



**U.S. Department of Housing and Urban
Development**
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: PR-SBIA-00044A

HEROS Number: 900000010307845

State / Local Identifier:

Project Location: , San Juan, PR 00915

Additional Location Information:

The project is located at latitude 18.43499, longitude -66.05868 at the address given above. Tax ID Number: 063-001-552-08-000

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

This project entails the award of a SBIA grant to Proyecto ENLACE del Cano Martin Pena at 710-730, Calle Brazil, San Juan, PR 00915. The grant includes one or more of the following: * Technical assistance related to small business incubation/acceleration; * Operational costs including but not limited to utilities, maintenance, and equipment for incubators/accelerators or business within; * Architectural, engineering and design costs for construction related to rehabilitation or new construction of an incubator/accelerator space; and * Non-Profit assistance, For-profit assistance, and Microenterprise assistance. The specific project description includes other operating costs, equipment and construction costs (see attached scope and budget). * New ramps will be constructed to access the interior of Buildings A, C, and D. The exterior corridors adjacent to the buildings will be raised to meet the door openings for ADA compliance; there is currently a 10" difference between the existing corridor and the door opening. * The existing ramp between Buildings B and C will be demolished and replaced. * Window and string operators and locks will be replaced. * The metal roofs on Buildings A, B, and C will be evaluated. At this time, it is anticipated that metal sheeting on the roofs will need to be replaced. In Building A, support columns in the extension of the roof structure for the gallery will be replaced, as well as some main structural beams on Building C. * The concrete roof on Building D will be weatherproofed. * All exterior walls will be pressure washed, surfaces patched where necessary, and primed and painted with two coats of paint. Interior renovations: * New operators will be installed on windows in all buildings. * Locks will be replaced on all wooden doors which are located in Buildings A and D. * Metal doors will be replaced in-kind on Buildings B and C. * The electrical system in the complex will be replaced. This will entail new main and distribution electrical panels in each building, enabling existing receptacles and switch circuits, replacing damaged switches and receptacles, replacing lighting circuits in Buildings A, B, and C, replace damaged light fixtures, replace a damaged solar panel in Building C, and install a 240V circuit in each room. Also, outdoor lighting will be installed throughout the complex. * Install a drinking water storage system. * All bathrooms, located in Buildings B and D, will be brought to ADA compliance. This will involve reconfiguring the bathrooms to meet ADA guidelines and

plumbing upgrades. Specific Building B bathroom activities are new restroom fixtures to meet ADA compliance, and new bathroom accessories such as mirrors, soap dishes, mirrors, grab bars, and bases for toilet paper. The following items will also be replaced: doors and locks on bathroom screens, ceiling tiles, broken restroom equipment, and light switches (also relocated if needed). Specific Building D bathroom activities are painting the ceilings and walls, installing bathroom accessories, and painting the floor. * Split air conditioner units will be installed in each room in the buildings. * Security systems (streamer, electric gate, bars, locks; camera and security monitors) will be installed in the complex.

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Funding Information

Grant Number	HUD Program	Program Name
B-17-DM-72-0001	Other	CDBG-DR Puerto Rico Small Business Incubators and Accelerators Program
B-18-DP-72-0001	Other	CDBG-DR Puerto Rico Small Business Incubators and Accelerators Program

Estimated Total HUD Funded Amount: \$470,050.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$470,050.00

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

Summarized below are 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 or Condition	Comments on Completed Measures	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program,	N/A	Buyer must purchase flood insurance because the grant exceeds \$10,000 and the site is located in a Special Flood

	whichever is less.		Hazard Area.
Floodplain Management	Flood Insurance required.	N/A	Buyer must purchase flood insurance because the grant exceeds \$10,000 and the site is located in a Special Flood Hazard Area.

Determination:

<input type="checkbox"/>	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR
<input checked="" type="checkbox"/>	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
<input type="checkbox"/>	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  Date: March 1, 2023

Name / Title/ Organization: Monica Machuca-Rios / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature:  Date: June 12, 2023

Name/ Title: Sally Z. Acevedo Cosme- Permits and Environmental Compliance Specialist

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



**U.S. Department of Housing and Urban
Development**
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

Project Information

Project Name: PR-SBIA-00044A

HEROS Number: 900000010307845

Point of Contact:

Consultant (if applicable): HORNE LLP

Point of Contact: Allison Cullett

Project Location: , San Juan, PR 00915

Additional Location Information:

The project is located at latitude 18.43499, longitude -66.05868 at the address given above. Tax ID Number: 063-001-552-08-000

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

This project entails the award of a SBIA grant to Proyecto Enlace del Cano Martin Pena at 710-730, Brazil St., San Juan, PR 00915. The grant includes one or more of the following: * Technical assistance related to small business incubation/acceleration; * Operational costs including but not limited to utilities, maintenance, and equipment for incubators/accelerators or business within; * Architectural, engineering and design costs for construction related to rehabilitation or new construction of an incubator/accelerator space; and * Non-Profit assistance, For-profit assistance, and Microenterprise assistance. The specific project description includes other operating costs, equipment and construction costs (see attached scope and budget). Scope of work: * New ramps will be constructed to access the interior of Buildings A, C, and D. The exterior corridors adjacent to the buildings will be raised to meet the door openings for ADA compliance; there is currently a 10" difference between the existing corridor and the door opening. * The existing ramp between Buildings B and C will be demolished and replaced. * Window and string operators and locks will be replaced. * The metal roofs on Buildings A, B, and C will be evaluated. At this time, it is anticipated that metal sheeting on the roofs will need to be replaced. In Building A, support columns in the extension of the roof structure for the gallery will be replaced, as well as some main structural beams on Building C. * The concrete roof on Building D will be weatherproofed. * All exterior walls will be pressure washed, surfaces patched where necessary, and primed and painted with two coats of paint. Interior renovations: * New operators will be installed on windows in all buildings. * Locks will be replaced on all wooden doors which are located in Buildings A and D. * Metal doors will be replaced in-kind on Buildings B and C. * The electrical system in the

complex will be replaced. This will entail new main and distribution electrical panels in each building, enabling existing receptacles and switch circuits, replacing damaged switches and receptacles, replacing lighting circuits in Buildings A, B, and C, replace damaged light fixtures, replace a damaged solar panel in Building C, and install a 240V circuit in each room. Also, outdoor lighting will be installed throughout the complex. * Install a drinking water storage system. * All bathrooms, located in Buildings B and D, will be brought to ADA compliance. This will involve reconfiguring the bathrooms to meet ADA guidelines and plumbing upgrades. Specific Building B bathroom activities are new restroom fixtures to meet ADA compliance, and new bathroom accessories such as mirrors, soap dishes, mirrors, grab bars, and bases for toilet paper. The following items will also be replaced: doors and locks on bathroom screens, ceiling tiles, broken restroom equipment, and light switches (also relocated if needed). Specific Building D bathroom activities are painting the ceilings and walls, installing bathroom accessories, and painting the floor. * Split air conditioner units will be installed in each room in the buildings. * Security systems (streamer, electric gate, bars, locks; camera and security monitors) will be installed in the complex.

