapDocs\Aerial.mxd



**TETRA TECH**

Source: CRIM

Author: TG

Date: 10/7/2022

#### Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario



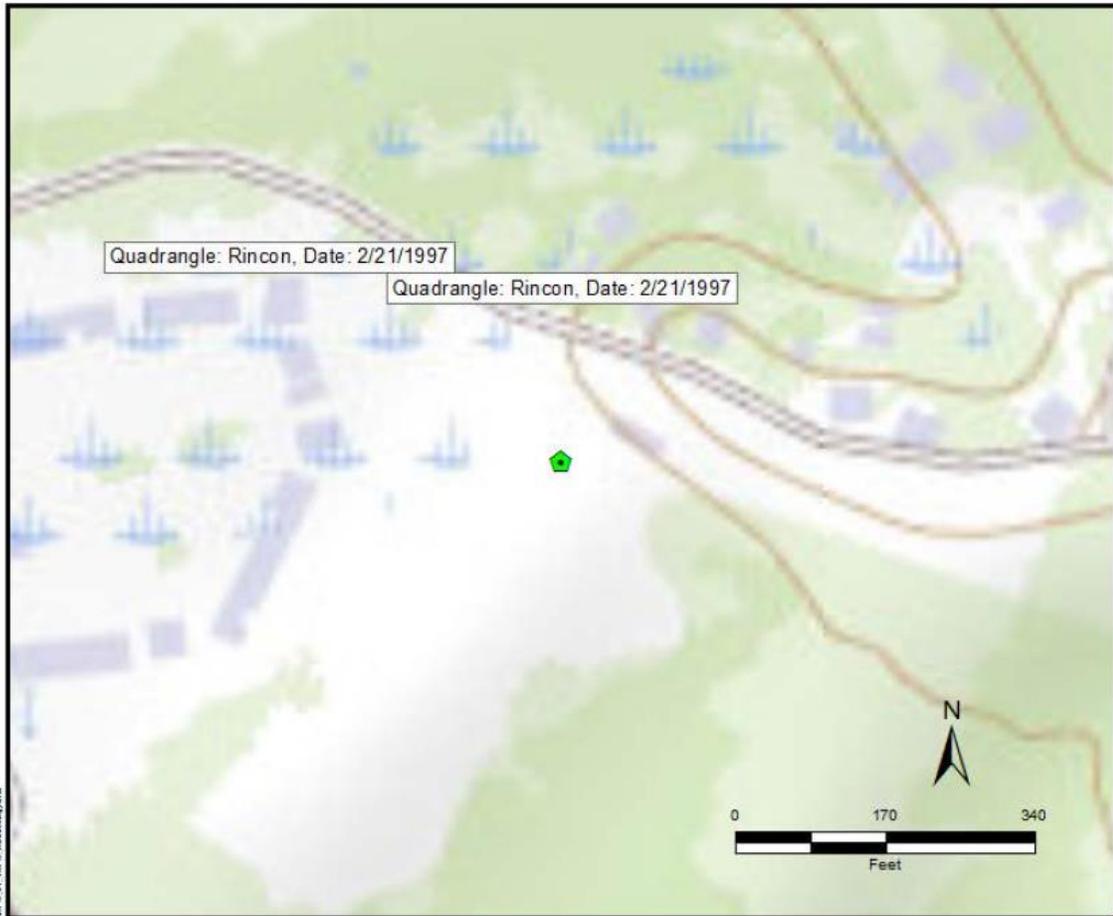


Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

### Project (Parcel) Location - USGS Topographic Map



1:50,000 METRIC SCALE (1:161,000 US SCALE) DATE 02/21/1997



Source: USGS

Author: TG

Date: 9/29/2022

#### Legend

-  Tier 2 Site
-  Historic Comunidades
-  Traditional Urban Centers
-  Cultural Resource District Polygon



