

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-SBF-06937

HEROS Number: 900000010305441

State / Local Identifier:

Project Location: , San Juan, PR 00921

Additional Location Information:

The project is located at latitude 18.39590, longitude -66.08467 at the address given above. Tax ID

Number: 086-027-502-15-000

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

This project entails the award of a small business recovery grant to EURO-TEK LLC, a Automotive Body, Paint, and Interior repair and Maintenance business, at 942 Avenida de Diego, San Juan, PR 00921. The specific scope of work for this project includes the purchase of equipment including: A new affixed generator 20 Kw (\$ 2,007), Bluebird air hose reel (\$ 644.48), vapor machine (\$ 1,672.49), Polisher 15" (\$ 486.13), vacuum cleaner (\$ 144.94), 4 ton floor jack (\$ 1,382.60), aluminum dent puller (\$ 8,263.20), 25STG compressor (\$8,501.88), Pressure Washer (\$1538.70) outfit oxy acet hd (\$66343), cylinder and load acet m (\$ 551.93) cylinder and load oxy m (\$367.89), cart H & T cil acet/ m y (\$172.83, Welding helmet 33 (\$ 613.25), Tig 200 lincoln (\$ 4,342.93), Welding blanket (\$ 216.31), Lamp (\$ 2,007), Solar lamp 200W (\$ 836.25)

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)(iii)

Funding Information

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

Estimated Total HUD Funded Amount: \$49,974.50



Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$49,974.50

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, whichever is less.	N/A	
Floodplain Management	Buyer must purchase flood insurance because the site is located in a Special Flood Hazard Area.	N/A	

Determination:

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
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

A4

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		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)).
P	repare	er Signature:
	Name	/ Title/ Organization: Ianmario Heredia Diadone / / Department of Housing - Puerto Rico
R	espon	sible Entity Agency Official Signature: Date: Feb. 7, 2023
Ν	lame/	Title: Angel G Lopez Guzman / Director - Permits and Env. Comipliance Division, CDBG-DR/MIT Program

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).

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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-SBF-06937

HEROS Number: 900000010305441

Responsible Entity (RE): Department of Housing - Puerto Rico, P.O. Box 21365 San

Juan PR, 00928

State / Local Identifier:

RE Preparer: Ianmario Heredia Diadone

Certifying Office Angel G Lopez Guzman

r:

Grant Recipient (if different than Responsible Ent

ity):

Point of Contact:

Consultant (if applicabl Horne LLP

e):

Point of Contact: Ana Martin

Project Location: , San Juan, PR 00921

Additional Location Information:

The project is located at latitude 18.39590, longitude -66.08467 at the address given

above. Tax ID Number: 086-027-502-15-000

Direct Comments to: info@vivienda.pr.gov

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

This project entails the award of a small business recovery grant to EURO-TEK LLC, a Automotive Body, Paint, and Interior repair and Maintenance business, at 942 Avenida de Diego, San Juan, PR 00921. The specific scope of work for this project includes the purchase of equipment including: A new affixed generator 20 Kw (\$ 2,007), Blue air hose reel (\$ 644.48), vapor machine (\$ 1,672.49), grinder (\$ 486.13), vacuum cleaner (\$ 144.94), 4 ton floor jack (\$ 1,382.60), aluminum dent puller (\$ 8,263.20), compressor (\$8,501.88), outfit oxy acet hd (\$66343), cylinder and carga acet m (\$ 551.93) cylinder and carga oxy m (\$367.89), carro H & T cil acet/ m y (\$172.83, welding helmet (\$ 613.25), Tig 200 lincoln (\$ 4,342.93), welding blanket (\$ 216.31), lamp (\$ 2,007), solar lamp (\$ 836.25)

Maps, photographs, and other documentation of project location and description:

Level of Environmental Review Determination:

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

58.35(a)(3)(iii)

Determination:

	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		
√	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		
	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)).		

Approval Documents:

06937-SIG-PAGE.pdf

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

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

Estimated Total HUD Funded, \$49,974.50 **Assisted or Insured Amount:**

Estimated Total Project Cost:

\$49,974.50

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 STATUTES, EXECUTIVE ORD	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations) ONS LISTED AT 24 CFR §50.4 & § 58.6	
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	☐ Yes ☑ No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 22,670 feet away. 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]	□ Yes ☑ No	This project is not located in a CBRS Unit.It is 42,136 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]	☑ Yes □ No	Flood Map Number 72000C0365J, 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 Mark and Electric
		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 ORI	SERS AND REGULATION	DNS LISTED AT 24 CFR §50.4 & § 58.5
·		
Air Quality	☐ Yes ☑ No	Based on the project description, this
Clean Air Act, as amended,		project includes no activities that would
particularly section 176(c) & (d); 40		require further evaluation under the
CFR Parts 6, 51, 93		Clean Air Act. The project is in
-		compliance with the Clean Air Act.
Coastal Zone Management Act	☐ Yes ☑ No	This project is not located in or does not
Coastal Zone Management Act,		affect a Coastal Zone as defined in the
sections 307(c) & (d)		state Coastal Management Plan. The
		project is located 6,985 feet from the
		coastal zone. The project is in
		compliance with the Coastal Zone
		Management Act.
Contamination and Toxic	☐ Yes ☑ No	Site contamination was evaluated as
Substances		follows: None of the above. On-site or
24 CFR 50.3(i) & 58.5(i)(2)]		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	☐ Yes ☑ No	This project clears via the project
Endangered Species Act of 1973,		criteria 4 of the USFWS Blanket
particularly section 7; 50 CFR Part		Clearance Letter. "Rehabilitation of
402		existing occupied single family homes,
102	1	chisting occupied single fairing florites,

	1	
		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 facility is
		not visible directly or indirectly from a
		beach." 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	☐ Yes ☑ No	Based on the project description the
Above-Ground Tanks)[24 CFR Part		project includes no activities that would
51 Subpart C		require further evaluation under this
31 Subpart C		1 '
		section. The project is in compliance
		with explosive and flammable hazard
Famulas de Bertantia		requirements.
Farmlands Protection	☐ Yes ☑ No	This project does not include any
Farmland Protection Policy Act of		activities that could potentially convert
1981, particularly sections 1504(b)		agricultural land to a non-agricultural
and 1541; 7 CFR Part 658		use. The project is in compliance with
		the Farmland Protection Policy Act.
Floodplain Management	☑ Yes □ No	Flood Map Number 7200C0365J,
Executive Order 11988, particularly		effective on 11/18/2009: This project is
section 2(a); 24 CFR Part 55		located in a 100-year floodplain. The 5-
		Step Process is applicable per
		55.12(a)(1-4). With the 5-Step Process
		the project will be in compliance with
		Executive Order 11988.
Historic Preservation	☐ Yes ☑ No	Built ca. 1985 Based on the project
National Historic Preservation Act of		description the project is covered by a
1966, particularly sections 106 and		Programmatic Agreement that includes
110; 36 CFR Part 800		an applicable exemption that exempts
		this project from the requirements of
		Section 106. The project is in
		compliance with Section 106.
Noise Abatement and Control	☐ Yes ☑ No	Based on the project description, this
Noise Control Act of 1972, as		project includes no activities that would
amended by the Quiet Communities		require further evaluation under HUD's
Act of 1978; 24 CFR Part 51 Subpart		noise regulation. The project is in
B		compliance with HUD's Noise
_		regulation.
Sole Source Aquifers	☐ Yes ☑ No	Based on the project description, the
Safe Drinking Water Act of 1974, as	65 = 140	project consists of activities that are
amended, particularly section		unlikely to have an adverse impact on
1424(e); 40 CFR Part 149		groundwater resources. The project is in
1727(C), 40 CINTAIL 143		Brownawater resources. The project is in

Wetlands Protection Executive Order 11990, particularly	☐ Yes ☑ No	compliance with Sole Source Aquifer requirements. Based on the project description this project includes no activities that would
sections 2 and 5		require further evaluation under this section. 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)	□ Yes ☑ No	This project is not within proximity of a NWSRS river. The project is located 113,854 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HO	DUSING ENVIRONMEN	ITAL STANDARDS
	ENVIRONMENTAL J	USTICE
Environmental Justice Executive Order 12898	☐ Yes ☑ 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	N/A	Buyer must purchase flood insurance because the site is located in a Special Flood Hazard Area.	

	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.		
Floodplain Management	Buyer must purchase flood insurance because the site is located in a Special Flood Hazard Area.	N/A	Buyer must purchase flood insurance because the site is located in a Special Flood Hazard Area.

Project Mitigation Plan

In accordance with Puerto Rican Permit requirements any generator above 10HP requires an Emergency Generators General Permit of the Puerto Rico Natural and Environmental Resources Department prior to installation.

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		24 CFR Part 51 Subpart D
prevent incompatible development		
around civil airports and military airfields.		

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 22,670 feet away. The project is in compliance with Airport Hazards requirements.

Supporting documentation

PR-SBF-06937 Airports.pdf

Are formal compliance steps or mitigation required?

Yes

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

√ No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit.It is 42,136 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-SBF-06937 CBRS.pdf

Are formal compliance steps or mitigation required?

Yes

Flood Insurance

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

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

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

✓ Yes

2. Upload a FEMA/FIRM map showing the site here:

PR-SBF-06937 ABFE.pdf PR-SBF-06937 Flood Map.pdf

The Federal Emergency Management Agency (FEMA) designates floodplains. The <u>FEMA Map Service Center</u> provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No

✓ Yes

- 3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?
 - ✓ Yes, the community is participating in the National Flood Insurance Program.

Based on the response, the review is in compliance with this section. Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.

No. The community is not participating, or its participation has been suspended.

Screen Summary

Compliance Determination

Flood Map Number 72000C0365J, 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

PR-SBF-06937 5-Step process.docx

Are formal compliance steps or mitigation required?

✓ Yes

No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered	Clean Air Act (42 USC 7401 et	40 CFR Parts 6, 51
by the U.S. Environmental	seq.) as amended particularly	and 93
Protection Agency (EPA), which	Section 176(c) and (d) (42 USC	
sets national standards on	7506(c) and (d))	
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.		

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

Based on the response, the review is in compliance with this section.

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

Coastal Zone Management Act

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 6,985 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

PR-SBF-06937 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		24 CFR 58.5(i)(2)
proposed for use in HUD programs be free of		24 CFR 50.3(i)
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.		

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

- ✓ None of the Above.
- 2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

√ No

Explain:

Based on ECHO reports for the facilities, there is no impact for the intended use of this project. See attached table.

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

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.

Supporting documentation

PR-SBF-06937 Toxics table.xlsx PR-SBF-06937 Toxics.pdf

Are formal compliance steps or mitigation required?

Ye

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA)	The Endangered	50 CFR Part
mandates that federal agencies ensure that	Species Act of 1973	402
actions that they authorize, fund, or carry out	(16 U.S.C. 1531 et	
shall not jeopardize the continued existence of	seq.); particularly	
federally listed plants and animals or result in	section 7 (16 USC	
the adverse modification or destruction of	1536).	
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").		

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

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

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

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

This project clears via the project criteria 4 of the USFWS Blanket Clearance Letter. "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 facility is not visible directly or indirectly from a beach." 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

<u>USFWS 29Oct18.pdf</u> <u>PR-SBF-06937 Endangered Species.pdf</u>

Are formal compliance steps or mitigation required?

Yes

Explosive and Flammable Hazards

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

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 fu	el storage facilities and refineries)?

✓	No
	Ves

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

✓	No

Based on the response, the review is in compliance with this section.

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

Farmlands Protection

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

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



If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

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-SBF-06937 Farmlands.pdf

Are formal compliance steps or mitigation required?

Yes



Floodplain Management

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

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

2. Upload a FEMA/FIRM map showing the site here:

PR-SBF-06937_ABFE.pdf PR-SBF-06937_Flood Map.pdf

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No

✓ Yes

Select the applicable floodplain using the FEMA map or the best available

information:

Floodway

Coastal High Hazard Area (V Zone)

✓ 100-year floodplain (A Zone)

500-year floodplain (B Zone or shaded X Zone)

8-Step Process

Does the 8-Step Process apply? Select one of the following options:

8-Step Process applies

✓ **5-Step Process** is applicable per 55.12(a)(1-4). Provide documentation of 5-Step Process.

Document and upload the completed 5-Step Process below. Select the applicable citation: [only one can be selected]

55.12(a)(1)

55.12(a)(2)

55.12(a)(3)

✓ 55.12(a)(4)

8-Step Process is inapplicable per 55.12(b)(1-5).

Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This

information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Buyer must purchase flood insurance because the site is located in a Special Flood Hazard Area.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

Permeable surfaces

Natural landscape enhancements that maintain or restore natural hydrology

Planting or restoring native plant species

Bioswales

Evapotranspiration

Stormwater capture and reuse

Green or vegetative roofs with drainage provisions

Natural Resources Conservation Service conservation easements or similar easements

Floodproofing of structures

Elevating structures including freeboarding above the required base flood elevations

✓ Other

Screen Summary

Compliance Determination

Flood Map Number 7200C0365J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.

Supporting documentation

PR-SBF-06937 5-Step process(1).docx

Are formal compliance steps or mitigation required?

✓ Yes

No

Historic Preservation

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

Threshold Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.) No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)]. Yes, because the project includes activities with potential to cause effects (direct or indirect).

Threshold (a). Either upload the PA below or provide a link to it here:

https://www.hudexchange.info/sites/onecpd/assets/File/PR-FEMA-Prototype-2019-PA-Section-106.pdf

Upload exemption(s) below or copy and paste all applicable text here:

Architecture- Appendix B, Tier I, Allowance B.1: I. First Tier Allowances B. BUILDINGS AND STRUCTURES 1. Repair, retrofit, and reconstruction of buildings, and structures less than forty-five (45) years old, unless located in or adjacent to a historic district. Archeology- N/A

Based on the response, the review is in compliance with this section.

<u>Screen Summary</u> Compliance Determination

Built ca. 1985 Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

Supporting documentation

PR-SBF-06937 Historic.pdf

Are formal compliance steps or mitigation required?

Yes

Noise Abatement and Control

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

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



Sole Source Aquifers

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

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

✓ Yes

Based on the response, the review is in compliance with this section.

No

Screen Summary

Compliance Determination

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

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or	Executive Order	24 CFR 55.20 can be
indirect support of new construction impacting	11990	used for general
wetlands wherever there is a practicable		guidance regarding
alternative. The Fish and Wildlife Service's		the 8 Step Process.
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.		

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

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

PR-SBF-06937 Wetlands.pdf

Are formal compliance steps or mitigation required?

Yes

√ No

Wild and Scenic Rivers Act

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

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

This project is not within proximity of a NWSRS river. The project is located 113,854 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

PR-SBF-06937 Wild and Scenic Rivers.pdf

Are formal compliance steps or mitigation required?

Yes

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project	Executive Order 12898	
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.		

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



Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

EXECUTIVE ORDER 11988 – FLOODPLAIN MANAGEMENT FIVE-STEP PROCESS AS PROVIDED BY 24 CFR §55.20 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RELIEF (CDBG-DR) PROGRAM

Puerto Rico Department of Housing (PRDOH)
Small Business Financing (SBF) Program Project No. PR-SBF-06937
EURO-TEK LLC

Step 1: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions).

The proposed project is intended to renovate the building as part of the Economic Development portion of the CDBG-DR grant. The renovation is intended to install a new generator 20 Kw for the Small Business. The project is located at 942 Avenida de Diego, San Juan, PR 00921. The Tax Parcel ID of the site is 086-027-502-15-000. The Latitude is 18.39590 and the Longitude is -66.08467. The project is located entirely within the 100-year floodplain. The property is shown as being within Zone AE on the Official Flood Insurance Rate Map (FIRM) Panel no. 72000C0365J, effective November 18, 2009.

Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the 100-year floodplain and for this reason, EO 11988 applies. The subject unit occupies 3,775 square feet of the floodplain. An evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the floodplain is required.

The project is a renovation of a non-residential structure. The renovation is not considered substantial improvement in accordance with 24 CFR 55.2 nor is the footprint increased; therefore, per 24 CFR 55.12(a)(4), public notification of the proposed activity (Step 2), identification and evaluation of practicable alternatives (Step 3) and the determination of no practicable alternative and publication of a final notice (Step 7) do not need to be conducted.

Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.

The project is a renovation of a non-residential building. The building renovation is not considered substantial improvement and the building footprint is not being increased; therefore, per 24 CFR 55.12(a) (4), public notification of the proposed activity (Step 2 of the 8-Step Process) does not need to be conducted.

Step 3: Identify and evaluate practicable alternatives to locating in the base floodplain.

The project is a renovation of a non-residential building. The structure is not undergoing substantial improvement nor is the footprint increasing, therefore, per 24 CFR 55.12(a)(4), identification and evaluation of practicable alternatives to the proposed activity (Step 3 of the 8-Step Process) does not need to be conducted.

Step 4: Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.

The HUD-funded SBF program is intended to provide economic stimulus to Small Businesses for economic development. HUD's regulations limit what actions can be considered under the SBF program, including prohibition of any construction in the floodway. Descriptions of the potential impacts from the proposed action is below:

 Option A (Proposed Action) – This option would involve renovation of the non-residential building. The building is not undergoing substantial improvement and the footprint is not being increased; therefore, elevation is not required. The proposal does include a minor renovation of affixing a new generator with no ground disturbance.

Step 5: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.

The PRDOH and the Puerto Rico Permits Management Office requires elevation or flood proofing of all "substantially damaged or improved" structures in the floodplain. When followed, these regulations will reduce the threat of flooding damage to properties located in the floodplain and reduce the impact of development on the floodplain. Applicants are required to adhere to the most recent floodplain elevation levels when considering reconstruction of their "substantially damaged or improved" property. It is noted; however, that because the property is not to be substantially improved and the footprint of the structure is not increased, floodplain management options are not required.

Step 6: Reevaluate the Proposed Action.

Option A would involve renovation of the non-residential building. This option would not adversely impact the floodplain and would help the small business benefit as part of the economic recovery needed because of Hurricanes Irma and Maria. This meets the program goals of revitalizing and supporting the economic development and recovery of Puerto Rico.

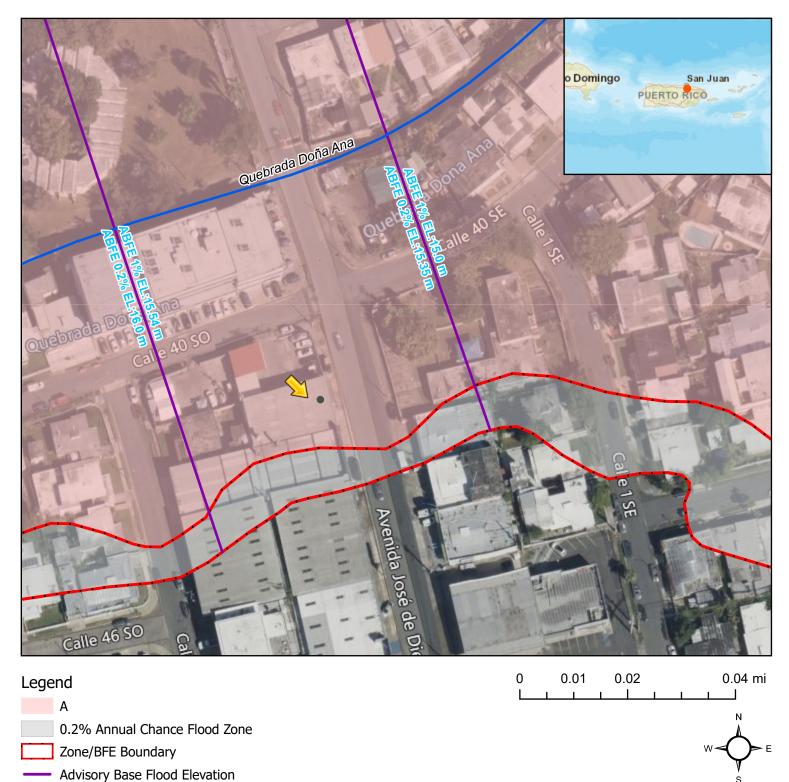
Step 7: Determination of No Practicable Alternative.

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint of the structure expanding; therefore, per 24 CFR 55.12(a)(4), the determination of no practicable alternative and publication of a final notice (Step 7 of the 8-Step Process) does not need to be conducted.

Step 8: Implement the Proposed Action

Step eight is implementation of the proposed action. The PRDOH will ensure that all measures prescribed in the steps above will be followed, as required.

PR-SBF-06937 ABFE



FEMA Map Service

ABFE 1PCT

Streamline

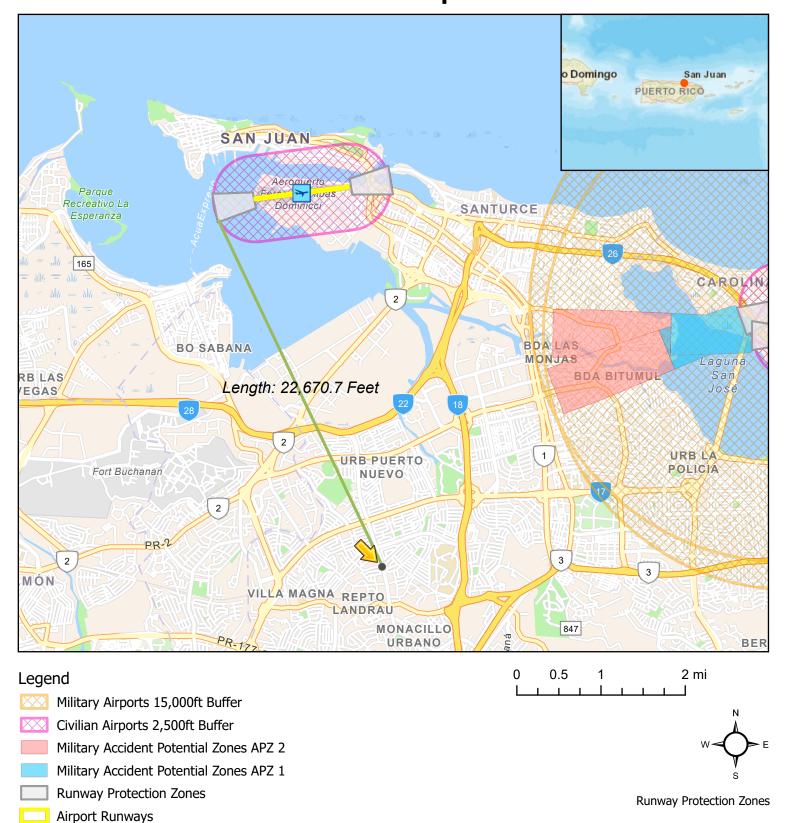
Major

Minor Airport

EURO-TEK LLC 942 Avenida de Diego San Juan, PR 18.39590, -66.08467

Major Civil and Military Airports

PR-SBF-06937 Airports



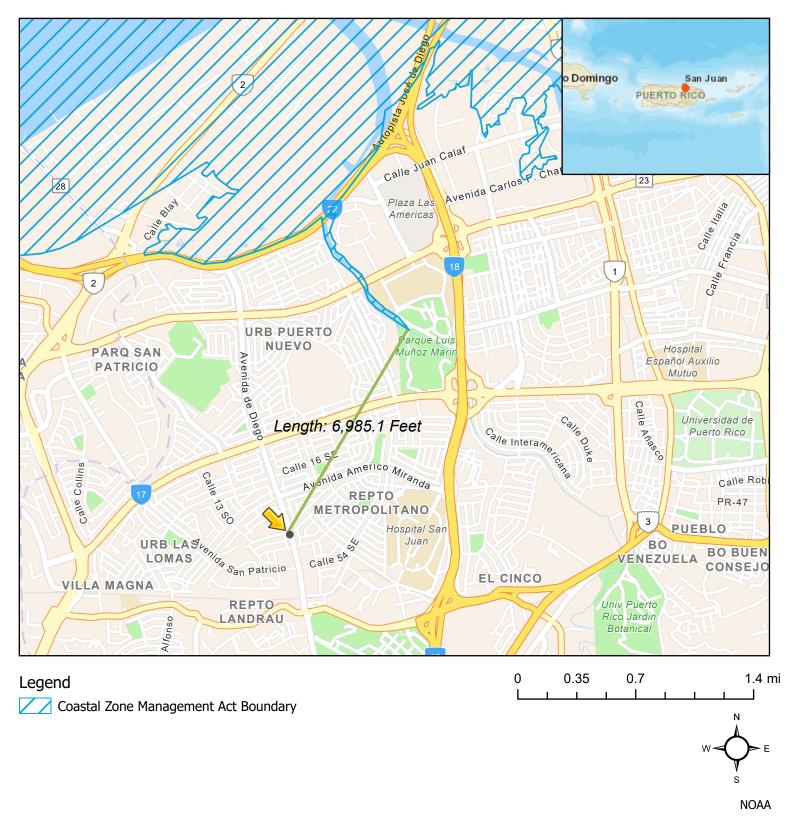
PR-SBF-06937 CBRS



U.S. Fish and Wildlife Service

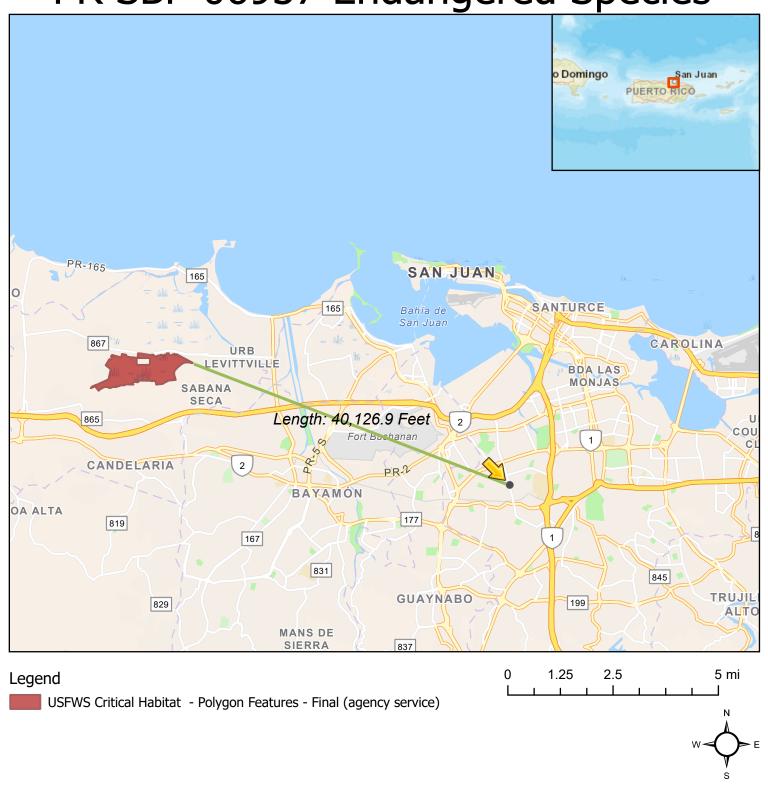
Coastal Barrier Resources Act Program

PR-SBF-06937 CZM



Coastal Zone Management Act

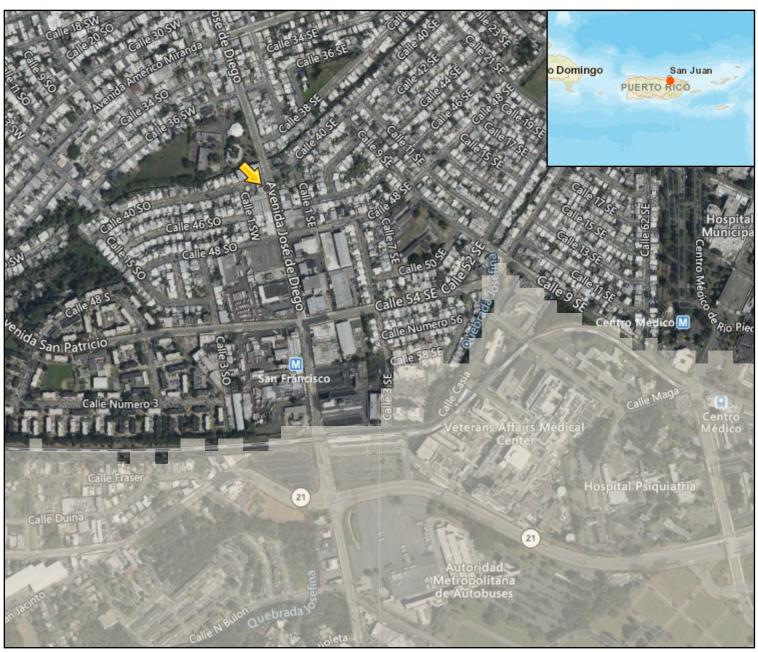
PR-SBF-06937 Endangered Species



Endangered Species Habitat

U.S. Fish and Wildlife Service

PR-SBF-06937 Farmlands





Farmland dataset



PR-SBF-06937 Flood Map





1% Annual Chance Flood Hazard

Regulatory Floodway

Special Floodway

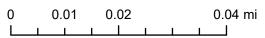
Area of Undetermined Flood Hazard

0.2% Annual Chance Flood Hazard

Future Conditions 1% Annual Chance Flood Hazard

Area with Reduced Risk Due to Levee

FEMA Floodzone Panels - Effective



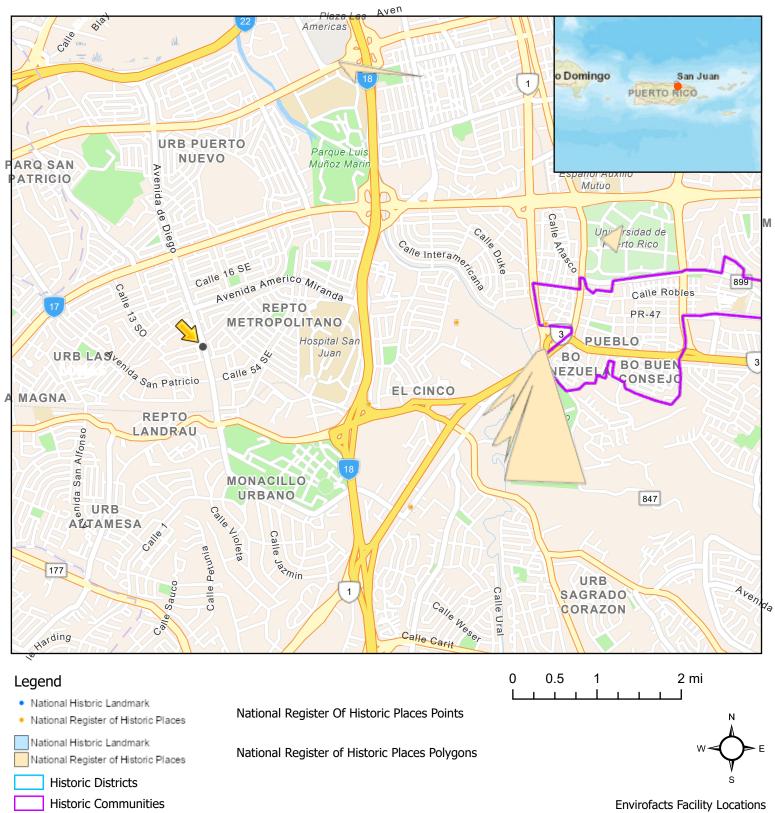


FEMA Map Service

Flood Insurance Rate Maps



PR-SBF-06937 Historic



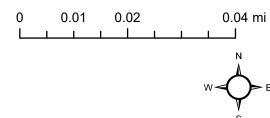
Traditional Urban Centers

EPA

PR-SBF-06937 Wetlands







National Wetlands Inventory

U.S. Fish and Wildlife Service



PR-SBF-06937 Wild and Scenic 18.39590, -66.08467



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

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

JAN 1 4 2013

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.
- 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.
- 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.
- 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

Mr. Maldonado

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:

- 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.

Mr. Maldonado 5

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:

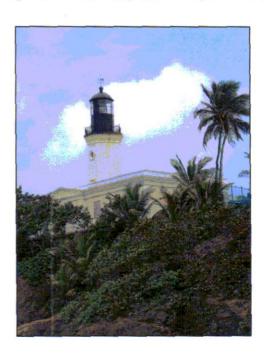
- Provide technical assistance to Federal and Commonwealth agencies to minimize possible impacts of land and water projects to our trust resources
 - *Wetlands and other aquatic habitats
 - *Endangered Species and their habitats
 - *Migratory Birds
 - *Critical Wildlife Areas
 - *Coastal Barriers
- Assist 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/caribbean/es



Caribbean Ecological Services Field Office

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** 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 "take¹" 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







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



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 firework 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?

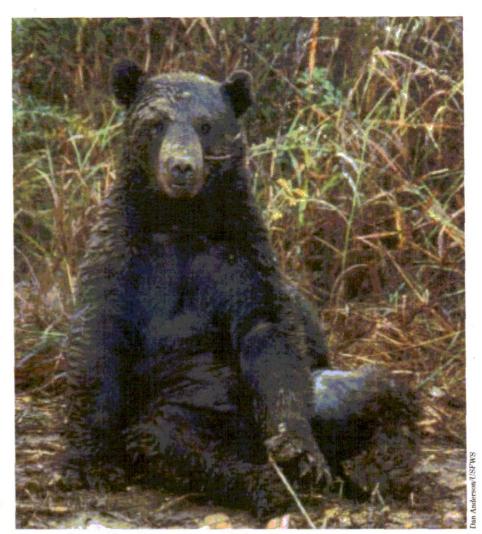
Early coordination is one of the most effective methods of (1) streamlining section 7 consultation, (2) reducing the need to make project modifications during the consultation process, and (3) improving the ability of section 7 to fulfill its role as a recovery tool. Federal agencies, applicants, and 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.



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	Name
PR-SBF-06937	110004892260	ESSO STANDARD OIL CO - PR CO-013
PR-SBF-06937	110007804563	MEDICAL SCIENCES CAMPUS OF THE UNIVERSITY OF PUERTO
PR-SBF-06937	110001660131	SUIZA DAIRY
PR-SBF-06937	110070504907	UPGRADE PERIMETER FENCE AT VACHS
F K-3DI -00337	110070304307	OF GRADE FERRINGER TENCE AT VACIS
PR-SBF-06937	110070105440	VETERANS AFFAIR CARIBBEAN HEALTHCARE SYSTEM
PR-SBF-06937	110070504907	UPGRADE PERIMETER FENCE AT VACHS
PR-SBF-06937	110014442111	LR M DESIGNS
F K-3BI -00337	110014442111	J K W DESIGNS
PR-SBF-06937	110001662059	ONE HOUR VISTA HERMOSA DRY CLEANERS, INC
DD 6DE 0600E	4400040005	NUCTA LIEDAGGA DRY GLEANES
PR-SBF-06937	110001662059	VISTA HERMOSA DRY CLEANER

PR-SBF-06937	110004893651	PR PUBLIC HOUSING ADMIN RES VISTA HERMOS
PR-SBF-06937	110022924978	UNIDAD MONTADO SAN JUAN
PR-SBF-06937	110067640832	MONEILLOS DUMP
PR-SBF-06937	110071280753	VA ADDITION TO EXISTING PARKING PHASE V
PR-SBF-06937	110037608283	VETERANS AFFAIRS MEDICAL CENTER
PR-SBF-06937	110037608283	VETERANS AFFAIR CARRIBEAN HEALTHCARE SYSTEMS
PR-SBF-06937	110037608283	VA CARIBBEAN HEALTHCARE SYSTEM
PR-SBF-06937	110037608283	VETERANS AFFAIRS CARIBBEAN HEALTHCARE SYSTEM
PR-SBF-06937	110007822099	SANCO LABORATORIES

110037608283	VETERANS AFFAIRS MEDICAL CENTER
110037608283	VETERANS AFFAIR CARRIBEAN HEALTHCARE SYSTEMS
110037608283	VA CARIBBEAN HEALTHCARE SYSTEM
110037608283	VETERANS AFFAIRS CARIBBEAN HEALTHCARE SYSTEM
110001660131	SUIZA DAIRY - RIO PIEDAS
110001660131	SUIZA DAIRY CORPORATION
110001660131	SUIZA DAIRY
110001660131	SUIZA DAIRY CORP
110007817513	WALGREENS 173
	110037608283 110037608283 110001660131 110001660131 110001660131

PR-SBF-06937	110007820484	CENTRO CARIOVASCULAR PR
PR-SBF-06937	110007815285	WESTERN AUTO SUPPLIES
PR-SBF-06937	110004894348	CARIBBEAN PETROLEUM LP SS GULF 010
PR-SBF-06937	110004894847	ISIED INC
PR-SBF-06937	1100/050490/	UPGRADE PERIMETER FENCE AT VACHS
PR-SBF-06937	110070105440	VETERANS AFFAIR CARIBBEAN HEALTHCARE SYSTEM

Location	Municipio	Latitude	Longitude	Туре	Report
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					.gov/detailed-
					facility-
					report?fid=1100
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MEDICAL CENTER BO MONACILLOS BLDG	SAN JUAN	18.39432	-66.0878	RCRAINFO	<u>07804563</u>
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					facility-
					report?fid=1100
51 AVE DE DIEGO URB RIO PIEDRAS	SAN JUAN	18.39194	-66.0839	AIR	<u>01660131</u>
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					.gov/detailed-
					<u>facility-</u>
					report?fid=1100
10 CALLE CASIA	SAN JUAN	18.39091	-66.0834	NPDES	70504907
					https://echo.epa
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					report?fid=1100
10 CASI STREET	SAN JUAN	18.39091	-66.0834	NPDES	70105440
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10 CALLE CASIA	SAN JUAN	18.39091	-66.0834	NPDES	search/results
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					.gov/detailed-
					facility-
					report?fid=1100
785 DE DIEGO AVE	SAN JUAN	18.40138	-66.0864	RCRAINFO	
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1400 SAN PATRICIO AVE. #3 ST.	SAN JUAN	18.39245	-66.0897	AIR	01662059
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					report?fid=1100
1400 SAN PATRICIO AVE URB LA RIVIER	SAN JUAN	18.39245	-66.0897	RCRAINFO	<u>01662059</u>

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CARR 21 ANEXO PENITEN ESTATAL	SAN JUAN	18.38963	-66.0833	RCRAINFO	22924978
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10 CALLE CASIA, RIO PIEDRAS	SAN JUAN	18.38993	-66.0788	AIR	<u>37608283</u>
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10 CASIA ST	SAN JUAN	18.38993	-66.0788		<u>37608283</u>
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#10 CALLE CASIA, RIO PIEDRAS	SAN JUAN	18.38993	-66.0788	NPDES	<u>37608283</u>
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RD 21 Q-3-18 LAS LOMAS	SAN JUAN	18.38926	-66.0801	RCRAINFO	07822099

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					facility-
					report?fid=1100
10 CASIA ST	SAN JUAN	18.38993	-66.0788	TRIS	<u>37608283</u>
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SAN PATRICIO AVENUE, CORNER WITH DE	SAN JUAN	18.39194	-66.0839		01660131
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51 AVE DE DIEGO URB RIO PIEDRAS	SAN JUAN	18.39194	-66.0839	AIR	01660131
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					facility-
					report?fid=1100
SAN PATRICIO & DE DIEGO AVENUES	SAN JUAN	18.39194	-66.0839	TRIS	01660131
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					https://echo.epa
					.gov/detailed-
					facility-
					report?fid=1100
AMERICO MIRANDA AVE	SAN JUAN	19 40002	66 0022	RCRAINFO	-
AIVIERICO IVIIRANDA AVE	SAN JUAN	16.40002	-00.0623	KCKAIIVFO	https://echo.epa
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ANAEDICO NAIDANDA AVE	CANLILIANI	10 40003	cc 0022	DCDAINICO	report?fid=1100
AMERICO MIRANDA AVE	SAN JUAN	18.40002	-66.0823	RCRAINFO	
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CALLE 52 ESQ 54 S E URB LA	SAN JUAN	18.39398	-66.0802	RCRAINFO	
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					.gov/detailed-
					facility-
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1864.245	NO
1864.245	NO
2082.083	NO
2129.968	NO
2129.968	NO

2238.87	NO
2326.409	NO
2356.856	NO
2776.223	NO
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2975.948	NO
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1778.63	NO
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1864.245	NO