Maps, photographs, and other documentation of project location and description:
[Budget.docx](#)

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-17-DM-72-0001	Other	CDBG-DR Puerto Rico Small Business Incubators and Accelerators Program
B-18-DP-72-0001	Other	CDBG-DR Puerto Rico Small Business Incubators and Accelerators Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$470,050.00

Estimated Total Project Cost: \$470,050.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
--	---	---

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The nearest airport RPZ/CZ is approximately 11,498 feet away. The project location is within 15,000 feet of the military airport, Luis Munoz Marin International Airport. However, it is not located in the APZ or the RPZ zones. The project is within 15,000 feet of a military airport or within 2,500 of a civilian airport. However, it is not within an APZ or RPZ/CZ. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 25,474 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Flood Map Number 72000C0370J, effective on 11/18/2009: The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would

particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93		require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities. Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the Blanket Clearance Letter provided by the USFWS, the project clears under project criteria 4: Rehabilitation of existing occupied single family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach. The project is 46,884 feet from the nearest endangered species critical habitat. This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Flood Map Number 72000C0370J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 8-Step Process is required. With the 8-Step Process the project will be in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(c.1970) Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	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.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There are no sole source aquifers in Puerto Rico. Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There will be minimal ground disturbance in the repair of ramps to enter the buildings. All ground disturbance will take place in previously disturbed areas with no wetlands on the project location. There is no new construction. The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is located 104,650 feet from the nearest Wild and Scenic River. This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		

ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

Summarized below are 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 or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A	Buyer must purchase flood insurance because the grant exceeds \$10,000 and the site is located in a Special Flood Hazard Area.	
Floodplain Management	The structure must already meet Puerto Rico elevation requirement of 2 feet above the Base Flood Elevations (BFE) OR the structure must be elevated to 2 feet above the Base Flood Elevation (BFE) OR the structure must floodproofed.	N/A	Buyer must purchase flood insurance because the grant exceeds	

			\$10,000 and the site is located in a Special Flood Hazard Area.	
--	--	--	--	--

Project Mitigation Plan

Buyer must purchase flood insurance because the grant exceeds \$5,000 and the site is located in a Special Flood Hazard Area. The structure must already meet Puerto Rico elevation requirement of 2 feet above the Base Flood Elevations (BFE) OR the structure must be elevated to 2 feet above the Base Flood Elevation (BFE) OR the structure must floodproofed.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

Screen Summary

Compliance Determination

The nearest airport RPZ/CZ is approximately 11,498 feet away. The project location is within 15,000 feet of the military airport, Luis Munoz Marin International Airport. However, it is not located in the APZ or the RPZ zones. The project is within 15,000 feet of a military airport or within 2,500 of a civilian airport. However, it is not within an APZ or RPZ/CZ. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-SBIA-00044A Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 25,474 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-SBIA-00044A CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

Screen Summary

Compliance Determination

Flood Map Number 72000C0370J, effective on 11/18/2009: The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

✓ Yes

No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

✓ No

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

Screen Summary

Compliance Determination

The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities. Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[PR-SBIA-00044A CZM.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

- ✓ No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

Screen Summary

Compliance Determination

Based on the Blanket Clearance Letter provided by the USFWS, the project clears under project criteria 4: Rehabilitation of existing occupied single family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach. The project is 46,884 feet from the nearest endangered species critical habitat. This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation

[USFWS 29Oct18.pdf](#)

[PR-SBIA-00044A Endangered Species.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[PR-SBIA-00044A Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

Screen Summary

Compliance Determination

Flood Map Number 72000C0370J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 8-Step Process is required. With the 8-Step Process the project will be in compliance with Executive Order 11988.

Supporting documentation

[PR-SBIA-00044A 8 Step\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

Screen Summary

Compliance Determination

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.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

No

Screen Summary

Compliance Determination

There are no sole source aquifers in Puerto Rico. Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service’s National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building’s footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

✓ No

Yes

Screen Summary

Compliance Determination

There will be minimal ground disturbance in the repair of ramps to enter the buildings. All ground disturbance will take place in previously disturbed areas with no wetlands on the project location. There is no new construction. The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[PR-SBIA-00044A Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

Supporting documentation

[PR-SBIA-00044A Wild and Scenic Rivers.pdf](#)

Are formal compliance steps or mitigation required?

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?

Yes

No

Screen Summary

Compliance Determination

Supporting documentation

Are formal compliance steps or mitigation required?

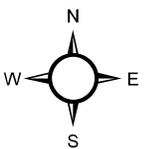
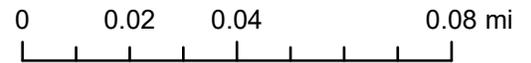


PR-SBIA-00044A ABFE



Legend

- A
- AO
- AE
- Coastal A Zone
- VE
- 0.2% Annual Chance Flood Zone
- A-Floodway
- AE-Floodway
- Coastal A Zone and Floodway
- Zone/BFE Boundary
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood
- Limit of Moderate Wave Action (LiMWA)
- Advisory Base Flood Elevation (zoom in to make visible)
- Streamline (zoom in to make visible)



FEMA Map Service

ABFE

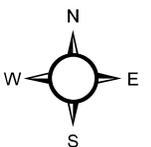


PR-SBIA-00044A Airports



Legend

- Military Airports 15,000ft Buffer
- Civilian Airports 2,500ft Buffer
- Military Accident Potential Zones APZ 2
- Military Accident Potential Zones APZ 1
- Runway Protection Zones
- Airport Runways
- Major
- Minor Airport



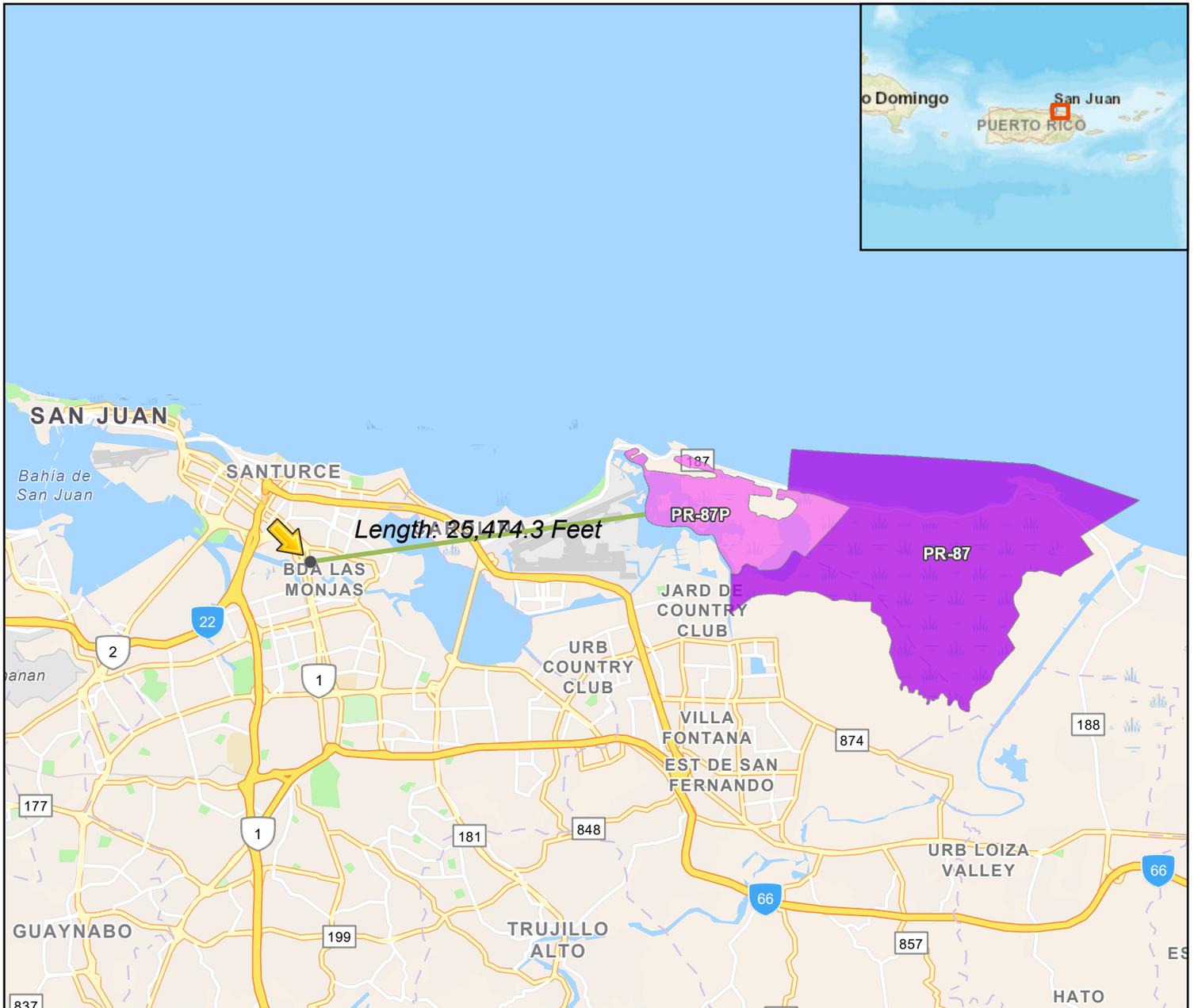
Runway Protection Zones

Major Civil and Military Airports

8/17/2022 1:54 PM

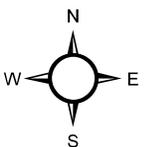
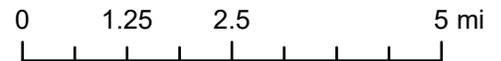


PR-SBIA-00044A CBRS



Legend

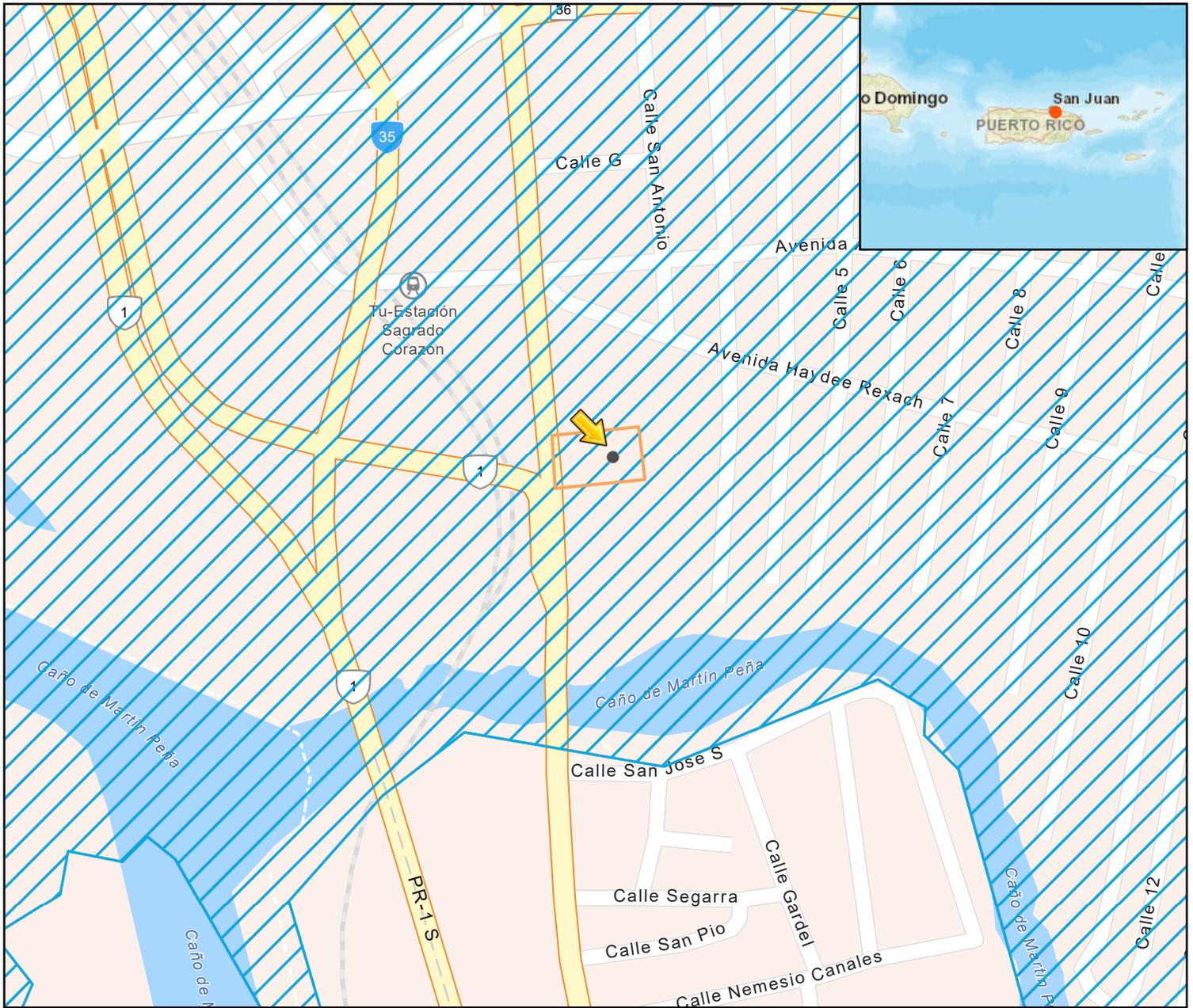
- Otherwise Protected Area
- System Unit



U.S. Fish and Wildlife Service

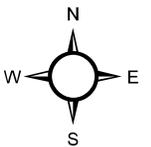
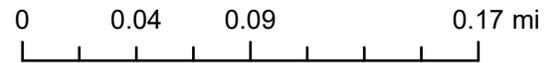


PR-SBIA-00044A CZM



Legend

 Coastal Zone Management Act Boundary



NOAA

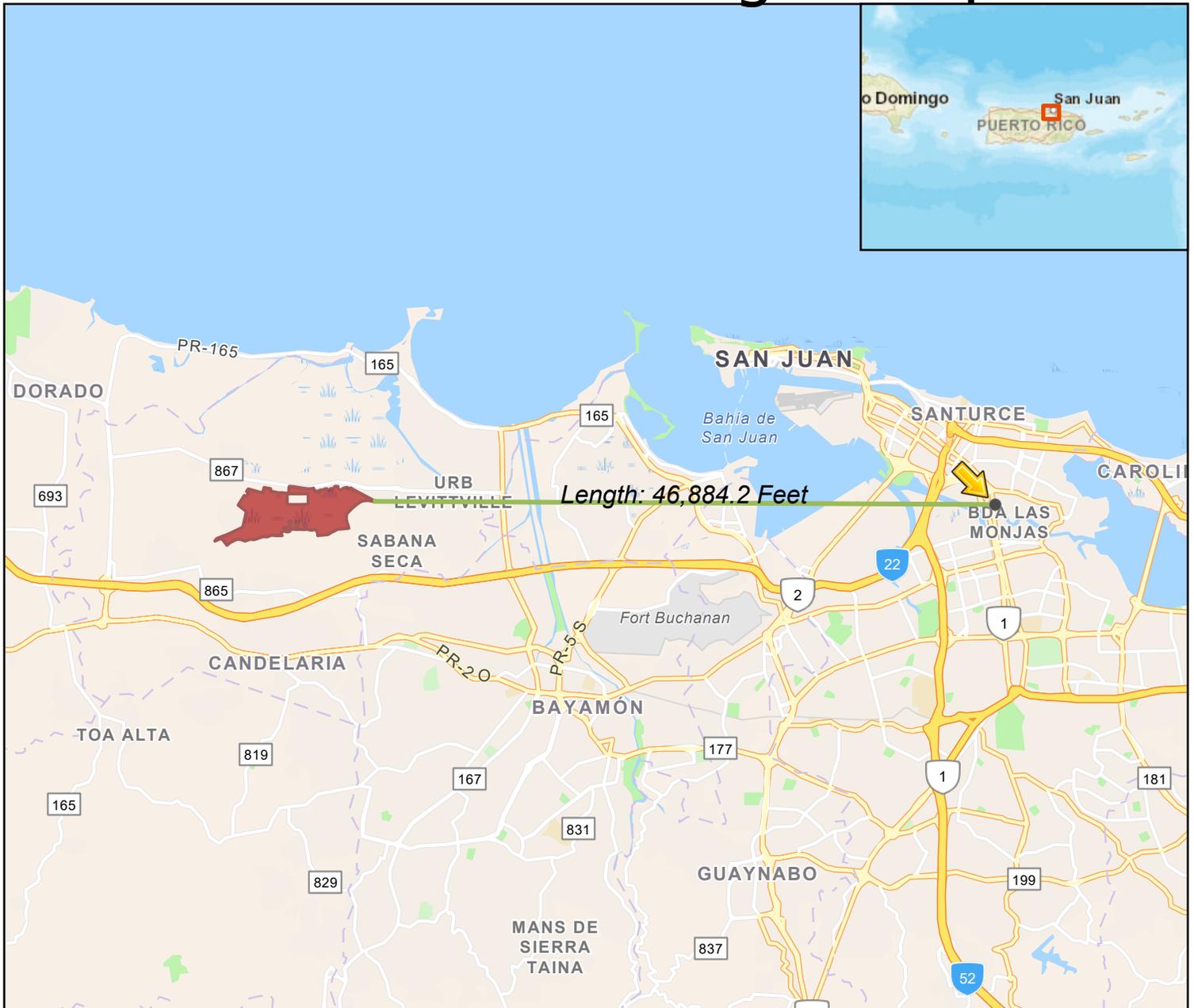
Coastal Zone Management Act

<https://arcgis.horne.com/portal/apps/experiencebuilder/experience/?id=883eb165a91d411996af67b92f45a429>

8/17/2022 1:52 PM

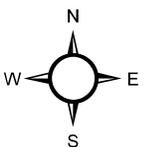
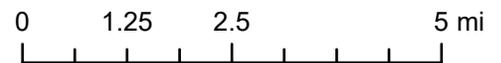


PR-SBIA-00044A Endangered Species



Legend

 USFWS Critical Habitat - Polygon Features - Final (agency service)



Endangered Species Habitat

U.S. Fish and Wildlife Service

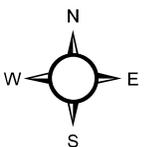
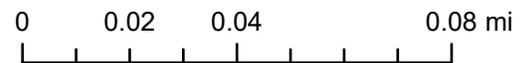


PR-SBIA-00044A Farmlands



Legend

- Prime Farmland
- Farmland of Local Importance
- Farmland of Statewide Importance
- Farmland of Unique Importance
- Not Prime Farmland



USGS USA Soils

Farmland dataset

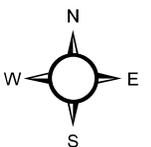
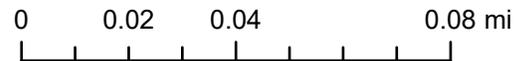


PR-SBIA-00044A Flood Map



Legend

-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  FEMA Floodzone Panels - Effective



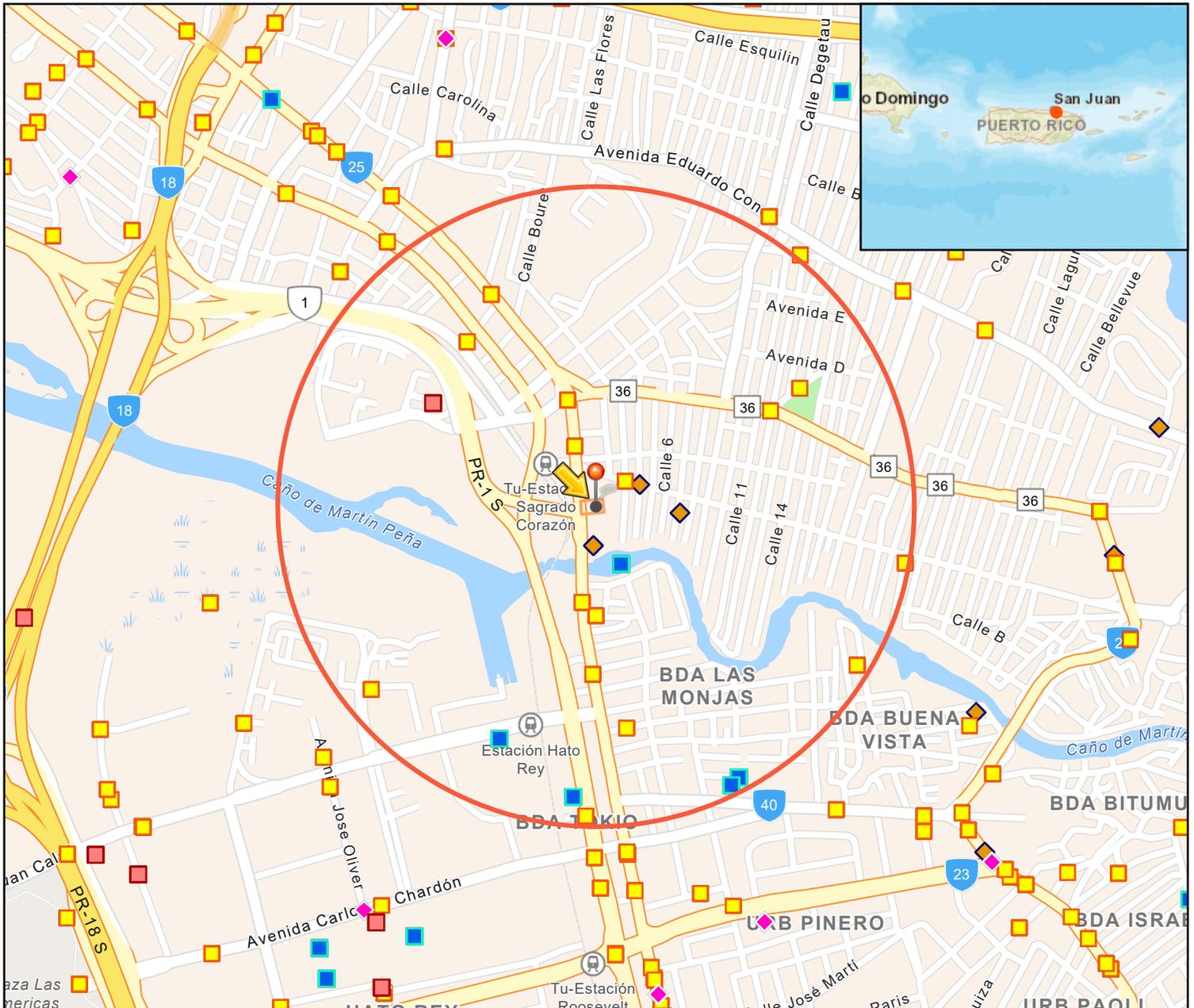
FEMA Map Service

Flood Insurance Rate Maps

8/17/2022 1:32 PM

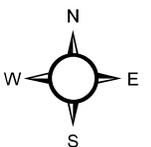
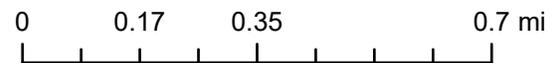


PR-SBIA-00044A Toxics



Legend

- Toxic Substances Control Act
- ◆ Brownfields
- Hazardous waste
- ◆ Air pollution
- Water dischargers
- Toxic releases
- ◎ Superfund



Envirofacts Facility Locations

EPA

<https://ejscreen.epa.gov/mapper/>

8/17/2022 1:49 PM

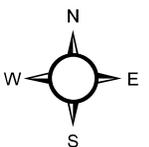
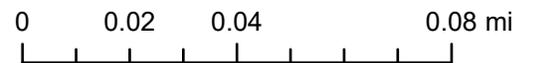


PR-SBIA-00044A Wetlands



Legend

-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland



National Wetlands Inventory

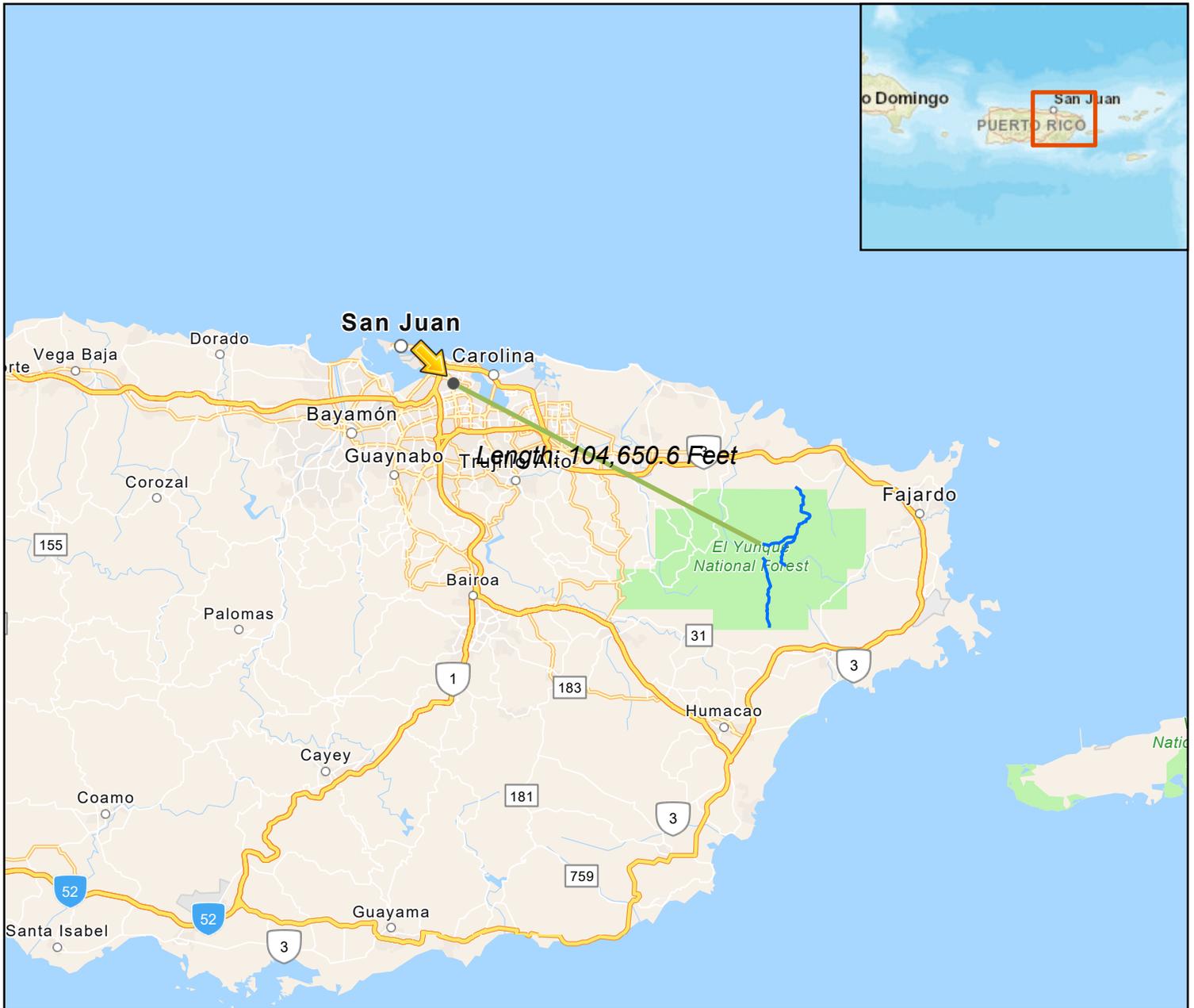
U.S. Fish and Wildlife Service

<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

8/17/2022 1:45 PM

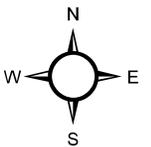
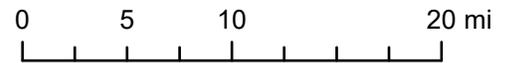


PR-SBIA-00044A Wild & Scenic Rivers



Legend

— Wild and Scenic River Lines



National Wild and Scenic River System

National Park Service



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Caribbean Ecological Services

Field Office

P.O. Box 491

Boqueron, PR 00622

JAN 14 2013

In Reply Refer To:
FWS/R4/CESFO/BKT/HUD

Mr. Efrain Maldonado
Field Office Director
U.S. Department of Housing and Urban Development
235 Federico Costa Street, Suite 200
San Juan, Puerto Rico 00918

Re: Blanket Clearance Letter for Federally
sponsored projects, Housing and Urban
Development

Dear Mr. Maldonado:

The U.S. Fish and Wildlife Service (USFWS) is one of two lead Federal Agencies responsible for the protection and conservation of Federal Trust Resources, including threatened or endangered species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (ESA). In the U.S. Caribbean, the USFWS has jurisdiction over terrestrial plants and animals, the Antillean manatee and sea turtles when nesting. The National Marine Fisheries Service has jurisdiction over marine species, except for the manatee. The ESA directs all Federal agencies to participate in conserving these species. Specially, section 7 of the ESA requires Federal agencies to consult with the USFWS to ensure that actions they fund authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitat. The USFWS issued regulations in 1986 detailing the consultation process. As part of this consultation process, the USFWS review development projects to assist Federal agencies on the compliance of the ESA.

The U.S. Department of Housing and Urban Development (HUD) typically allocate grant funds for rural and urban development projects. Obligations under the ESA, as well as the National Environmental Policy Act (NEPA), require HUD to perform consultation and an environmental impact review prior to the project's authorization. Primarily, these projects involve repair or reconstruction of existing facilities associated with developed land.

In order to expedite the consultation process, the Caribbean Ecological Services Field Office has developed this Blanket Clearance Letter (BCL) to cover for activities and projects that typically result in no adverse effects to federally-listed species under our jurisdiction. If projects comply with the project criteria discussed below, no further consultation with the USFWS is needed.

Project Criteria

1. Street resurfacing.
2. Construction of gutters and sidewalks along existing roads.
3. Reconstruction or emergency repairs of existing buildings, facilities and homes.
4. Rehabilitation of existing occupied single family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach.
5. Demolition of dilapidated single family homes or buildings; provided that the demolition debris is disposed in certified receiving facilities; equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation.
6. Rebuilding of demolished single family homes or buildings, provided that the new construction is within the existing footprint of the previous structure and/or within pre-existing grassed or paved areas, and that the lighting associated to the new facilities are not visible directly or indirectly from a beach.
7. Activities within existing Right of Ways (ROWs) of roads, bridges and highways, when limited to actions that do not involve cutting native vegetation or mayor earth moving; and are not located within, or adjacent to, drainages, wetlands, or aquatic systems. These activities include the installation of potable water and sanitary pipelines.
8. Improvements to existing recreational facilities, including the installation of roofs to existing basketball courts, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
9. Construction of electric underground systems in existing towns and communities, provided that the property is not a wetland area and the lighting associated to the facilities are not visible directly or indirectly from the beach.
10. Construction of facilities on vacant properties covered with grasses in urban areas, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
11. Construction of houses, buildings or acquiring lands in urban areas covered by grass for relocation of low income families and/or facilities that have been affected by weather conditions.

Determination:

Based on the nature of the projects described above and habitat characteristics described on project criteria, we have determined that the actions and type of projects described above may be conducted within this BCL without adversely affecting federally-listed

species under our jurisdiction. Thus, consultation under Section 7 of the Endangered Species Act is not required.

In all situations, HUD, and the municipalities are expected to implement Best Management Practices, where applicable, to ensure that impacts from erosion and stream sedimentation are appropriately minimized.

The Service encourages your agency to enhance the conservation of our trust resources (i.e.; listed species, wetlands, aquatic habitats, migratory birds and marine mammals). We therefore, provide the following recommendations that have proven to help in this way.

Water Crossing Structures:

1. Use of bottomless culverts or single span bridges instead of traditional box or RCP culverts or any other water crossing structure that impacts the stream bottom, particularly in streams which support native fish. The use of bottomless culverts or a short span bridge would provide a more stable crossing and would not alter the stream habitat. However, if bottomless structures or bridges are not feasible due to cost or engineering constraints, we recommend the following criteria be used to maintain good habitat in the streams:
 - a. The stream should not be widened to fit the bridge since this can lead to sedimentation during low flows and possible bank erosion during high flows. Rather, the bridge should be designed to fit the stream channel at the point of crossing. Culverts should be sized to carry natural bank full flow. Additional flow can be capture by culverts placed at a higher elevation so as not to impact bank full flows.
 - b. Bridge abutments, wing walls or any other structures should not intrude into the active stream channel.
 - c. All culvert footings must be countersunk into the stream channel at both the invert and outlet ends at a minimum of 10% of the culvert height. This will align the water crossing structure with the slope of the stream.
 - d. Waterways must not be blocked as to impede the free movement of water and fish. Materials moved during construction, such as grubbing, earth fills, and earth cut materials must not be piled where they can fall back into the stream and block the drainage courses.
 - e. Appropriate erosion and/or sedimentation controls measures are to be undertaken to protect water quality until riverbanks are re-vegetated. It has been our experience that appropriate erosion and/or sedimentation control measures are not implemented properly by project contractors. In order to function properly, silt fences need to be buried 6" (proper depth is marked by a line on the silt fence) and supported at regular intervals by wood stakes. For that reason we are recommending that

the enclosed drawing of proper silt fence installation is included in all final project construction plans.

- f. Upon completion of a water crossing construction, any temporary fill, must be removed from the construction area and disposed in a landfill.

Limitations:

Actions that do not meet the above project criteria, such as actions requiring placement of fill, disturbance, or modification to land outside of an existing access road or ROW; actions that occur on vacant property harboring a wetland and/or forest vegetation; actions requiring excavation, clearing of native vegetation, or alteration of storm water drainage patterns; or actions that require lighting which can be directly or indirectly seen from a beach, must be individually coordinated through the Caribbean Ecological Services Field Office and will be evaluated on a case by case basis.

The Service reserves the right to revoke or modify this BCL if:

1. New information reveals that the categories of work covered in this BCL may affect listed or designated critical habitat in a manner, or to an extent, not previously considered.
2. The categories of work included in this BCL are subsequently modified to include activities not considered in this review.
3. New species are listed or critical habitat designated that may be affected.

It is our mission to work with others, to conserve, protect and enhance fish wildlife and plants and their habitats for the continuing benefit of our people.

To obtain additional information on threatened and endangered species, you may visit our website <http://www.fws.gov/caribbean/ES> where you will also find the Map of the Species by Municipality and the Map of Critical Habitat. The USFWS has also developed a web based tool called IPac. Please visit <http://www.ecos.fws.gov/ipac> and familiarize yourself with the features we offer. We encourage you to begin your project planning process by requesting an **Official Species List** for your individual project that will include all species that may occur in the vicinity of the action area and includes a map of the action area. The site will also identify designated critical habitat, or other natural resources of concern that may be affected by your proposed project. At this time, best management practices or conservation measures are not available at the site but we expect the site to continue growing in its offering.

These maps provide information on the species/habitat relations within a municipality and could provide the applicants an insight if the proposed action is covered under this BCL or may affect a species, thus requiring individual review.

If you have any additional question regarding this BCL, please do not hesitate to contact Marelisa Rivera, Deputy Field Supervisor, at 787-851-7297 extension 206.

Sincerely yours,



Edwin E. Muñiz
Field Supervisor

Enclosures (Fact Sheets)

cc: OCAM, San Juan
Office of Federal Funds, 78 Municipalities of Puerto Rico
AAA
PRFAA
DNER



Ecological Services in the Caribbean

Caribbean Field Office

Project evaluation



Our mission is to conserve, protect and enhance fish and wildlife and their habitats through consultation, cooperation and communication for the continuing benefit of the American people.

Legal authorities:

- Endangered Species Act (ESA)
- Fish and Wildlife Coordination Act
- Migratory Bird Treaty Act
- Coastal Barriers Act

Roles and Responsibilities:

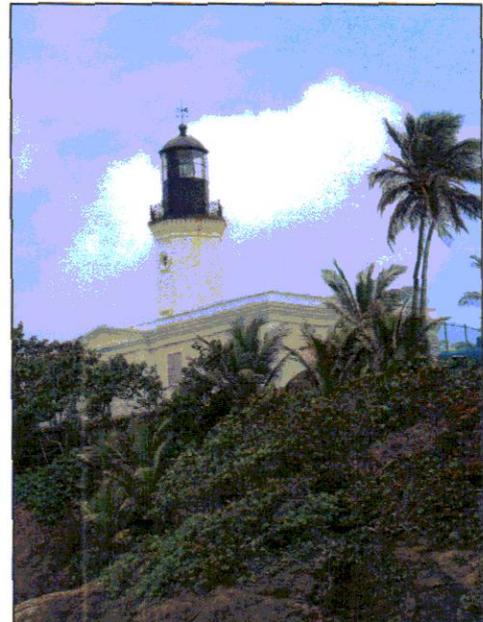
- Provide technical assistance to Federal and Commonwealth agencies to minimize possible impacts of land and water projects to our trust resources
 - *Wetlands and other aquatic habitats
 - *Endangered Species and their habitats
 - *Migratory Birds
 - *Critical Wildlife Areas
 - *Coastal Barriers
- Assist with ESA Section 7 compliance through informal and formal consultation processes

How do we assist others?

- Determine presence / absence of wetland resources, threatened and endangered species habitat, coastal barriers, important wildlife areas within the action area
- Evaluate possible direct, indirect and cumulative impacts
- Provide conservation recommendations to avoid, minimize and/or mitigate impacts
- General recommendations for habitat enhancement

Minimum requirements for the evaluation of projects:

- An 8.5 by 11 inch copy of the specific site location on a USGS topographic map (1:20,000) marked with an arrow (➔)
- Project description
- Aerial photo of the project site
- Latitude and Longitude (degrees, minutes and seconds or decimal degrees)
- Environmental Documents (EA and EIS)
- Specific studies (by qualified personnel)



For more information:

US Fish and Wildlife Service
Caribbean Field Office
Raod 301, Km. 5.1
Bo. Corozo

Boquerón, PR 00622

<http://www.fws.gov>

<http://www.fws.gov/caribbean/es>



Endangered Species Lists Using Web-based Tools

The U.S. Fish and Wildlife Service's Caribbean Ecological Services Field Office (CESFO) provides technical assistance to private individuals and organizations, as well as Federal, state, and local agencies pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). To assist project sponsors or applicants with the process of determining whether a Federally-listed species and/or "critical habitat" may occur within their proposed project area, we have developed Web-based tools. These tools were developed primarily to assist Federal agencies that are consulting with us under Section 7(a)(2) of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

IPaC. The US Fish & Wildlife Service (USFWS) has a tool named IPaC. IPaC stands for Information, Planning, and Conservation. This system is designed for easy, public access to the natural resources information for which the USFWS has trust or regulatory responsibility. Examples include Threatened and Endangered species, migratory birds, National Refuge lands, Coastal Barrier Resource Units, and the management of invasive species. One of the primary goals of the IPaC system is to provide information in a manner that assists individuals in planning their activities within the context of natural resource conservation. The IPaC system also assists people through the various regulatory consultation, permitting and approval processes administered by the USFWS, helping achieve more effective and efficient results for both the project proponents and natural resources. Through IPaC, you can get a preliminary USFWS species list in addition to links to species life history information, the USFWS Migratory Bird program, and more. You can access IPaC at: <http://ecos.fws.gov/ipac>

CESFO List of Threatened & Endangered Species and Critical Habitat Designations: CESFO has developed another tool (Species Map) that can be used as a quick reference to find out where the Federally-listed species



are known to occur, as well as those likely to occur, in any given municipality in Puerto Rico and island in the

U.S. Virgin islands. It identifies general areas where the species may be located. However, it does not represent the absolute distribution of the species and does not constitute a recommendation or comment issued by our agency in reference to a proposed project. This list represents the best available information regarding known or likely occurrences of Federally-listed species and is subject to change as new information becomes available. You can access this database at <http://www.fws.gov/caribbean/es/PDF/Map/pdf>



Be aware that Section 9 of the ESA prohibits unauthorized taking of listed species and applies to Federal and non-Federal activities. Under the Act, it is illegal for any person subject to the jurisdiction of the United States to take (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect; or to attempt any of these), import or export, ship in interstate or foreign commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any endangered fish or wildlife species and most threatened fish and wildlife species. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. "Harm" includes any act which actually kills or injures fish or wildlife, and case law has clarified that such acts may include significant habitat modification or degradation that significantly impairs

essential behavioral patterns of fish or wildlife. For projects not authorized, funded, or carried out by a Federal agency, consultation with the Service pursuant to Section 7(a)(2) of the ESA is not required. However, no person is authorized to "take" any listed species without appropriate authorizations from the Service. Therefore, we provide technical assistance to individuals and agencies to assist with project planning to avoid the potential for "take," or when appropriate, to provide assistance with their application for an incidental take permit pursuant to Section 10(a)(1)(B) of the ESA.

If the project is within the distribution of the species, additional information may be needed to determine the presence of habitat. In some cases, specialized surveys may be needed to determine the presence or absence of the species in a particular area.

For additional information on fish and wildlife resources or State-listed species, we suggest contacting the Puerto Rico Department of Natural and Environmental Resources and the U.S. Virgin Islands Department of Planning and Natural Resources.

For further assistance, please feel free to contact us at (787) 851-7297 or visit our Web page at www.fws.gov/caribbean/es if you need further assistance.

For further information visit our national websites at:

<http://www.fws.gov>

<http://ecos.fws.gov>



U.S. Fish & Wildlife Service

Consultations with Federal Agencies

Section 7 of the Endangered Species Act

The purposes of the Endangered Species Act are to provide a means for conserving the ecosystems upon which endangered and threatened species depend and a program for the conservation of such species. The ESA directs all Federal agencies to participate in conserving these species. Specifically, section 7 (a)(1) of the ESA charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies to ensure that their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats.

How does the consultation process support the recovery of species and their ecosystems?

The Endangered Species Program of the U.S. Fish and Wildlife Service uses section 7 tools in partnership with other Service programs and other Federal agencies to collaboratively solve conservation challenges, as well as create opportunities, using section 7 consultations, to recover the ecosystems of listed species. Consultations also provide ways to implement recovery tasks by addressing threats to listed species that may result from Federal agency programs and activities.

What is the consultation process that occurs under section 7(a)(2)?

The provision under section 7 that is most often associated with the Service and other Federal agencies is section 7(a)(2). It requires Federal agencies to consult with the Service to ensure that actions they fund, authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitats. The



Photo Credit: USGS - Sirenia Project

USGS

In response to requests for consultations from the U. S. Coast Guard with regard to manatees and sea turtles, the South Florida Office of the U. S. Fish and Wildlife Service has provided guidance about events such as fireworks displays, regattas, boat parades and races, and fishing tournaments.

Service issued regulations in 1986 detailing the consultation process, and we have since completed a handbook describing the process in detail. The handbook is available on our web site at http://www.fws.gov/endangered/esa-library/pdf/esa_section7_handbook.pdf.

What is the Service doing to facilitate the consultation process?

Designing projects in ways that are compatible with the conservation needs of listed species and their ecosystems is among the most effective methods of ensuring a more rapid and efficient section 7 consultation process, as well as species' recovery. The Information, Planning, and Conservation System is an emerging tool for action agencies, their applicants, and other project proponents to use

during the initial phases of project development and assessment. The system will allow for more effective integration of listed resource conservation needs and the eventual streamlining of section 7(a)(2) consultation.

How does a consultation get started?

Early coordination is one of the most effective methods of (1) streamlining section 7 consultation, (2) reducing the need to make project modifications during the consultation process, and (3) improving the ability of section 7 to fulfill its role as a recovery tool. Federal agencies, applicants, and the Service engage in early coordination to develop methods of integrating proposed activities with the conservation needs of listed resources before the proposed actions are fully designed.

Before initiating an action, the Federal agency or its non-Federal permit applicant should coordinate with the Service as to the species that may be within their action area. If a listed species is present, the Federal agency must determine whether the project may affect it. If so, consultation may be required. If the action agency determines (and the Service agrees) that the project is not likely to adversely affect a listed species or designated critical habitat, and the Service concurs in writing, then the consultation (informal to this point) is concluded.

What happens if a Federal project may adversely affect a listed species?

If the Federal agency determines that a project is likely to adversely affect a listed species or designated critical habitat, the agency initiates formal consultation by providing information with regard to the nature of the anticipated effects. The ESA requires that consultation be completed within 90 days, and the regulations allow an additional 45 days for the Service to prepare a biological opinion. The analysis of whether or not the proposed action is likely to jeopardize the continued existence of the species or adversely modify designated critical habitat is contained in a biological opinion. If a jeopardy or adverse modification determination is made, the biological opinion must identify any reasonable and prudent alternatives that could allow the project to move forward.

The Service must anticipate any incidental take that may result from the proposed project and, provided that such take will not jeopardize the continued existence of the listed species, authorize that take in an incidental take statement. The latter contains clear terms and conditions designed to reduce the impact of the anticipated take to the species involved. The authorization of incidental take is contingent upon the Federal agency carrying out the terms and conditions. If the Service issues either a non-jeopardy opinion or a jeopardy opinion that contains reasonable and prudent alternatives, it may include an incidental take statement.



Dan Anderson/USFWS

This Louisiana black bear was one of the largest ever captured on Tensas River National Wildlife Refuge, weighing in at over 400 pounds. The bear was trapped using a leg-hold cable snare that does not injure the animal. The biological information obtained, including weight, sex, a tooth for aging, and other measurements, is part of the Service's ongoing research efforts to aid in the recovery of this threatened subspecies. Afterwards, the bear was released on site.

What is the consultation workload?

In Fiscal Year 2010, the Service assisted Federal agencies in carrying out their responsibilities under section 7 on more than 30,000 occasions. The vast majority of the workload was technical assistance to Federal agencies and informal consultations on actions that were not likely to adversely affect listed species or their designated critical habitat. A large percentage of projects, as initially planned, would have had adverse impacts to listed species, but were dealt with through informal consultation. In these situations, the Federal agency made changes to the project design so that adverse impacts to listed species were avoided.

What type of guidance is available for other Federal agencies?

Guidance is available on our section 7 web site at <http://www.fws.gov/endangered/what-we-do/consultations-overview.html>. Please call us at 703-358-2171 if you have any questions, or see our Endangered Species Program Contacts at <http://www.fws.gov/endangered/regions/index.html> to locate a Service office in your area.

**U. S. Fish and Wildlife Service
Endangered Species Program
4401 N. Fairfax Drive, Room 420
Arlington, VA 22203
703-358-2171
<http://www.fws.gov/endangered/>**

April 2011

CaseID	Registry_ID	PGM_SYS_ID	Name
PR-SBIA-00044A	110067271561	PRR000025643	CVS PHARMACY #10315 CLUSTER #1 HAZ: PONCE DE
PR-SBIA-00044A	110070523694	205921	LEÓN BARRIO OBRERO MARI
PR-SBIA-00044A	110070827006	PRR1000A6	RELOCATION OF THE BORINQUEN POTABLE WATER TRANSMISSION PIPELINE
PR-SBIA-00044A	110004892965	PRR000004895	SHELL CO PR LTD SHELL SS 0019 ALVARADO
PR-SBIA-00044A	110007820206	PRR000006981	ESSO STANDARD OIL CO - PR CO-020
PR-SBIA-00044A	110004894721	PRR000010231	TEXACO PR INC HATO REY SS
PR-SBIA-00044A	110044306471	PRR000023721	FEDERICO ASENJO SCHOOL
PR-SBIA-00044A	110004891779	00919MNTCDNO1	MANTECADOS PAYCO INC OLD MANTECADOS PAYCO
PR-SBIA-00044A	110004891779	PRR000001172	BUILDING
PR-SBIA-00044A	110004894776	PRR000010595	EDUARDO VIERA SS
PR-SBIA-00044A	110004890182	PRD987380524	SCORPIO RECYCLING INC NAIMKO PLASTICS & TROPHY
PR-SBIA-00044A	110022305183	PRO007003056	CENTER ACADEMIA PERPETUD
PR-SBIA-00044A	110035439503	PRR000021527	SOCORRO
PR-SBIA-00044A	110070067238	PRR10001I	URBAN HUB 2015 PARK & BRIDGE
PR-SBIA-00044A	110006433458	PRD090086042	BANCO POPULAR OF PR BANCO POPULAR - POPULAR
PR-SBIA-00044A	110006433458	PRR000004820	CENTER
PR-SBIA-00044A	110006434135	PRR000013656	ISIED INC
PR-SBIA-00044A	110070080177	PRR10002B	LAS GLADIOLAS REVITALIZATION
PR-SBIA-00044A	110004895392	PRR000011999	PUERTO RICO ELECTRIC POWER AUTH
PR-SBIA-00044A	110004895392	PRR000006783	B P P R POPULAR CENTER LAS GLADIOLAS
PR-SBIA-00044A	110070067204	PRR10000J	REVITALIZATION

Location	Municipio	Latitude	Longitude	Type
1901 AVE REXACH	SAN JUAN	18.43564	-66.05789	RCRAINFO
PONCE DE LEÓN AVENUE	SAN JUAN	18.433975	-66.058752	ACRES
71 SANTIAGO IGLESIAS	SAN JUAN	18.4335	-66.058	NPDES
AVE PONCE DE LEON 1910	SAN JUAN	18.43656	-66.059259	RCRAINFO
PONCE DE LEON & BORINQUEN AVE	SAN JUAN	18.437747	-66.059454	RCRAINFO
PONCE DE LEON AVE 73	SAN JUAN	18.43066	-66.05877	RCRAINFO
2015 BORINQUEN AVE BARRIO OBRERO	SAN JUAN	18.438253	-66.055617	RCRAINFO
CALLE CHARDON #113	SAN JUAN	18.437669	-66.063109	TRIS
CHARDON AVE #113	SAN JUAN	18.437669	-66.063109	RCRAINFO
ST 12 #517 COR BORINQUEN AVE	SAN JUAN	18.43747	-66.053938	RCRAINFO
705 PEDRO DE CASTRO ST	SAN JUAN	18.43925	-66.06218	RCRAINFO
1810 PONCE DE LEON AVE	SAN JUAN	18.44047	-66.06153	RCRAINFO
704 CALLE MARTI LUIS MUNOZ RIVERA AVE. INTERSECTON ACTERIAL B AVE	SAN JUAN	18.43353	-66.05028	RCRAINFO
POPULAR CTR, 209 PONCE DE LEON	SAN JUAN	18.429	-66.0613	NPDES
	SAN JUAN	18.427095	-66.058777	RCRAINFO
209 MUNOZ RIVERA AVE	SAN JUAN	18.427095	-66.058777	RCRAINFO
173 CALLE ONEILL EDIFICIO INT. STATE ROAD PR-40 (QUISQUEYA ST.) AND CHILE ST	SAN JUAN	18.430898	-66.051587	RCRAINFO
	SAN JUAN	18.428	-66.0548	NPDES
208 LUIS MUNOZ RIVERA AVE	SAN JUAN	18.427004	-66.058956	RCRAINFO
208 MUNOZ RIVERA AVE CALLE QUISQUEYA CORNER OF CHILE	SAN JUAN	18.427004	-66.058956	RCRAINFO
	SAN JUAN	18.4278	-66.055	NPDES

Report	Distance	Impact	Update_Date
https://echo.epa.gov/detailed-facility-report?fid=110067271561	357.64	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110070523694	371.358	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110070827006	590.294	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004892965	603.747	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110007820206	1035.42	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004894721	1574.16	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110044306471	1586.9	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004891779	1818.88	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004891779	1818.88	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004894776	1869.75	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004890182	1966.12	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110022305183	2221.06	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110035439503	2955.46	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110070067238	2359.53	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110006433458	2868.28	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110006433458	2868.28	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110006434135	2869.86	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110070080177	2871.81	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004895392	2902.77	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110004895392	2902.77	No	8/21/2022, 7:00 PM
https://echo.epa.gov/detailed-facility-report?fid=110070067204	2905.22	No	8/21/2022, 7:00 PM