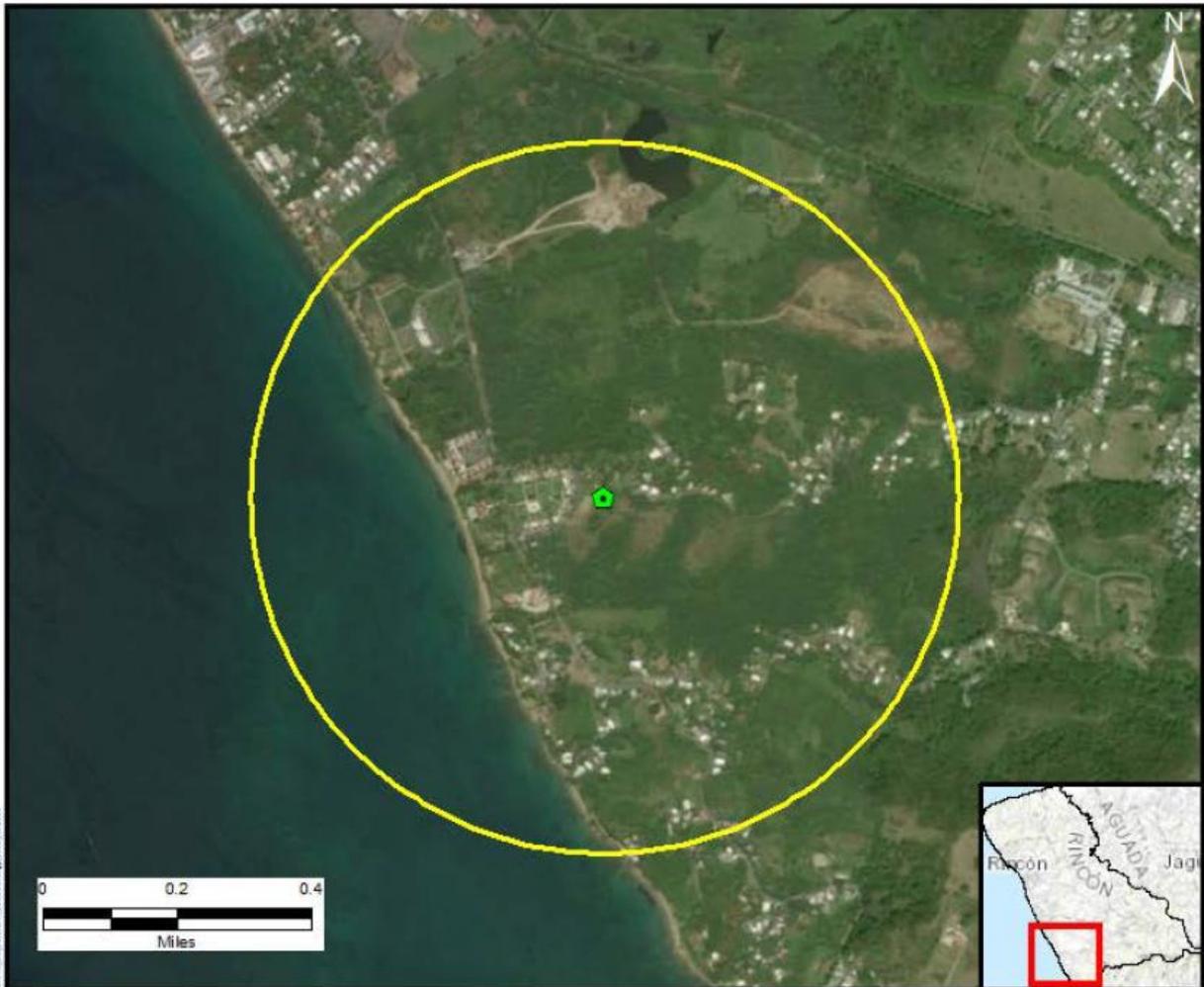


Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

### Project (Parcel) Location with Previous Investigations - Aerial Map



THE DATA AND INFORMATION SHOWN ON THIS MAP ARE UNOFFICIAL AND NOT FOR CONSTRUCTION PURPOSES. SOURCE: NATIONAL PARK SERVICE



