

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-04069

Project Name: Fordia Agro, Inc.

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Mayagüez, PR

Preparer: Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, María T. Torres Bregon, Ivelisse Lorenzo, Angel Gabriel Lopez Guzman, Janette Cambrelen, Santa Ramirez, Limary Vélez Marrero, Juan Carlos Perez Bofill and Monica M. Machuca Rios.

Consultant: Behar Ybarra & Associates LLC

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

Project Location:

Carr. 106 Km. 4.6 Bo. Quemado, Mayagüez, PR 00680

Fence location: latitude 18.209958 longitude -67.100822

Parcel cadastral #: 234-024-502-02-901

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

The proposed activities for PR-RGRW-04069 consist of the purchase of farm materials to construct a new cyclone fence along the northern parcel boundary. The farm materials includes: 3" x 3" galvanized posts, 1" x 2" galvanized posts, 1" x 1" galvanized posts, cyclone fence 5" x 9.5 and 800' of barbed wire roll. The fence will be anchored to the ground with galvanized posts and will require ground disturbance. The post measures from 3" x 3" to 1" to 1" and will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to protect the property where the pig farming is located. The connection of water or electricity will not be necessary for the

proposed project. The project area is located at PR-106 km. 4.6, Bo. Quemado within the Municipality of Mayaguez. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 4 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the construction of the new fence. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the fence plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

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

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the purchase of farm materials to construct a new cyclone fence is in keeping with the overall objectives of the Economic Development Program.

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

The project area is located in the mountainous area of Mayagüez with irregular topography. The new fence will be installed in a semi flat area covered with grass and gravel. In certain areas where the fence will be installed there are some pine trees and plantain trees, but none will be removed. Currently the farm is used for raising pigs and the planting plantains in some areas. Therefore, there is no change in land use associated with these placements.

Funding Information

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

Estimated Total HUD Funded Amount: \$ 7,594.95

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$ 7,594.95.

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is the purchase of farm materials to construct a new cyclone fence and will have no impact on any Airports. The site is located 22,187 feet from the nearest major civil airport (Eugenio Maria de Hostos in Mayaguez) and 385,304 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. The project is located 28,373 feet northeast of the nearest Coastal Barrier Resource System, PR-72. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.
Flood Insurance	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located in Zone X, Panel 72000C1005H, 4/19/2005 on the FEMA FIRM. The project does not require flood

<p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>		<p>insurance or is excepted from flood insurance. See attached Flood Map, Figure 4. The project is in compliance with the Flood Insurance without further evaluation.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural site located in the Municipio of Mayaguez. The project is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each country by year for all criteria pollutants in Appendix 2.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located 14,874 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural project. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There are no sites of environmental concern identified within 3,000 feet near the proposed fence location. During the</p>

		<p>project site visit, no toxic, hazardous or radioactive substances were found on or near the site that could affect the health and safety of project occupants or conflict with the intended use of the property.</p> <p>The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the Puerto Rican boa (<i>Chilabothrus inornatus</i>), Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>) and Puerto Rican Parrot (<i>Amazona vittata</i>) could be found in the project area. The scope of work includes continued agricultural use of the property with no intention of cutting down trees where the fence will be installed, and it has been maintained that way for agricultural purposes.</p> <p>The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on March 5, 2024, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "No Effect" determination on the Puerto Rican Boa and Puerto Rican Broad-winged Hawk.</p> <p>In addition, the installation of the fence will not affect the Puerto Rican Parrot.</p>

		<p>Puerto Rican parrots are mostly found in wet forests of Puerto Rico, starting from the moist mountainous forests, down to the mangroves and coastal scrub forests. Given that the area is not suitable for this species, the ground disturbance caused by the installation of the fence will have no effect on the parrot's habitat. The project is 19,998 feet from the nearest final endangered species critical habitat. Therefore, the project has no critical habitats in the area.</p> <p>If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p>https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</p> <p>This project is in compliance with the Endangered Species Act. See attached "No Effect" Memo and supporting documents in Appendix 4. See attached Endangered Species map, Figure 7.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase of farm materials to construct a new cyclone fence and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with Explosive and Flammable hazards without further evaluation.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in an area</p>

<p>sections 1504(b) and 1541; 7 CFR Part 658</p>		<p>designated as not prime farmland. The scope of work includes the purchase and installation of a fence, and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in Zone X, Panel 72000C1005H, 4/19/2005 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan, Trujillo Alto and Rio Grande. The proposed project is located in the municipality of Mayagüez; therefore, PFIRM information was not available for the area and therefore not considered in the review. The project is in compliance with Executive Order 11988. See attached ABFE Map (Figure 9).</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The site was visited on March 13, 2024, by SOI-qualified archaeologist. Based on the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to the construction of the new fence. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated April 2, 2024, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with National Historic Preservation Act.</p>

<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise abatement and Control without further evaluation.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no EPA Sole Source Aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation. See attached Sole Source Aquifers maps, Figure 11.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no wetlands in or near the proposed project area, therefore, no wetland will be affected by the project undertaking. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 12.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is not within proximity of the NWSRS river. The project is located 456,558 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 13.</p>
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.</p>

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The project consists of the purchase of farm materials to construct a new cyclone fence and continued agricultural use of property which is compatible with a zoning code of RG-1 (General Rustic 1) and existing land use of SRC (Common rustic land). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	This project consists of the purchase of farm materials to construct a new cyclone fence and the soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. The project area is located in the mountainous area of Mayagüez. In the project area we have Consumo clay, 40 to 60 percent slopes, eroded (CoF2).

		The landslide data indicates low to high landslide susceptibility. No erosion is expected to occur from this project since where the fence will be installed is flat. The project will not affect the drainage in the area. There will be no runoff associated with the project. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities. See Landslide Susceptibility Map, Figure 14.
Hazards and Nuisances including Site Safety and Noise	2	The project consists of the purchase of farm materials to construct a new cyclone fence. There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area. Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the purchase of farm materials to construct a new cyclone fence on an existing agricultural farm. Electricity connection will not be necessary for the proposed project. The proposed project will have no impact on the energy consumption.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The project consists of the purchase of farm materials to construct a new cyclone fence and will result in short-term benefit to employment when contractors are hired for the construction of the fence. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.

Demographic Character Changes, Displacement	2	The project consists of the purchase of farm materials to construct a new cyclone fence and will not alter the demographic characteristics of Mayagüez, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	<p>The project consists of the purchase of farm materials to construct a new cyclone fence. In the project area within a one-mile radius:</p> <ul style="list-style-type: none"> • The people of color are 99% compared to PR average of 96%. • 71 % of the people are low income compared to PR average of 70%. • 25% of the people are unemployed compared to PR average of 15%. <p>The proposed activities of the installation of a fence will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJSscreen Report in Appendix 3.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the purchase of farm materials to construct a new cyclone fence and may aid in restoring the demand for local commercial services providing local products; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural site and will have no impact on Health Care and Social Services.

Solid Waste Disposal / Recycling	2	The project consists of the purchase of farm materials to construct a new cyclone fence and will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The project consists of the purchase of farm materials to construct a new cyclone fence and this activity will not produce any wastewater. Based on the scope of work is not expected to result in any changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The project consists of the purchase of farm materials to construct a new cyclone fence. No local water connection is needed for the fence. The proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The project consists of the purchase of farm materials to construct a new cyclone fence and will have no impact on Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the purchase of farm materials to construct a new cyclone fence for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project consists of the purchase of farm materials to construct a new cyclone fence and will be situated on previous agriculture property and will have no impact on unique natural features or water resources.

		There are no water sources within or near the project area.
Vegetation, Wildlife	2	The project consists of the purchase of farm materials to construct a new cyclone fence and will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the fence but no negative impact on wildlife.
Climate Change	2	The project consists of the purchase of farm materials to construct a new cyclone fence. The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production. In terms of the project's susceptibility to climate change, the agricultural components may encounter challenges due to the potential impact of drought conditions.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): March 13, 2024, Jaqueline Lopez, SOI-Qualified Archaeologist. Site Inspection performed by Patricia Carmenatty on March 5, 2024.

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

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

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

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

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

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

Puerto Rico Community Development Block Grant Disaster Recovery Action Plan, July

2018. www.cdbg-dr.pr.gov/en/action-plan/

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

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

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

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

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

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

List of Permits Obtained: None.

Public Outreach [24 CFR 58.43]: The recovery process has seen significant proactive involvement from the local community. Puerto Rico Department of Agriculture has worked closely with the agricultural community. This project will include a FONSI/NOI-RROF in compliance with NEPA regulations for HUD.

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the purchase of farm materials to construct a new cyclone fence for an agricultural site.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant would consider other locations for the fence. However, other locations may result in tree clearing prior to construction and/or need to fill in some steep area and an added cost to the applicant. Any option that requires going off-site would not contribute to the improvement and growth of agricultural production or enable economic development for this applicant.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the purchase of farm materials to construct a new cyclone fence for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for economic development for this applicant.

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

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

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These

measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities.
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

Determination:

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

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

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

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

Preparer Signature:  Date: 6/6/2024

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

Certifying Officer Signature:  Date: June 11, 2024

Name/Title: Mónica M. Machuca Ríos / Permits and Environmental Compliance Specialist

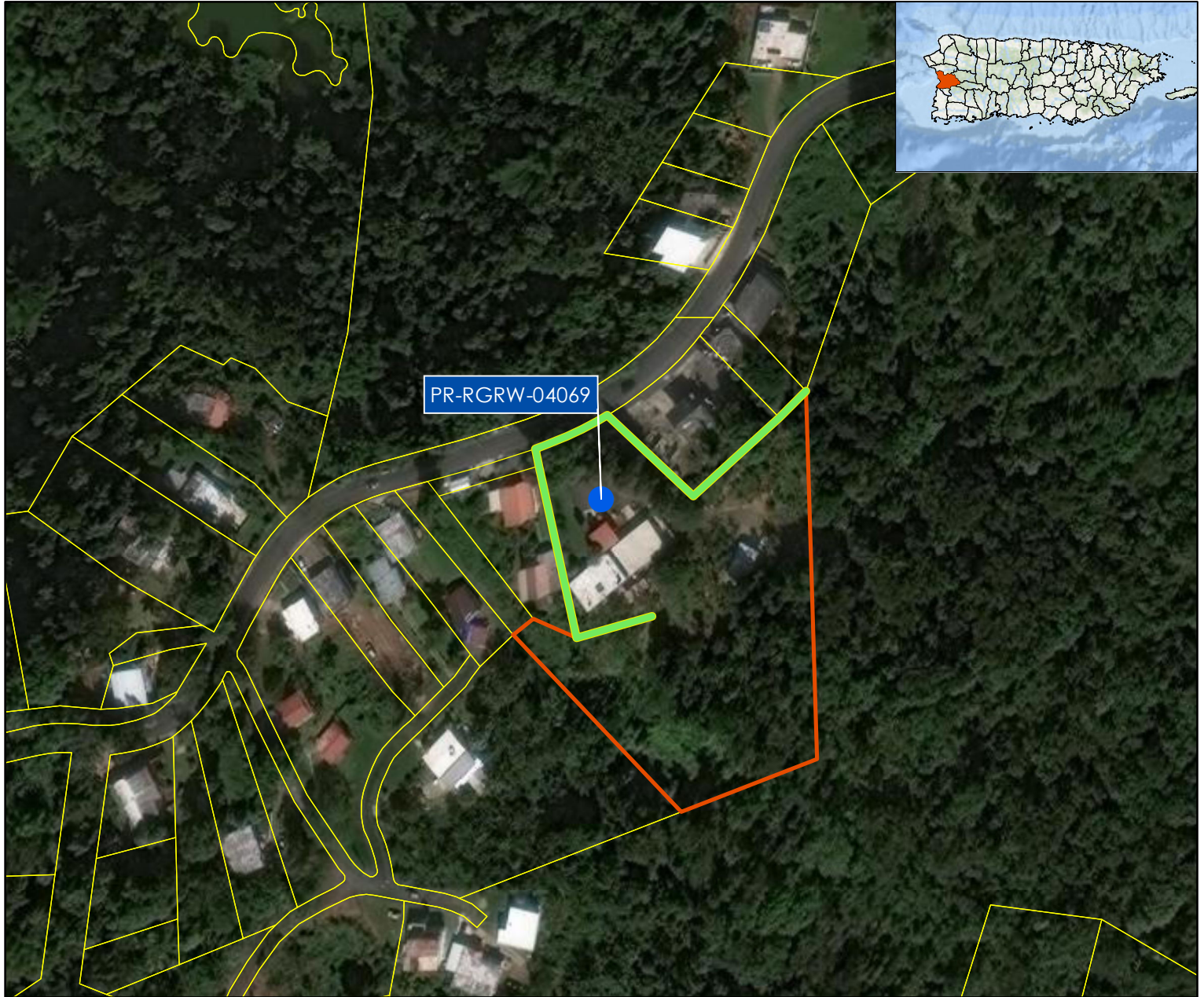
This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Figures

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67,100822

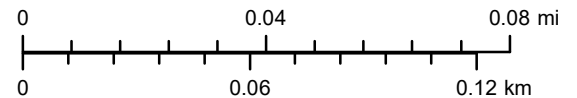
Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- Fence-04069
- ▭ Parcel_04069
- ▭ CRIM Parcels



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
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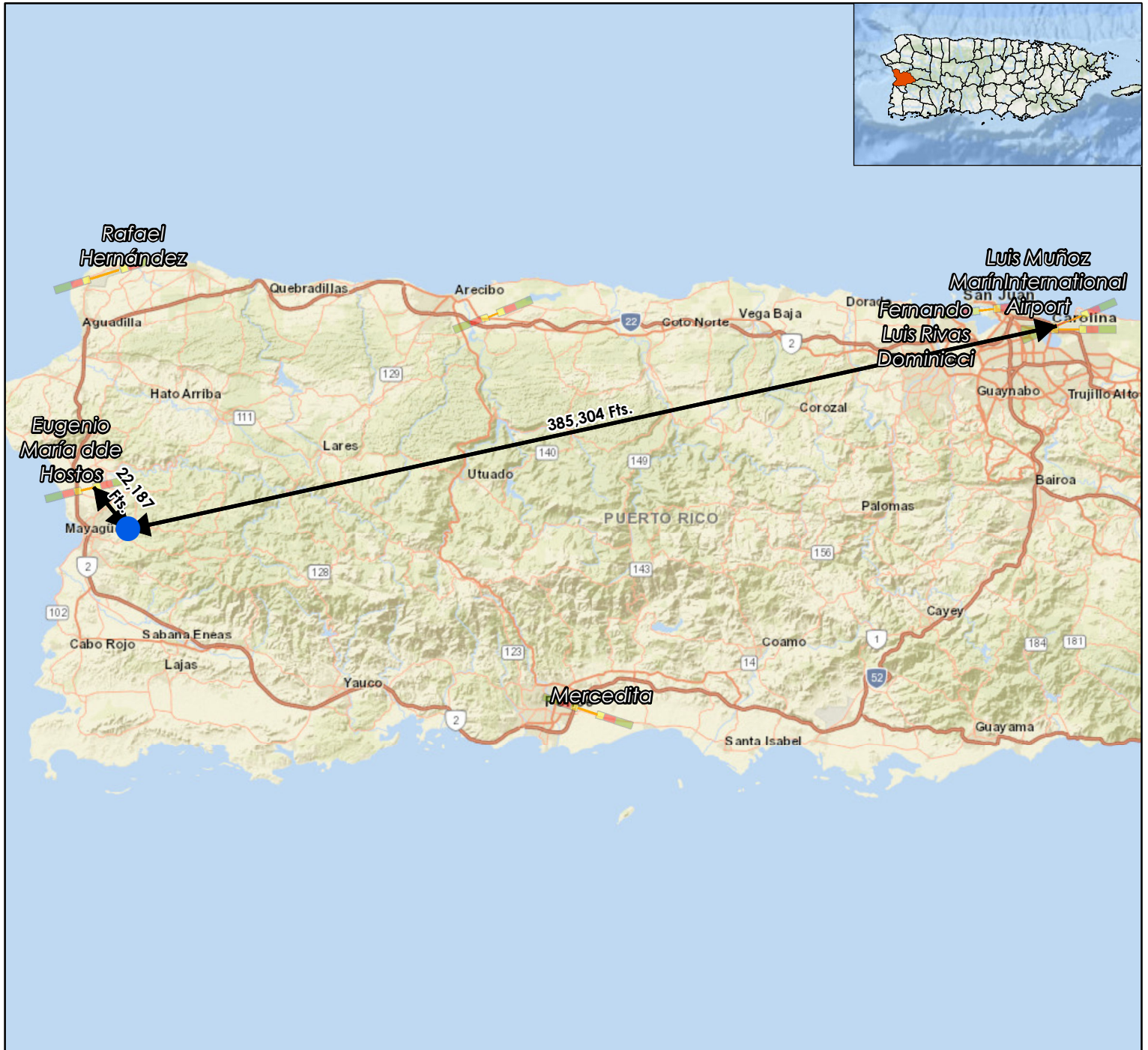
1:2,000

Source

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

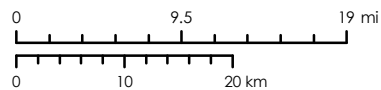
Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67.100822

Figure 2: Airports
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- SJU Military Runway
- Civil Runway
- Accident Potential Zone**
- APZ 1
- APZ 2
- Clear Zone



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

Source

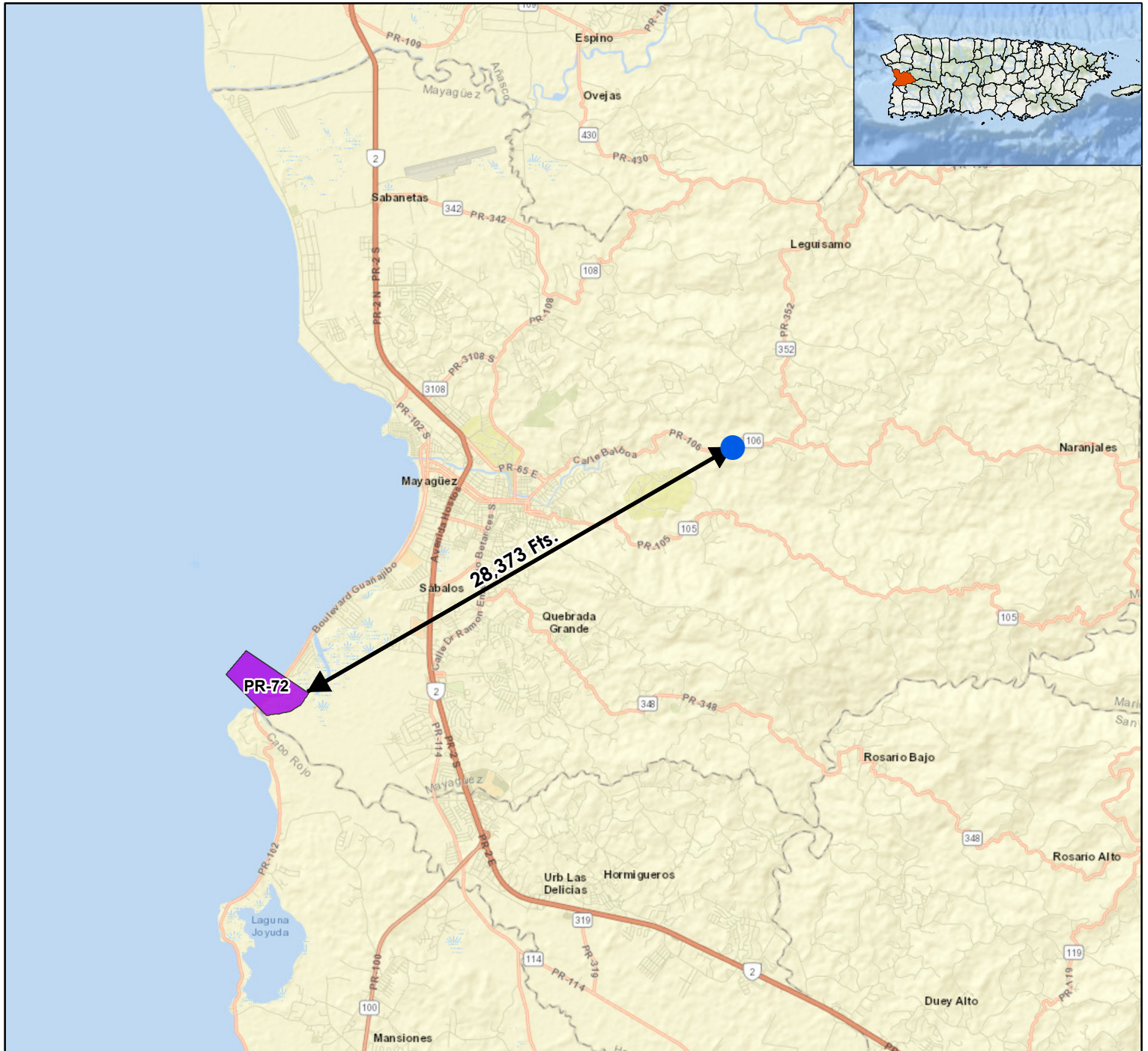
Federal Aviation Administration (FAA)
<https://adds-faa.opendata.arcgis.com/>



1:700,000

Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow

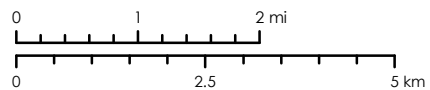


Legend:

● PR-RGRW-04069

Coastal Barrier Resources System (CBRS)

- Otherwise Protected Area
- System Unit



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

Source

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

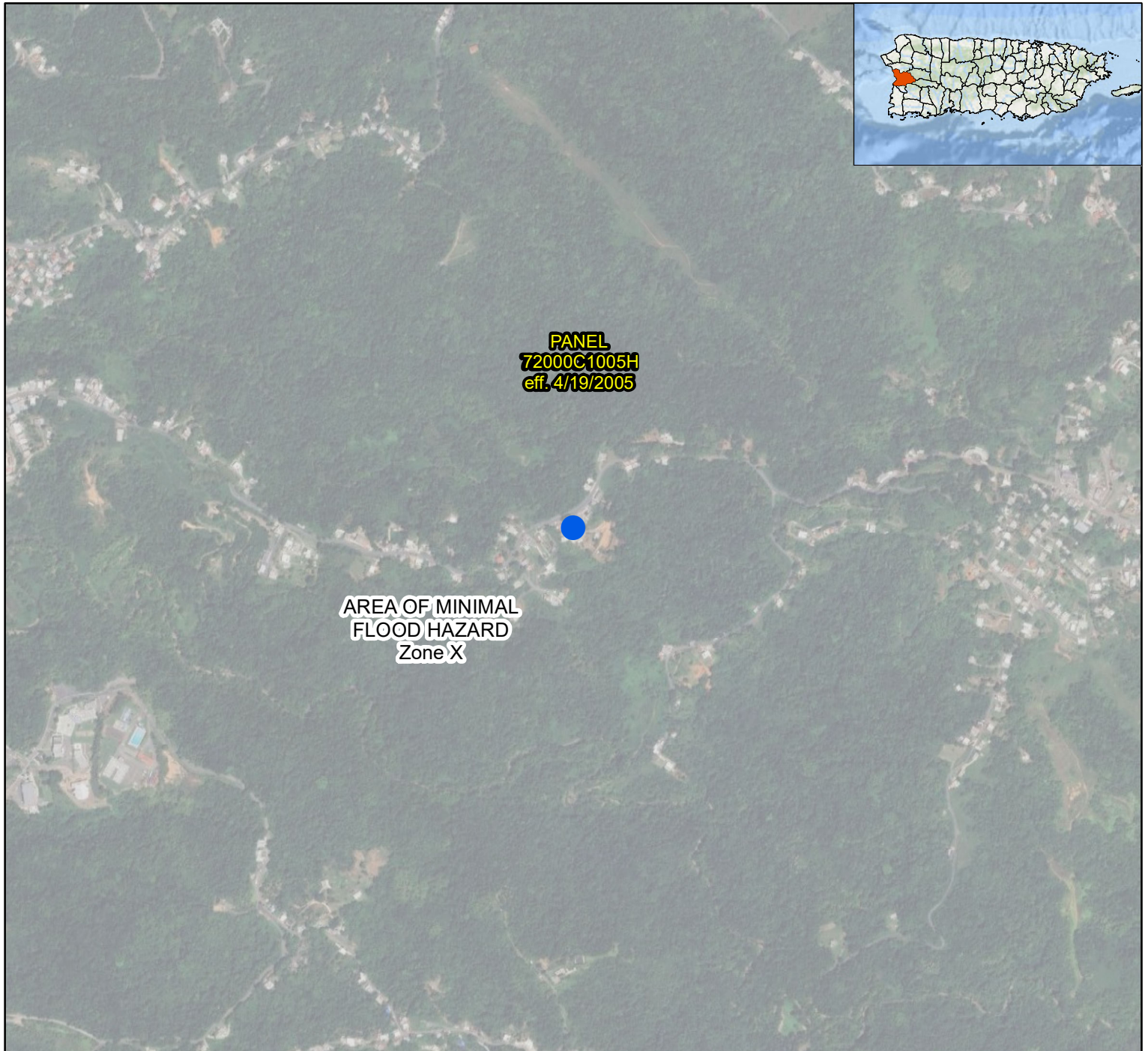


1:100,000




Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67,100822

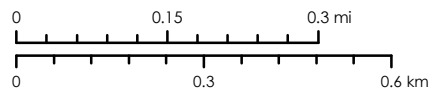
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-04069
-  Area of Minimal Flood Hazard Zone X
-  FIRM Panel



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



Source

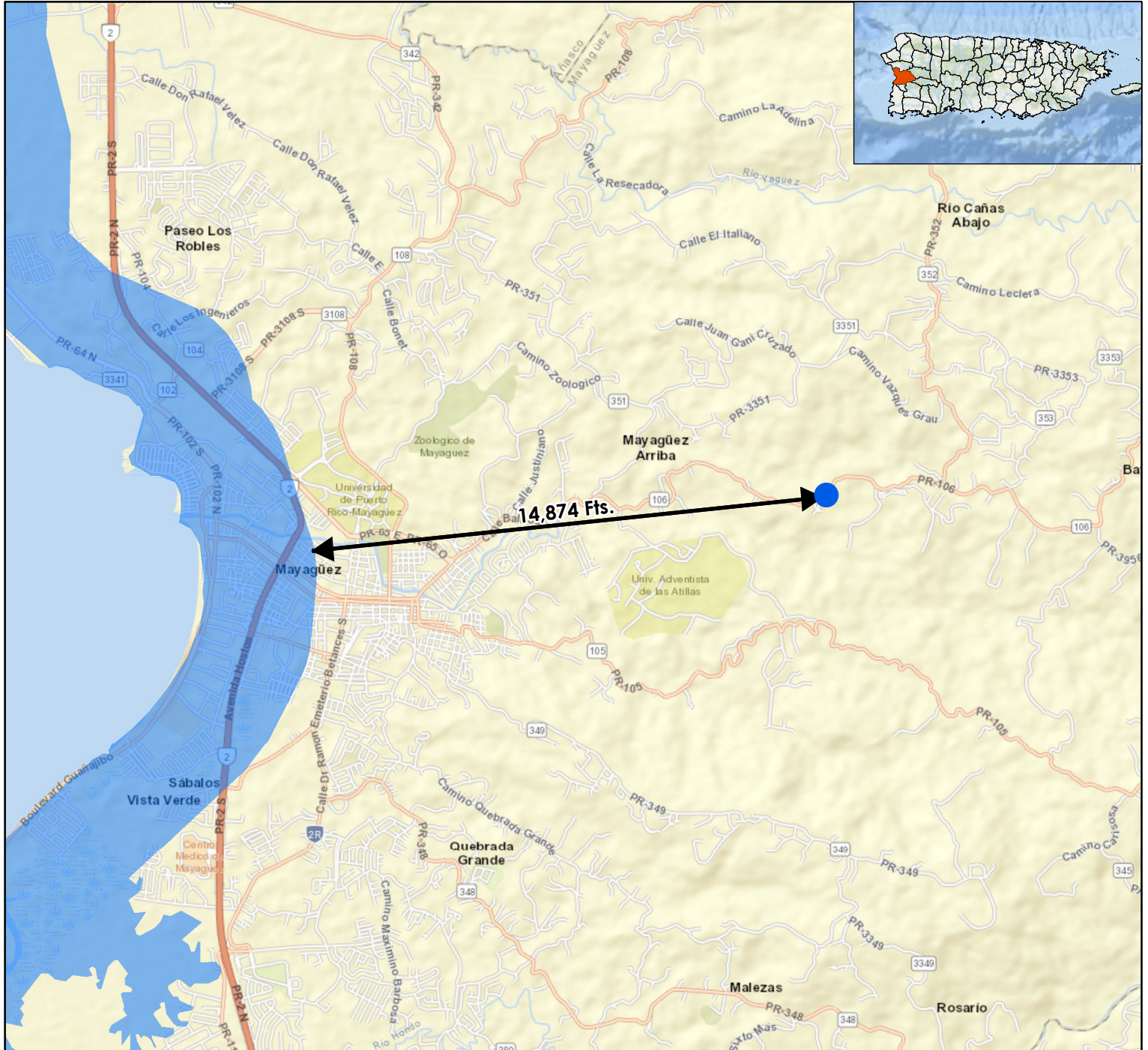
Federal Emergency Management Agency (FEMA)
<https://msc.fema.gov/portal/home>

1:12,100

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67.100822

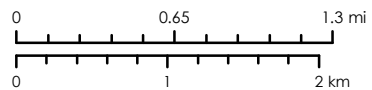
Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- Coastal Zone Management Act Boundary



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

Source

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



1:50,000

Fordia Agro, Inc.
 Carr. 106 Km 4.6
 Bo. Quemado
 Mayaguez PR 00680
 Catastro: 234-024-502-02-901
 Lat:18.209958, Long:-67.100822

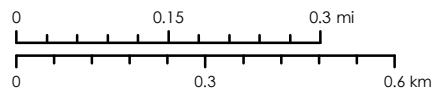
Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- 3,000 Ft. Buffer
- FACILITY INTERESTS
- ICIS
- NCDB
- NPDES
- NPDES MAJOR
- ▲ RCRA
- ▲ RCRA ACTIVE
- ▲ RCRA INACTIVE
- ▲ RCRA LQG



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



1:12,000

Source

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

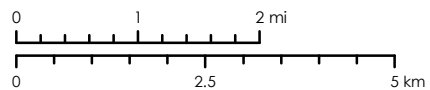
Figure 7:Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- Critical Habitat



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

Source

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



1:100,000

Fordia Agro, Inc.
 Carr. 106 Km 4.6
 Bo. Quemado
 Mayaguez PR 00680
 Catastro: 234-024-502-02-901
 Lat:18.209958, Long:-67.100822

Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow

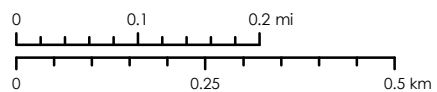


Legend:

● PR-RGRW-04069

Farm Class

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland



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

Source

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

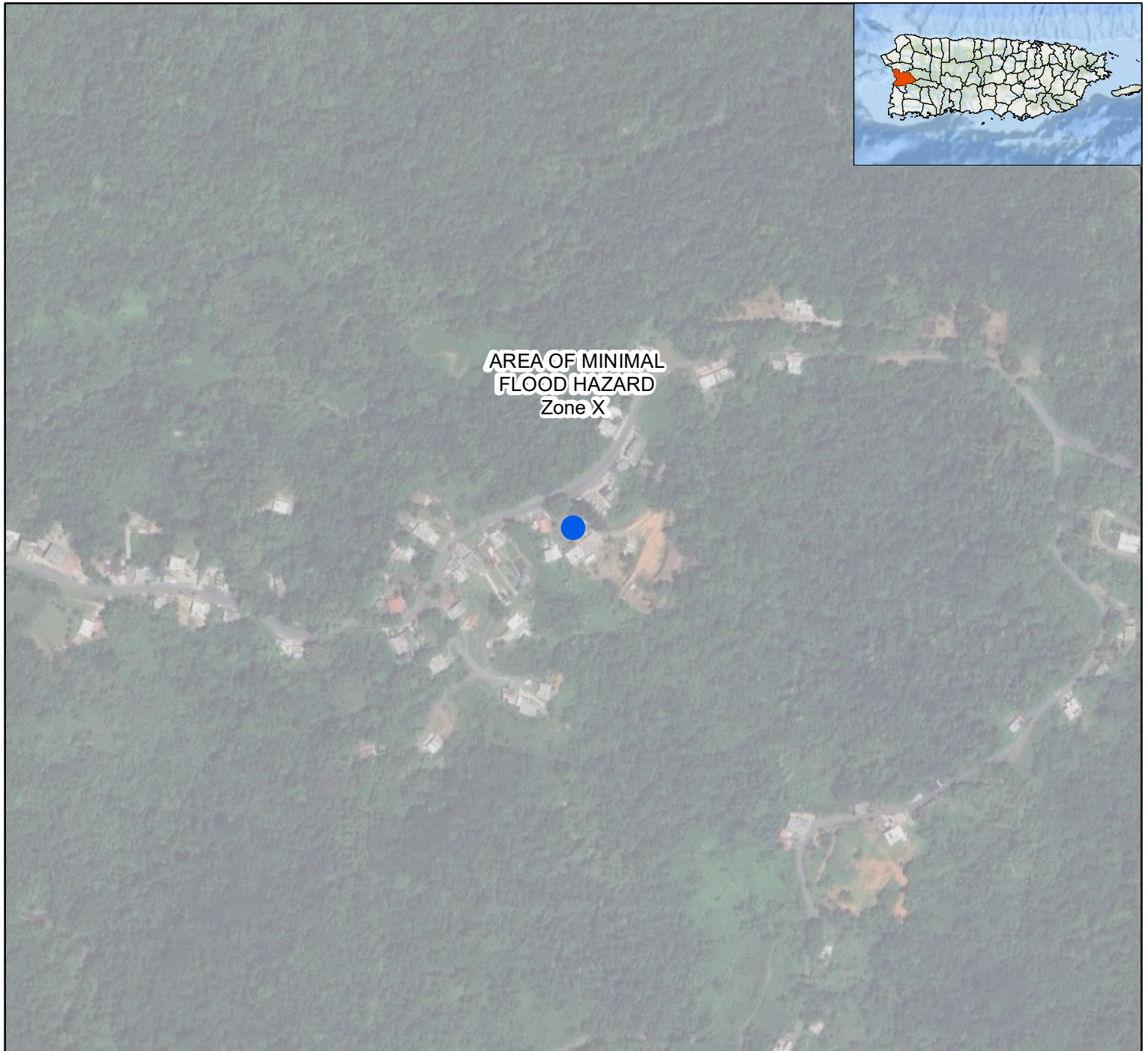


1:10,000



Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67,100822

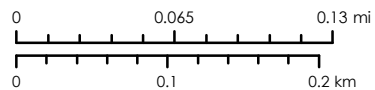
Figure 9: Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-04069
-  Area of Minimal Flood Hazard Zone X



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



1:5,000

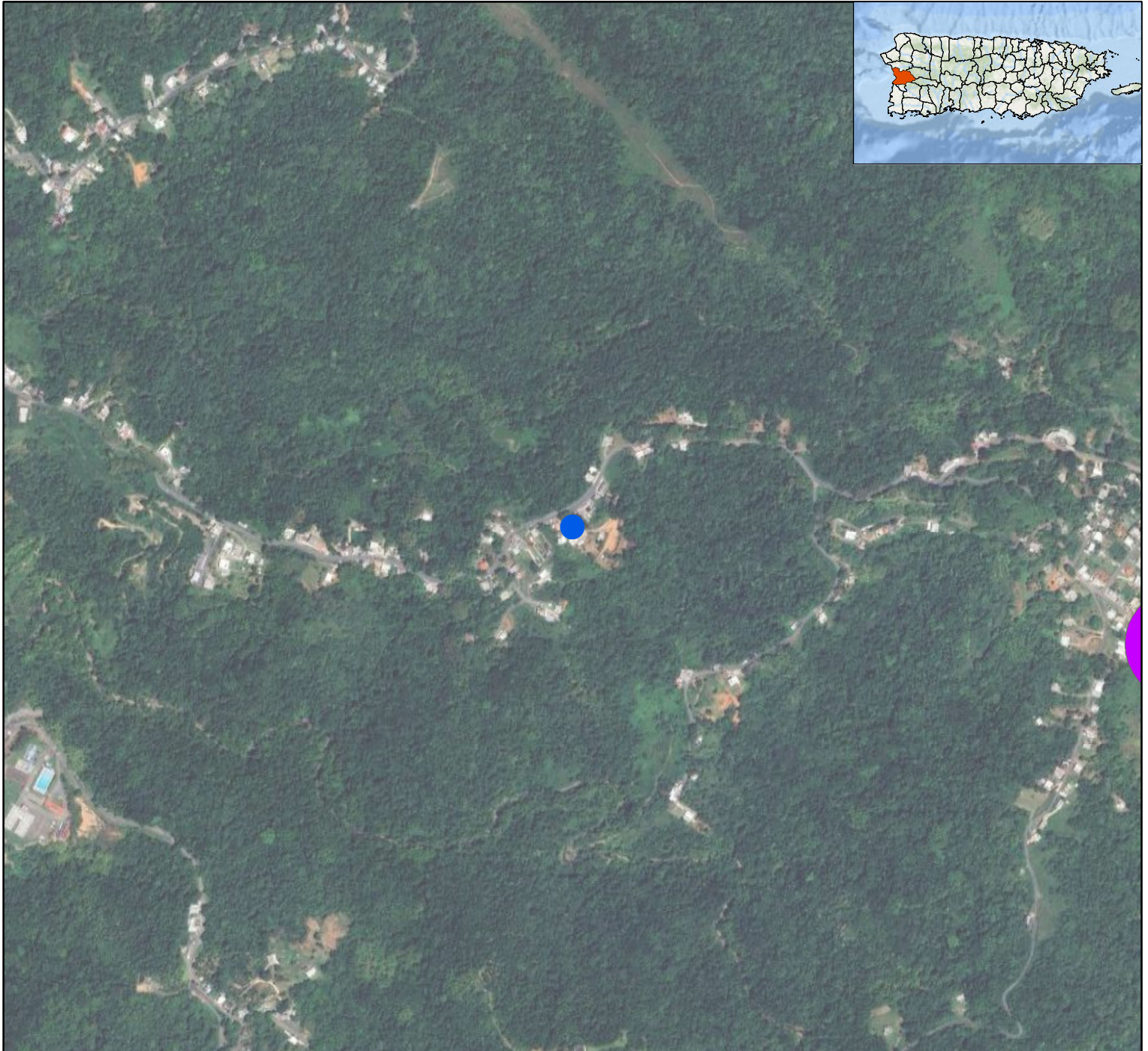
Source

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

Fordia Agro, Inc.
 Carr. 106 Km 4.6
 Bo. Quemado
 Mayaguez PR 00680
 Catastro: 234-024-502-02-901
 Lat:18.209958, Long:-67,100822

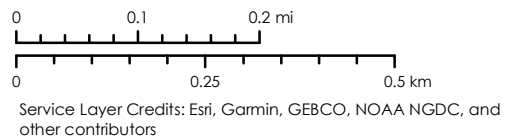
Figure 10: Historic Preservation Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- Archaeological Resource Zones
- Traditional Urban Center
- Historic Communities
- P Cultural_Resources - Public Plaza
- Cultural_Resources - Registry ICP
- Cultural_Resources - Historic Places JP
- ▲ Cultural_Resources - Scenic Places
- Cultural_Resources - Cultural Value Places
- Cultural_Resources - Railway Vestiges



Source

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

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado

Mayaguez PR 00680

Catastro: 234-024-502-02-901



Lat:18.209958, Long:-67.100822

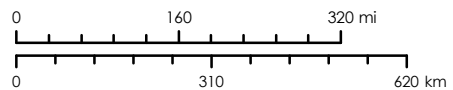
Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-04069
-  EPA Sole Source Aquifers



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



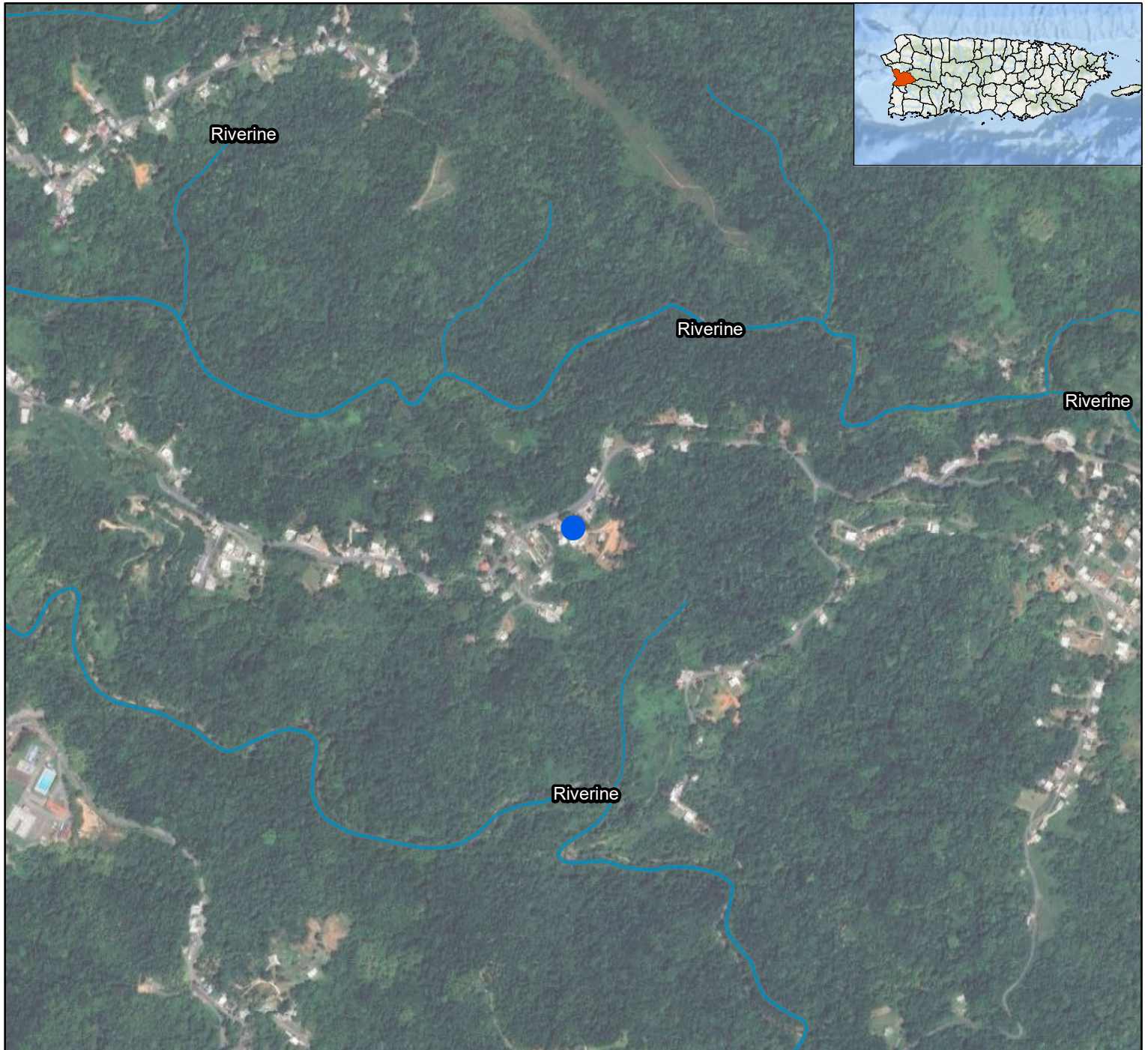
Source

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

1:12,000,000

Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

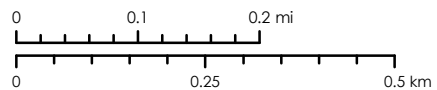


Legend:

 PR-RGRW-04069

National Wetlands Inventory

 Riverine



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



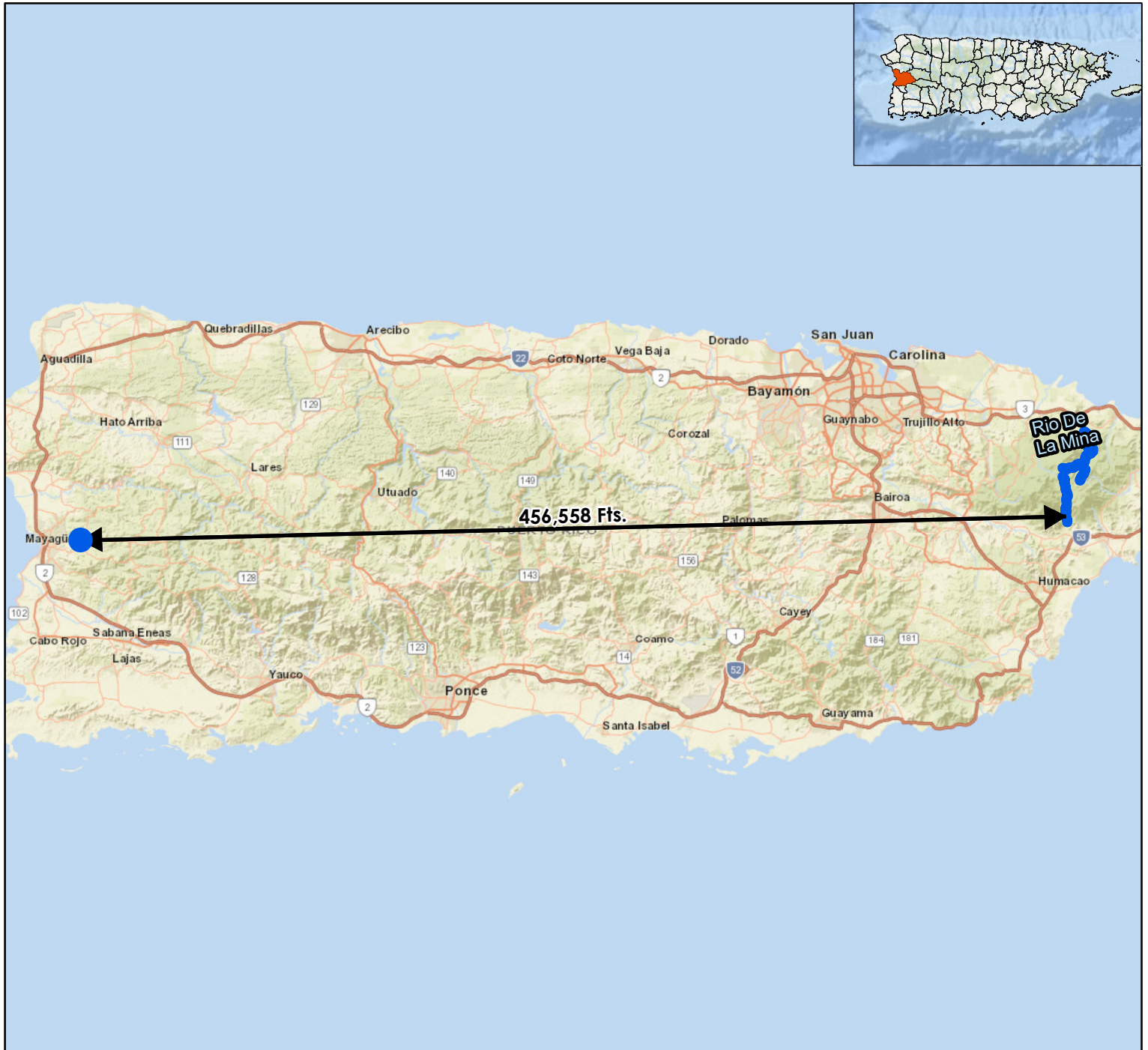
Source

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

1:10,000

Figure 13: Wild and Scenic Rivers

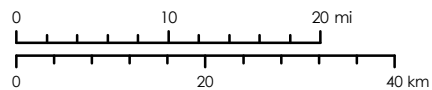
Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-04069

— Wild and Scenic Rivers



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Source

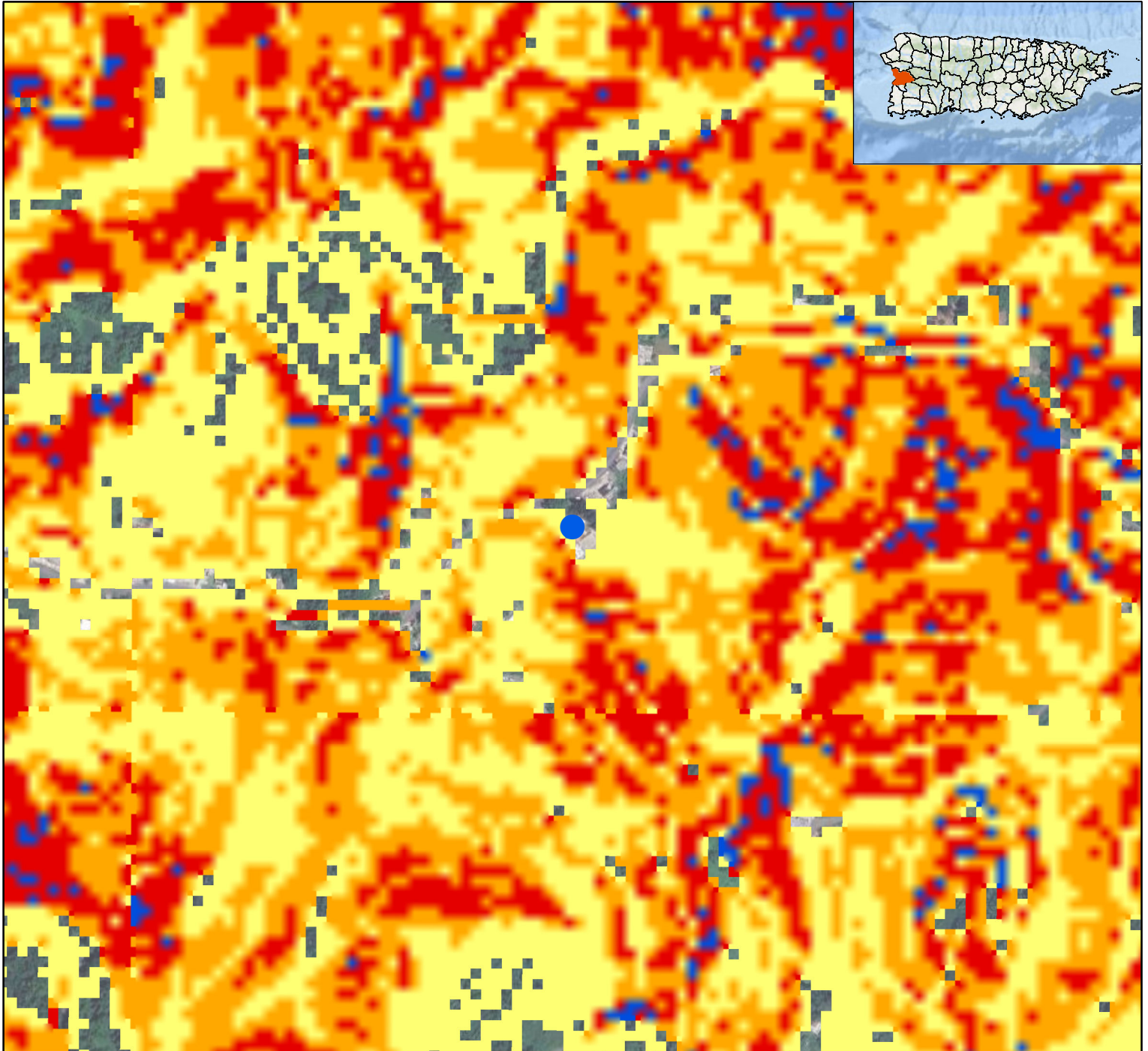
FWS National Wild and Scenic Rivers System
<https://www.rivers.gov/mapping-gis.php>

1:800,000







Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67.100822

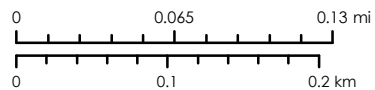
Figure 14: Landslide Susceptibility

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-04069
-  Low
-  Moderate
-  High
-  Very High
-  Extremely High



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

Source

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



1:5,000

Appendix 1



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Tuesday, April 2, 2024

Lauren B Poche

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

SHPO-CF-03-23-24-02 PR-RGRW-04069 (Mayagüez), Fordia Agro, Inc.

Ms. Poche,

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

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

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

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/OJR



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

March 25, 2024

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-04069 – Fordia Agro, Inc. – Carr. 106 Km. 4.6 Bo. Quemado, Mayagüez, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Fordia Agro, Inc. located at Carr. 106 Km. 4.6 Bo. Quemado, in the municipality of Mayagüez. The undertaking for this project includes the purchase of materials to construct a new cyclone fence along the northern parcel boundary. The fence will be anchored to the ground with galvanized posts and will require ground disturbance. Each post measures 3” to 1” and will be driven approximately 2’ below the ground surface to ensure the fence is secure.

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

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


Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager
LBP/JLE

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGRW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Fordia Agro, Inc.		
Case ID: PR-RGRW-04069	City: Mayagüez	

Project Location: Carr. 106 Km. 4.6 Bo. Quemado, Mayagüez, PR 00680	
Project Coordinates: 18.209958 -67.100822	
TPID (Número de Catastro): 234-024-502-02-901	
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): n/a	Property Size (acres): 1.25

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: March 13, 2024


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

Project Description (Undertaking)

The proposed activities for PR-RGRW-04069 consist of the purchase of materials to construct a new cyclone fence along the northern parcel boundary. The fence will be anchored to the ground with galvanized posts and will require ground disturbance. Each post measures 3" to 1" and will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to protect the property where the pig farming is located. The project area is located at PR-106 km. 4.6, Bo. Quemado within the Municipality of Mayaguez. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 4 years.

Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the proposed location of the new fence plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGrow PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Fordia Agro, Inc.	
Case ID: PR-RGRW-04069	City: Mayagüez

Identification of Historic Properties - Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no reported archaeological sites within a half-mile (0.50 miles) radius of the project location. The nearest cultural resource is the Pre-Columbian site known Batey El Delfín del Yagüez (SHPO: MY0100011), located 1.09 miles southeast. The proposed project is located in a mountainous area at an altitude of 426 to 459 feet (130-140 meters) above modern sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Consumo clay. The project area APE is in CoF2. The closest freshwater source is an unnamed creek, located 0.13 miles southeast and Gandel creek located 0.13 miles northwest of the project area. The west coast is approximately 3.54 miles (5.69 km) from the project area.


There are no cultural resource studies within a half-mile radius of the property.

The project area is located in the mountainous area of Mayaguez with irregular topography. In the project area we have Consumo clay, 40 to 60 percent slopes, eroded (CoF2). This soil is on strongly dissected side slopes and ridgetops throughout the volcanic uplands. This soil is not suited to cultivated crops. Slope, runoff, shallowness to saprolite, past erosion, and hazard of further erosion are severe limitations.

Determination

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that project actions will not affect historic properties that compose the Area of Potential Effect. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-04069 is located. The closest freshwater body is approximately 0.13 miles northwest and 0.13 miles southeast of the project area. The construction of public roads and residential structures/agricultural

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Fordia Agro, Inc.	
Case ID: PR-RGRW-04069	City: Mayagüez

infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.


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

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

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

This Section is to be Completed by SHPO Staff Only

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

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REgROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Fordia Agro, Inc.		
Case ID: PR-RGRW-04069	City: Mayagüez	

Case ID: PR-RGRW-04069

Project Coordinates: 18.209958 -67.100822

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

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

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

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/Direction
None	-	-	-	-	-

Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez

Project (PR-RGRW-04069) Location – Area of Potential Effect Map (Aerial)

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Carretera, Idoardo 1 Suite J-3, Calle Ponce 554, Arroyo, San Juan, P.R. 00923 767.4727/23-0590

Application ID: PR-RGRW-04069

Fordia Agro, Inc.

Carr. 106 Km 4.6

Bo. Quemado

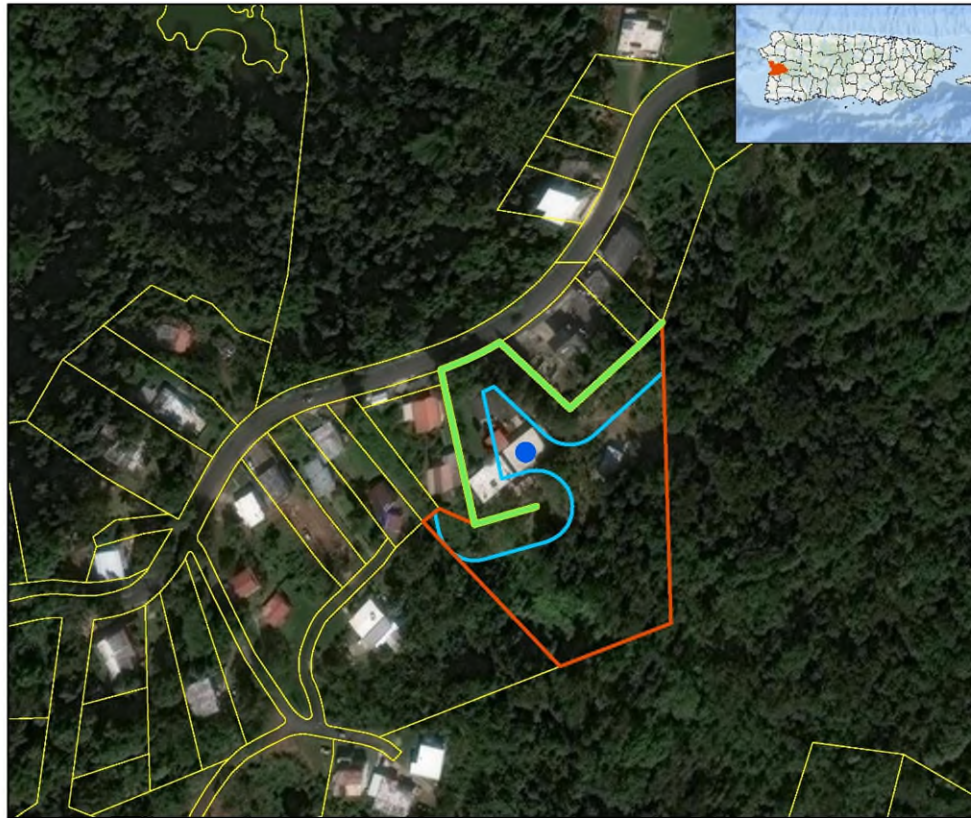
Mayaguez PR 00680

Catastro: 234-024-502-02-901

Lat:18.209958, Long:-67.100822

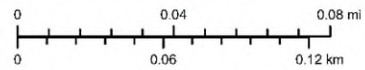
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
- Fence-04069
- Parcel 04069
- Area of Potential Effect
- CRIM Parcels



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



1:2,000

Source

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

Project (PR-RGRW-04069) Location - Aerial Map

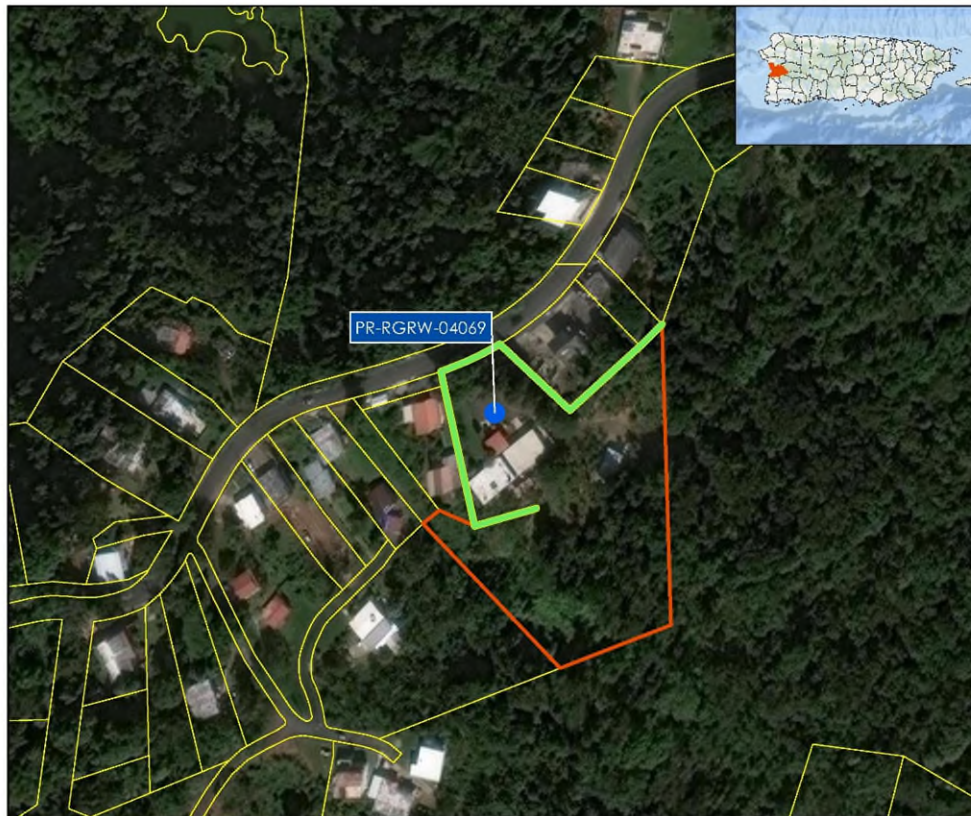
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. Iberica 1 Suite J-3, Calle Ponce 584, Alburquerque, San Juan, P.R. 00920 Tel: (787) 753-0290

Application ID: PR-RGRW-04069

Location: Aerial Map

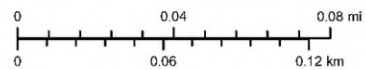
Puerto Rico Department of Housing ReGrow

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67.100822



Legend:

-  PR-RGRW-04069
-  Fence-04069
-  Parcel_04037
-  CRIM Parcels



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



1:2,000

Source

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



Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez

Project (PR-RGRW-04069) Location - USGS Topographic Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
CORP. ID#0611 Suito J-3, Calle Ponce 564, Arroyo, San Juan, PR. 00920 TEL: (787) 733-0290

Application ID: PR-RGRW-04069

Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat: 18.209958. Long: -67.100822



Legend:

- PR-RGRW-04069
- Fence-04069
- Parcel_04037
- Contour Interval 20 Feet

Quadrangle: Rosario

0 0.04 0.08 mi

0 0.06 0.12 km

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



1:2,000

Source

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

Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez

Project (PR-RGRW-04069) Location – Soils Map

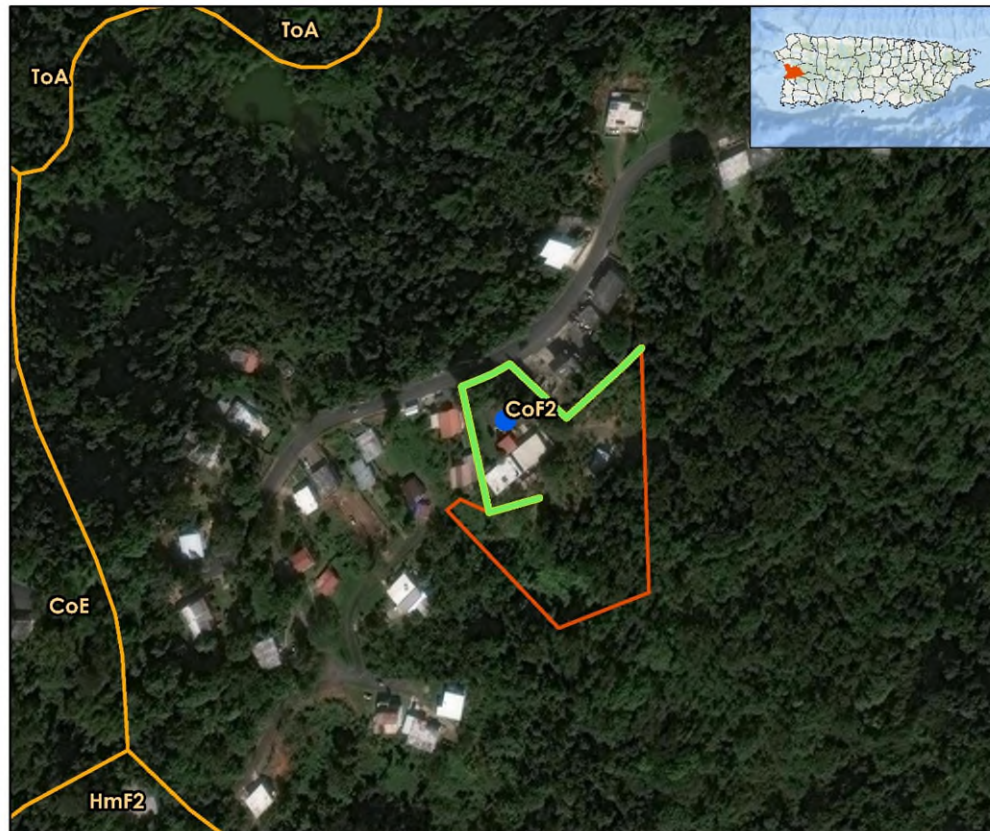
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Ciudad, Ibove 1 Suito J-3, Calle Ponce 56A, Atrium, San Juan, PR, 00923 Tel: (787) 753-0290

Application ID: PR-RGRW-04069

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67.100822

Soils Map

Puerto Rico Department of Housing ReGrow

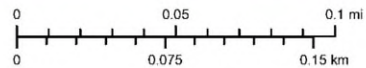


Legend:

- PR-RGRW-04069
- Fence 04069
- Parcel 04069
- Soil Map Unit Symbol

Soil Map Unit Symbol

- CoF2 - Consumo clay, 40 to 60 percent slopes
- HmF2 - Humatas clay, 40 to 60 percent slopes
- ToA - Toa silty clay loam, 0 to 2 percent slopes, occasionally flooded
- CoE - Consumo clay, 20 to 40 percent slopes



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



Source

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

Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez

Project (PR-RGRW-04069) Location with Previous Investigations - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Danié, Ismael 1 Suite J-3, Calle Porsale 504, Alburquerque, San Juan, P.R. 00923 761.679.7753-0290

Application ID: PR-RGRW-04069

Fordia Agro, Inc.

Carr. 106 Km 4.6

Bo. Quemado

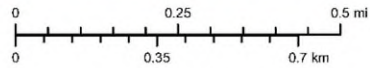
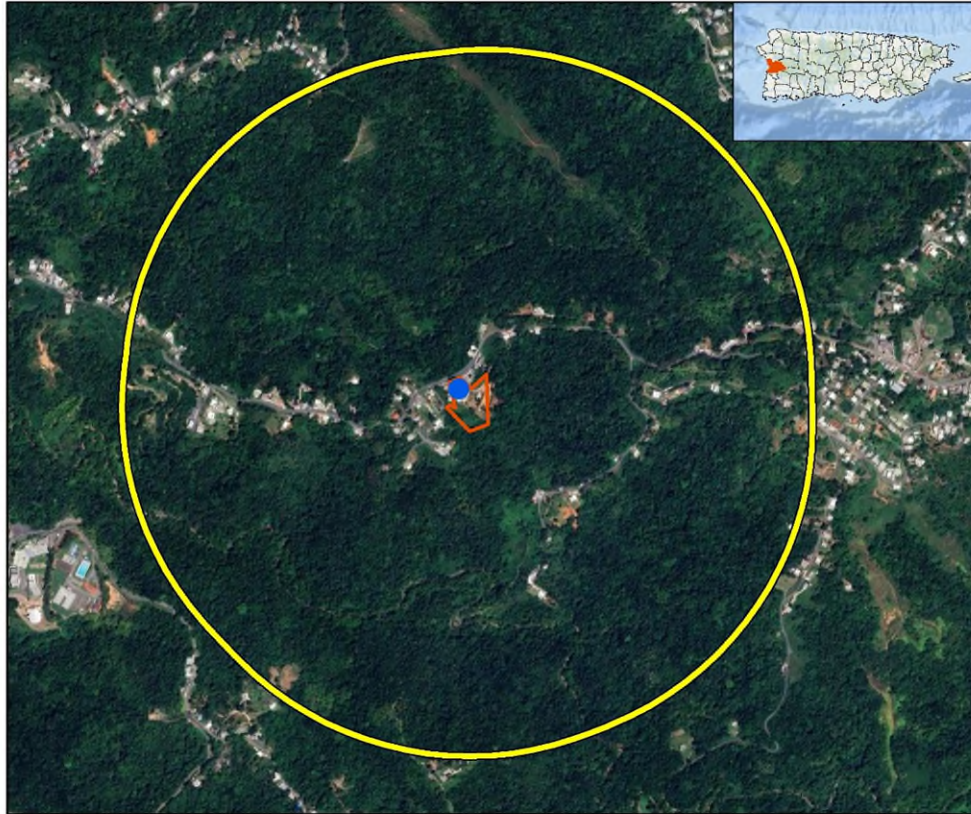
Mayaguez PR 00680

Catastro: 234-024-502-02-901

Lat:18.209958, Long:-67.100822

Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



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



Legend:

- PR-RGRW-04069
- Parcel 04069
- 0.5 Mile (0.8Km) Buffer

Source

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

Project (PR-RGRW-04069) Location with Previously Investigation - USGS Topographic Map

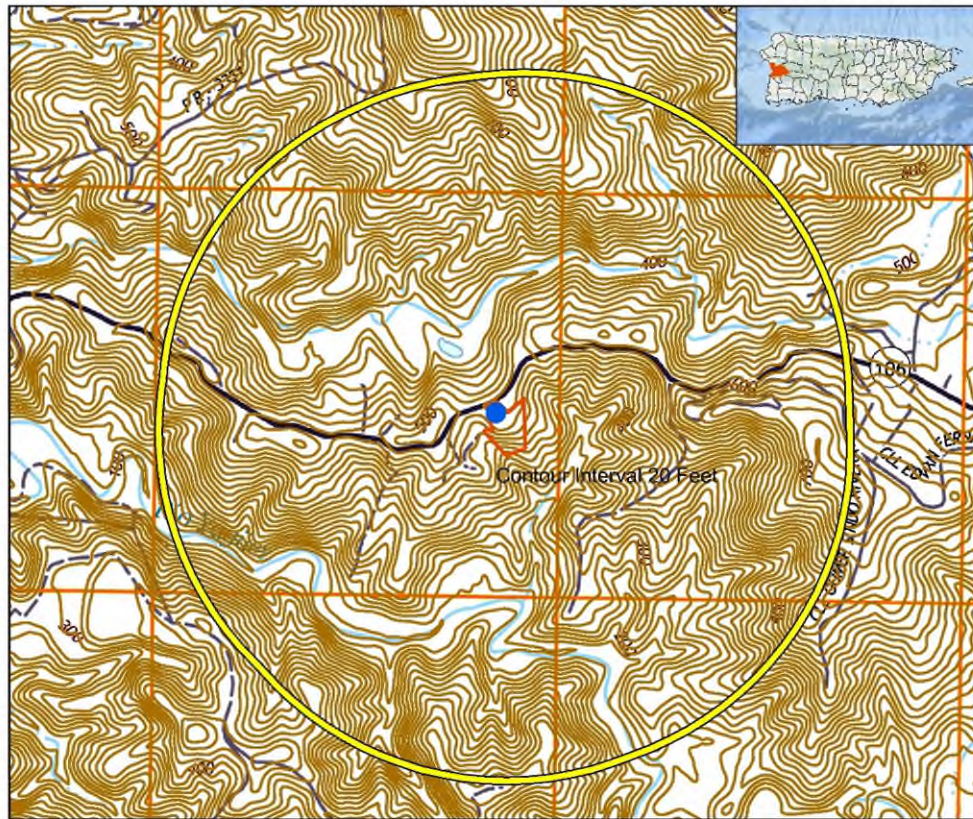
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS

Application ID: PR-RGRW-04069

Fordia Agro, Inc.
Carr. 106 Km 4.6
Bo. Quemado
Mayaguez PR 00680
Catastro: 234-024-502-02-901
Lat:18.209958, Long:-67.100822

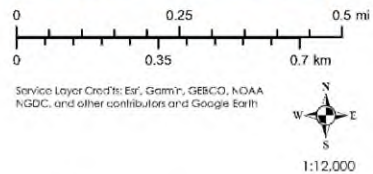
Previous Investigations: USGS Topographic Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04069
 - Parcel_04037
 - 0.5 Mile (0.8Km) Buffer
 - Contour Interval 20 Feet
- Quadrangle: Rosario**



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

Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez

Photograph Key





Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez



Photo #: 1

Description (include direction): Area where the fence will be installed, looking southeast.

Date: March 8, 2024



Photo #: 2

Description (include direction): Area where the fence will be installed, looking northeast.

Date: March 8, 2024



Applicant: Fordia Agro, Inc.

Case ID: PR-RGRW-04069

City: Mayagüez



Photo #: 3

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

Date: March 8, 2024



Photo #: 4

Description (include direction): Area where the fence will be installed, looking southeast.

Date: March 8, 2024



October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

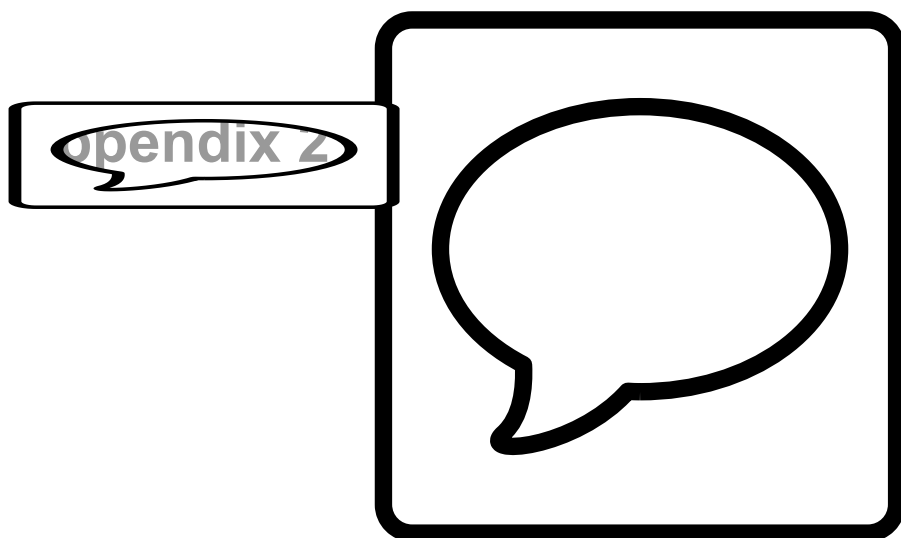
In line to expedite the processes, Horne Federal LLC, is authorized to submit to the State Historic Preservation Officer, documentation of projects related to both the CDBG-DR and CDBG-MIT on behalf of PRDOH.

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT





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

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

Data is current as of March 31, 2023

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

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

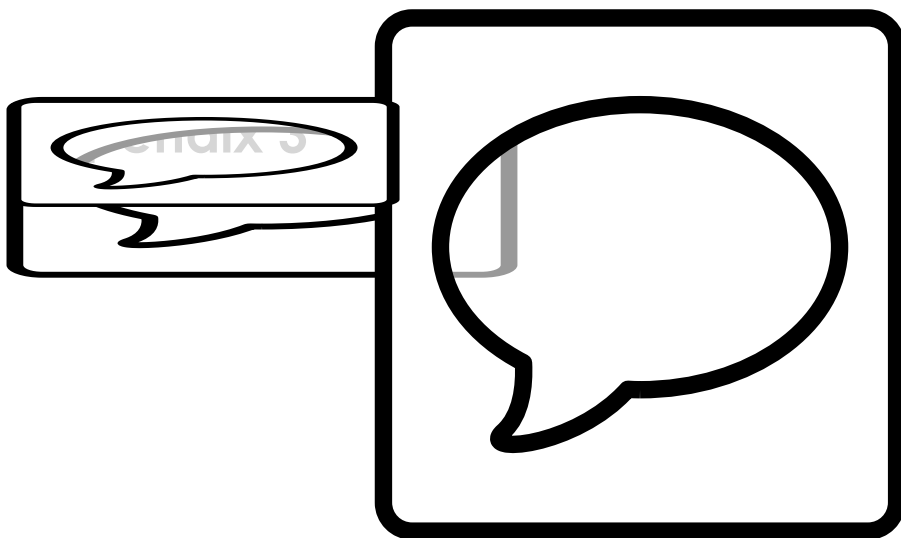
Change the State:

Important Notes

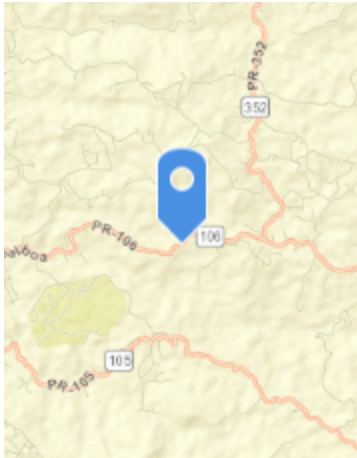
Download National Dataset: [dbf](#) | [xls](#) | [Data dictionary \(PDF\)](#)

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

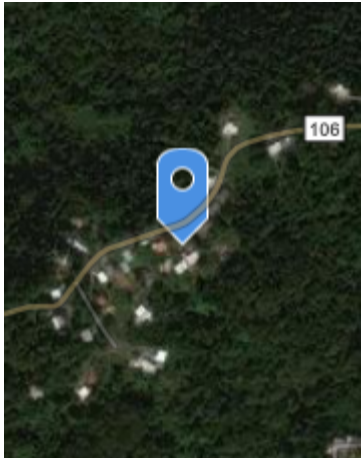
Important Notes



APPLICANT/LOCATION INFORMATION	
Applicant ID:	PR-RGRW-04069
Name:	Fordia Agro, Inc.
Parcel ID:	234-024-502-02-901
Latitude:	18.209958
Longitude:	-67.100822
Elevation:	149.84322639171177
Development	
Street Address:	Carr. 106 Km. 4.6 Bo. Quemado
Municipio:	Mayaguez
Zip Code:	00680
Site Inspector:	Patricia Carmenatty
Date of Visit:	March 5, 2024
Time of Visit:	09:02



Esri, HERE,... Powered by Esri



Esri, Maxar... Powered by Esri

FIELD OBSERVATIONS

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

Photo Direction: Southwest

Comments: Where the fence will be installed



Photo Direction: Northwest

Comments: Where the fence will be installed



Photo Direction: South

Comments: Where the fence will be installed



Photo Direction: North

Comments: Where the fence will be installed



Photo Direction: Southwest

Comments: Where the fence will be installed



Photo Direction: Northeast

Comments: Where the fence will be installed



Photo Direction: Northeast

Comments: Front part of the property



Photo Direction: Northeast

Comments:



Photo Direction: Southeast

Comments: Where the fence will be installed



Photo Direction: Northwest

Comments:



Address

Photo Direction: East

Comments: Where the fence will be installed



Photo Direction: N/A

Photo Description: Where the fence will be installed



Photo Direction: N/A

Photo Description:



Photo Direction: Southeast

Photo Description: Where the fence will be installed



Photo Direction: west

Photo Description: Pig Farm



Photo Direction: Northeast

Photo Description: Where the fence will be installed



Photo Direction: Southwest

Photo Description:





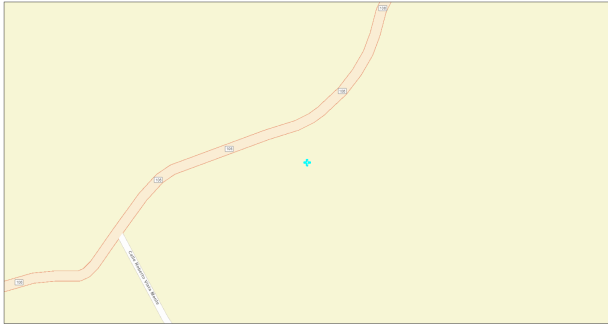
EJScreen Community Report

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

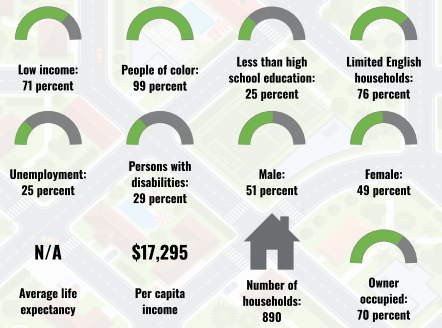
Mayagüez Municipio, PR

1 mile Ring Centered at 18.209958,-67.100823
 Population: 2,057
 Area in square miles: 3.14

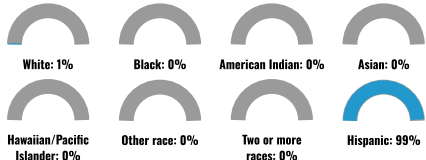
A3 Landscape



COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	7%
Spanish	93%
Total Non-English	93%

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

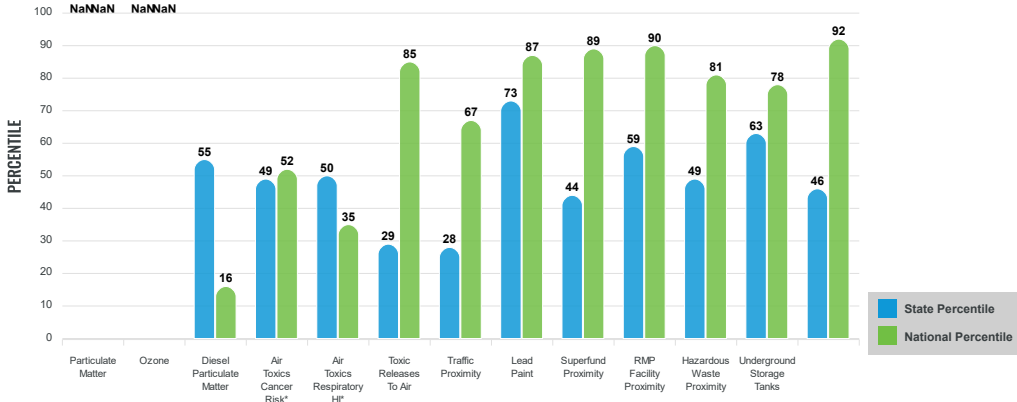
Environmental Justice & Supplemental Indexes

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

EJ INDEXES

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

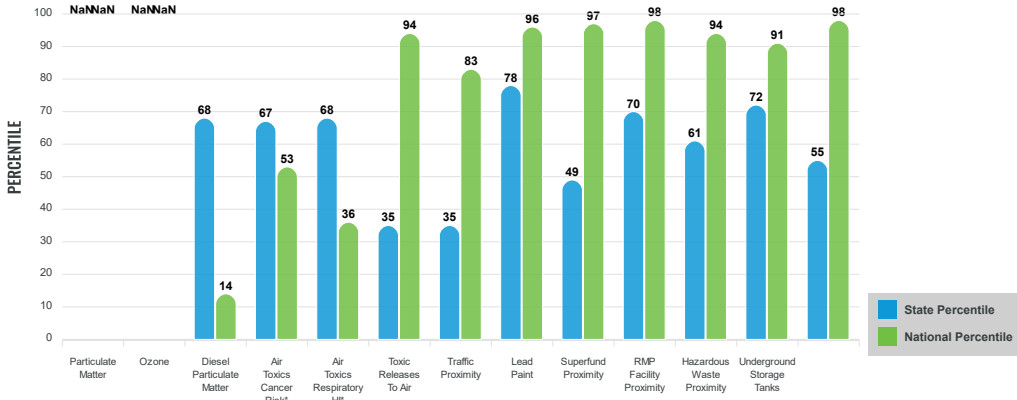
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

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

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



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

Report for 1 mile Ring Centered at 18.209958,-67.100823

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m³)	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter (µg/m³)	0.043	0.0667	54	0.261	3
Air Toxics Cancer Risk* (lifetime risk per million)	20	20	15	25	5
Air Toxics Respiratory HI*	0.2	0.19	17	0.31	4
Toxic Releases to Air	410	4,300	25	4,600	43
Traffic Proximity (daily traffic count/distance to road)	26	180	28	210	28
Lead Paint (% Pre-1960 Housing)	0.21	0.16	75	0.3	49
Superfund Proximity (site count/km distance)	0.069	0.15	42	0.13	54
RMP Facility Proximity (facility count/km distance)	0.24	0.47	59	0.43	62
Hazardous Waste Proximity (facility count/km distance)	0.39	0.76	51	1.9	46
Underground Storage Tanks (count/km²)	0.52	1.7	63	3.9	40
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.035	2.3	66	22	76
SOCIOECONOMIC INDICATORS					
Demographic Index	85%	83%	40	35%	97
Supplemental Demographic Index	49%	43%	63	14%	99
People of Color	99%	96%	27	39%	96
Low Income	71%	70%	41	31%	94
Unemployment Rate	25%	15%	80	6%	97
Limited English Speaking Households	77%	67%	65	5%	99
Less Than High School Education	25%	21%	61	12%	87
Under Age 5	2%	4%	46	6%	26
Over Age 64	26%	22%	68	17%	83
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

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

Sites reporting to EPA within defined area:

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

Other community features within defined area:

Schools	0
Hospitals	0
Places of Worship	0

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

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

Report for 1 mile Ring Centered at 18.209958,-67.100823

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	N/A	N/A	N/A	20%	N/A
Heart Disease	N/A	N/A	N/A	6.1	N/A
Asthma	N/A	N/A	N/A	10	N/A
Cancer	N/A	N/A	N/A	6.1	N/A
Persons with Disabilities	26.6%	21.6%	75	13.4%	96

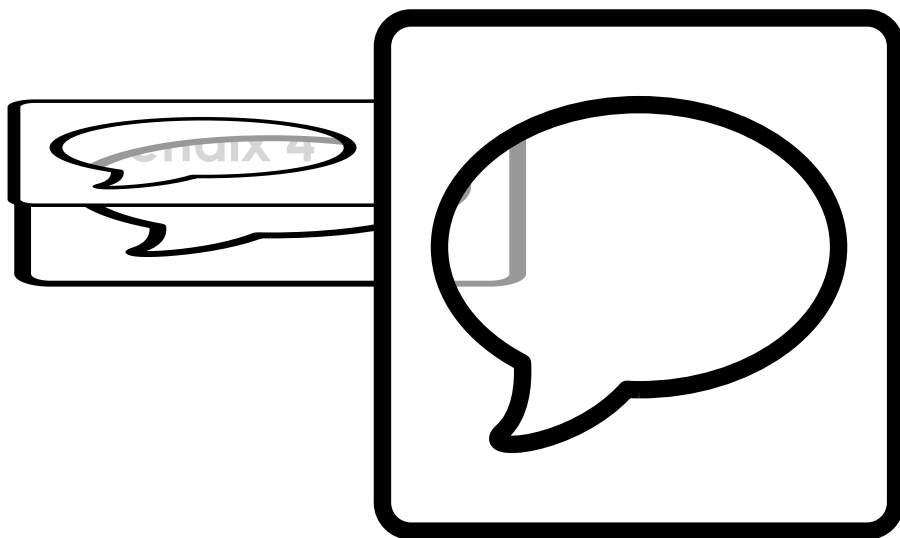
CLIMATE INDICATORS

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

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	33%	32%	56	14%	91
Lack of Health Insurance	3%	7%	15	9%	23
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for 1 mile Ring Centered at 18.209958, -67.100823



Technical Memorandum

April 11, 2024

For: Puerto Rico Department of Housing
CDBG-DR & CDBG-MIT Program
ReGrow Environmental Assessment

From: Behar Ybarra & Associates

RE: Threatened and Endangered Species Review for Case PR-RGRW-04069 at Carr. 106 Km. 4.6 Bo. Quemado, Mayagüez, PR 00680.

This Threatened and Endangered Species Review evaluates the construction of a fence at the coordinates: latitude 18.209958, longitude -67.100822; on Carr. 106 Km. 4.6 Bo. Quemado, Mayagüez, PR 00680. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-04069 consist of the purchase of farm materials to construct a new fence. For the installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post measures 3” to 1” and will be driven approximately 2’ below the ground surface to ensure the fence is secure. The fence will be installed to protect the property where the pig farm is located. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 4 years.

Existing Conditions and Trends:

For the proposed project parcel 234-024-502-02-901, the area is designated as not prime farmland. The proposed project is located in a mountainous area of Mayaguez. The area for the proposed fence has a semi flat topography, covered in grass and gravel. Photos of the proposed project area are included in the Site Inspection Report, See Appendix 3. The land has been used for agricultural uses for 4 years and the proposed project will not change the land use associated with these placements. The closer Final Critical Habitat is located at 19,998 feet from the project location and there are no wetlands located on or near the project activity area, See Figures 7 and 12.

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

Name of species	Threatened/Endangered/Candidate
Reptiles	

Puerto Rican boa (<i>Chilabothrus inornatus</i>)	Endangered
Birds	
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered
Puerto Rican Parrot (<i>Amazona vittata</i>)	Endangered
Critical Habitat	
There are no critical habitats within the project area.	

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated March 18, 2024, in the US Fish and Wildlife Service’s online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have “No Effect” determination on the Puerto Rican Boa and Puerto Rican Broad-winged Hawk, see Exhibit A. Also, the installation of the fence will not affect the Puerto Rican parrot. For the Puerto Rican parrot, will have a No Effect (NE) determination due to the lack of suitable habitat for this species within the project area. Puerto Rican parrots are mostly found in wet forests of Puerto Rico, starting from the moist mountainous forests, down to the mangroves and coastal scrub forests. Given that the area is flat with only grass and gravel and no trees are being cut down in the proposed area, the ground disturbance caused by the installation of the fence will have no effect on the parrot’s habitat.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	No Effect (NE)	No Conservation Measures
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	No Effect (NE)	No Conservation Measures
Puerto Rican Parrot (<i>Amazona vittata</i>)	No Effect (NE)	No Conservation Measures
Critical Habitats		
There are no critical habitats within the project area.		

If a Puerto Rican Boa is found in the project activity site, work shall cease until it moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

For any questions or concerns, we can be reached by phone 787-783-0290 or email (patricia.carmenatty@byaea.com).

Patricia Carmenatty Santiago



B.S. Biologist, Behar Ybarra & Associates

EXHIBIT A



United States Department of the Interior



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

In Reply Refer To:

03/18/2024 19:31:31 UTC

Project Code: 2024-0064401

Project Name: PR-RGRW-04069

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0064401

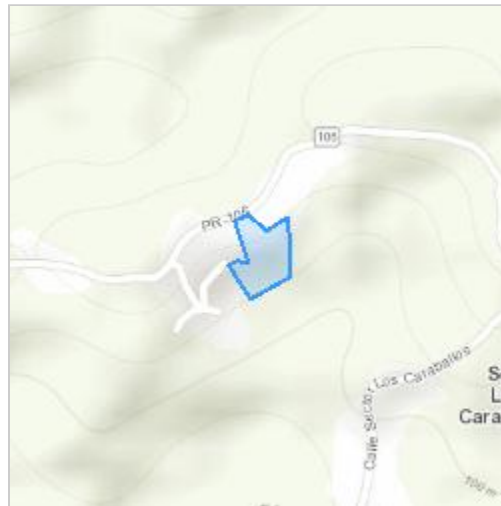
Project Name: PR-RGRW-04069

Project Type: New Constr - Above Ground

Project Description: The proposed activities for PR-RGRW-04069 consist of the purchase of farm materials to construct a new fence. For the installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post measures 3” to 1” and will be driven approximately 2’ below the ground surface to ensure the fence is secure. The fence will be installed to protect the property where the pig farming is located. The project area is located at PR-106 km. 4.6, Bo. Quemado within the Municipality of Mayaguez. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 4 years.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.209565599999998,-67.10049494882097,14z>



Counties: Mayagüez County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

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

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

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

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

BIRDS

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5512	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3067	Endangered

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/HRSRVN754NFLHB5DR6WSHHU5WI/documents/generated/7159.pdf	Endangered

CRITICAL HABITATS

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

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



United States Department of the Interior



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In Reply Refer To:
Project code: 2024-0064401
Project Name: PR-RGRW-04069

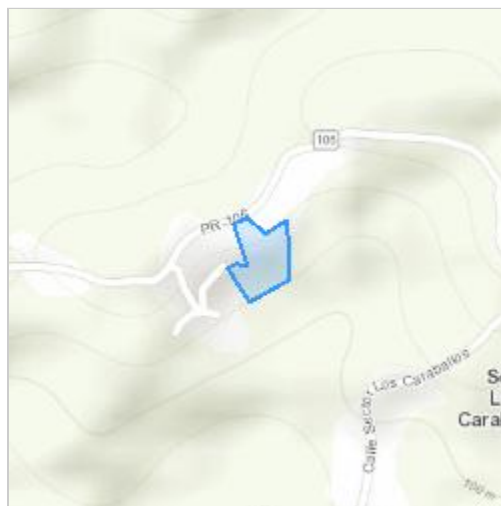
03/18/2024 19:32:09 UTC

Subject: Consistency letter for the project named 'PR-RGRW-04069' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On March 18, 2024, Egon Gonzalez used the Caribbean DKey; dated January 19, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-04069'. The project is located in Mayagüez County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.209565599999998,-67.10049494882097,14z>



The following description was provided for the project 'PR-RGRW-04069':

The proposed activities for PR-RGRW-04069 consist of the purchase of farm materials to construct a new fence. For the installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post measures 3” to 1” and will be driven approximately 2’ below the ground surface to ensure the fence is secure. The fence will be installed to protect the property where the pig farming is located. The project area is located at PR-106 km. 4.6, Bo. Quemado within the Municipality of Mayaguez. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 4 years.

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

Species	Listing Status	Determination
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered	No effect
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered	No effect

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

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

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

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

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

- Puerto Rican Parrot *Amazona vittata* Endangered

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

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

Action Description

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

1. Name

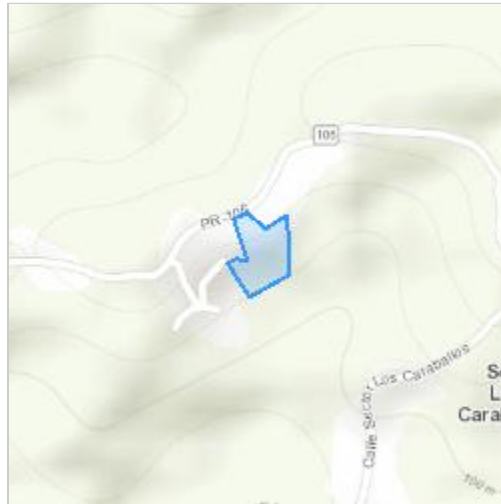
PR-RGRW-04069

2. Description

The following description was provided for the project 'PR-RGRW-04069':

The proposed activities for PR-RGRW-04069 consist of the purchase of farm materials to construct a new fence. For the installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post measures 3” to 1” and will be driven approximately 2’ below the ground surface to ensure the fence is secure. The fence will be installed to protect the property where the pig farming is located. The project area is located at PR-106 km. 4.6, Bo. Quemado within the Municipality of Mayaguez. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 4 years.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.209565599999998,-67.10049494882097,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

Yes

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

Automatically answered

Yes

11. Does the proposed project intersect the Puerto Rican Broad-winged hawk area of influence?

Automatically answered

Yes