Source: National Park Service

Author: TG

Date: 9/29/2022

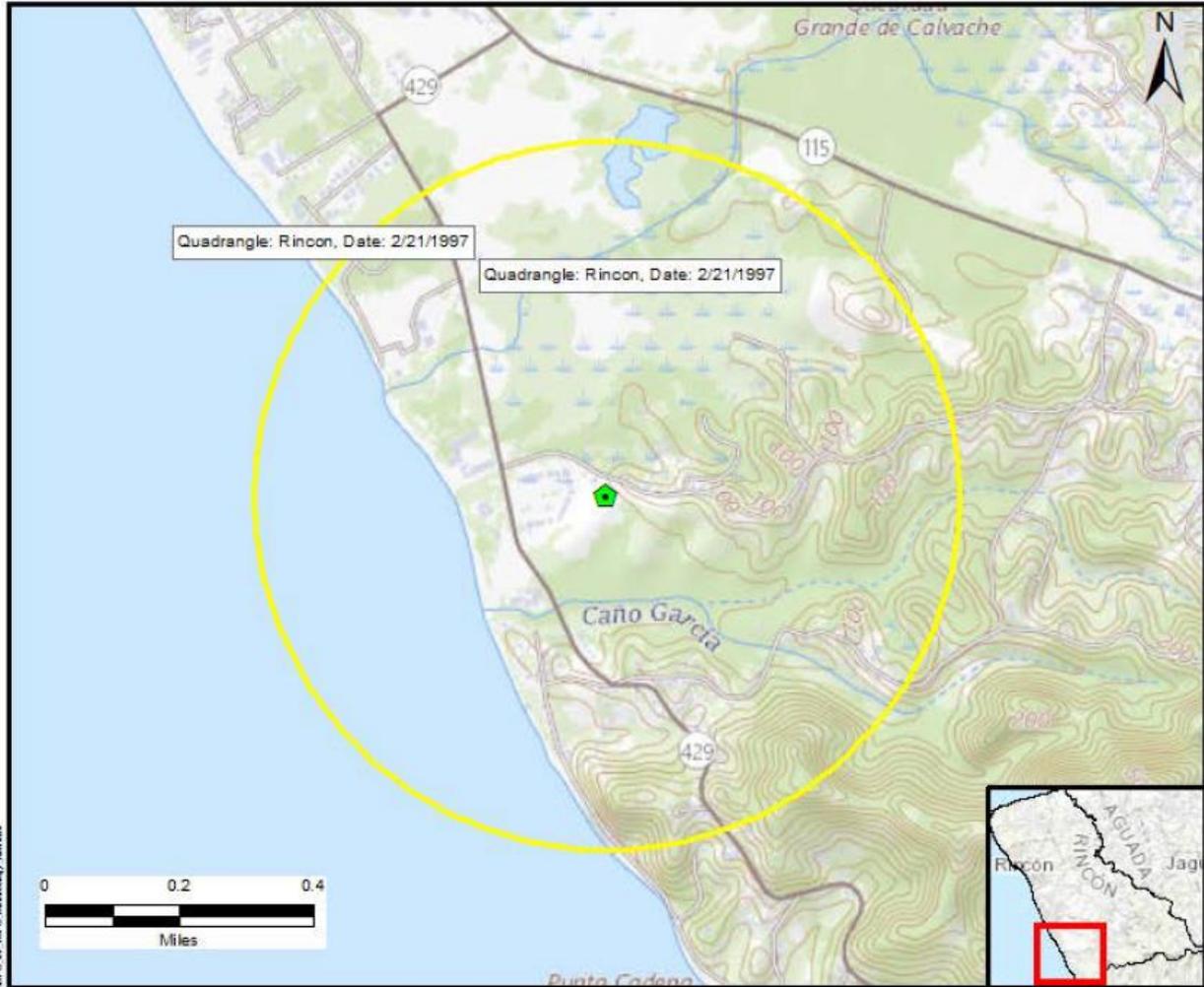
- Legend
-  Tier 2 Site
  -  Half Mile Buffer
  -  Historic Comunidades
  -  Traditional Urban Centers
  -  Cultural Resource District Polygon

Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

### Project (Parcel) Location with Previously Recorded Cultural Resources USGS Topographic Map



Source: National Park Service

Author: TG

Date: 9/29/2022

- Legend
-  Tier 2 Site
  -  Half Mile Buffer
  -  Histórico Comunidades
  -  Traditional Urban Centers
  -  Cultural Resource District Polygon

Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón

### Photograph Key



Subrecipient: Siembra Vida Inc.

Case ID: PR-RGRW-00667

City: Rincón



Photo # 1:

Description (include direction): Scope of work area 1

Date: 11/17/2022

Southeast



Photo # 2:

Description (include direction): Scope of work area 2

Date: 11/17/2022

Northeast



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,

A handwritten signature in blue ink, appearing to be 'JB', is written over the typed name.

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT