# Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

# **Project Information**

Project ID: PR-RGRW-04175

Project Name: Hacienda Cascada El Saltillo LLC

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / San Sebastián, PR

Preparer: Patricia Carmenatty

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

Consultant: Behar Ybarra & Associates LLC

Direct Comments to: Puerto Rico Department of Housing:

(environmentcdbg@vivienda.pr.gov)

# **Project Location:**

Carretera 111 Int. Km 30, Bo. Juncal, #00101341677, Sector Juncal Centro, San Sebastián PR 00685

Fence location: 18.325412 -66.916019, 18.323517 -66.913400, 18.324490 -66.912197, 18.323718 -66.911443, 18.323877 -66.912898, 18.321299 -66.911790, 18.321415 -66.912991, 18.321912 -66.913925

Parcel cadastral: 130-000-007-08, 130-000-008-29, 130-000-007-09, 130-000-008-28, 130-000-007-12, 130-000-007-11, 130-000-007-07

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

The proposed activities for PR-RGRW-04175 consist of installing a new barbed wire fence and the purchase of plantain seeds and a tractor. The fence will be anchored to the ground with wooden spikes so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The main production of the farm is beef cattle, but it also has plantain and fruit tree production. The project area is located at PR-111 int. Km 30, Bo. Juncal, Sector Juncal Centro within the Municipality of San Sebastián. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1968 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the new barbed wire 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 new barbed wire 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 new fence on the property. Photos of the location are included in Section 106 documentation, Appendix 1. Refer to Appendix 4 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 installing of a new barbed wire fence and the purchase of plantain seeds and a tractor is in keeping with the overall objectives of the Economic Development Program.

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

The existing area for which the proposed fence will be installed has a steep topography. The surface is covered with grass and to the west, east and north the vegetation is dense, with many trees and shrubs. The central area of the parcel, where grass predominates, has many cobblestones of different sizes. Therefore, there is little to no change in land use associated with these placements.

# Funding Information

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

# Estimated Total HUD Funded Amount: \$99,600.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$99,600.00.

# Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS,	AND REGULATION	ONS LISTED AT 24 CFR 58.6
<b>Airport Hazards</b> 24 CFR Part 51 Subpart D	Yes No	This project is the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor will have no impact on any Airports. The site is located 84,539 feet from the nearest major civil airport (Eugenio Maria de Hostos in Mayagüez) and 319,294 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	This project is not located in a CBRS Unit. The project is located 63,476 feet southeast of the nearest Coastal Barrier Resource System, PR-78. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.

Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] STATUTES, EXECUTIVE ORDERS,	Yes	No	The project is located in a Zone X, Panel 72000C0560H, 4/19/2005 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4 and 4.1.
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes	No	This project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor for an agricultural site and 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.
<b>Coastal Zone Management</b> Coastal Zone Management Act, sections 307(c) & (d)	Yes	No	The project is located 55,311 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.
<b>Contamination and Toxic Substances</b> 24 CFR Part 58.5(i)(2)	Yes	No	This project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor 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 location of the proposed fence. The project is in compliance with contamination and toxic substances requirements. See attached Toxics Map, Figure 6.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	The project could involve any activity that has an adverse effect on protected species or critical habitats. 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 PR boa (Chilabothrus inornatus), palma de manaca (Calyptronoma rivalis), Cordia bellonis and PR Harlequin Butterfly (Atlantea tulita) and 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 or altering the general area where the fence will be installed. The fence will be around a space that has been cleared and maintained that way for agricultural purposes. Based on the nature of the project,
		scope of work, information available, and analysis of the IPaC lists together with field direct observations of the area where the project will be developed, the proponent has determined that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican harlequin butterfly since its critical habitat is approximately 28,091 feet from the proposed project site. Since the land is currently dedicated mainly to beef cattle production and also plantain and fruit tree production, the proposed project actions will have No effect (NE)

		on the Puerto Rican boa, Cordia bellinis and Palma de manaca. 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. https://ipac.ecosphere.fws.gov/guidelin e/design/population/156/office/41430.p df This project is in compliance with the Endangered Species Map, Figure 7. See attached Appendix 3 USFWS Determination Letter and Consultation Package.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No	This project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor 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.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No	This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The proposed project falls into two areas: one designated as farmland of statewide importance and the other as not prime farmland. The scope of work includes the installation and construction 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.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No	The project is located in a Zone X, Panel 72000C0560H, 4/19/2005 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in compliance with Executive Order 11988. See attached Flood Map (Figure 9).
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No	The site was visited on September 13, 2023, by SOI-qualified archaeologist. Based on this definition and the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to installation of the new barbed wire fence. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated October 4, 2023, SHPO concurred with a finding of <b>No Historic Properties Affected</b> 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 Historic Preservation.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No	This project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor 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.

Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No	The closest point of the fence to the Guajataca River is approximately 170 feet away and to Las Varas creek is about 375 feet away. For the installation of the fence the only ground disturbance will be by anchored to the ground wooden posts approximately 2' below the ground surface, and this will be outside of the area of potential effect. Therefore, the wetland will not be affected by the project undertaking. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 11.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	This project is not within proximity of the NWSRS river. The project is located 390,792 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 12.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No	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.

**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	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELOPM	ENT	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed action is continued agricultural use of property which is compatible with a zoning code of A- P (Peripheric Area) and existing land use of SREP-A (Specially Protected Rustic Land-Agricultural). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	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. In the project area the soil has been classified as Colinas cobbly clay loam, 20 to 40 percent slopes (CmE). This soil is on side slopes and ridgetops of the limestone hills. This soil is not suited to cultivated crops. The landslide data indicates low to high landslide susceptibility; however, no erosion is expected to occur from this

		project. The project will not affect the drainage in the area. There will be little to no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 13.
Hazards and Nuisances including Site Safety and Noise	2	There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor on an existing agricultural farm and will not require any expansion to existing power facilities.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMI	С	
Employment and Income Patterns	2	The project will result in short-term benefit to employment when contractors are hired for the construction of the new 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 proposed project will not alter the demographic characteristics of San Sebastián, 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	<ul> <li>In the project area within a one-mile radius:</li> <li>The people of color are 95% compared to PR average of 96%</li> <li>90 % of the people are low income compared to PR average of 70%</li> </ul>

<ul> <li>5% of the people are unemployed compared to PR average of 15%</li> </ul>
The proposed activities for the installation of the new fence will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJScreen Report in Appendix 4.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FAC	CILITIES AI	ND SERVICES
Educational and Cultural Facilities	2	The project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The proposed project may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The proposed project 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 installation and construction of the new fence will not produce any wastewater. Based on the scope of work is not expected to result in any significant changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The proposed project will not require an additional water supply. No new connections will be provided for

		municipal potable water. The proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of the installation of a new barbed wire fence and the purchase of plantain seeds and a tractor for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The proposed project will have no impact to 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 installation of a new barbed wire fence and the purchase of plantain seeds and a tractor for an agricultural site and will have no impact on transportation and accessibility.

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Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES	<u> </u>	^ <u></u>
Unique Natural Features, Water Resources	2	The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the new fence but no negative impact on wildlife.
Climate Change	2	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.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): September 13, 2023, Jaqueline Lopez, SOI-Qualified Archaeologist

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

FAA, National Plan for Integrated Airport Systems: <u>www.faa.gov/airports/planning\_capacity/npias/reports/NPIAS-Report-2017-2021-</u> 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: <u>www.rivers.gov/puerto-rico.php</u>

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

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: <u>http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=9100UR51.txt</u>

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: <u>www.epa.gov/environmental-topics/air-topics</u>

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

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

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

US Fish and Wildlife Service, National Wetlands Inventory: <a href="https://www.fws.gov/wetlands/data/mapper.html">www.fws.gov/wetlands/data/mapper.html</a> (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, <u>https://doi:10.5066/F7JD4VRF</u>

# List of Permits Obtained: None required.

**Public Outreach** [24 CFR 58.43]: 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 installation of a new barbed wire fence and the purchase of plantain seeds and a tractor for an agricultural site.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant would consider other locations for the new fence. However, other locations may result in tree clearing prior to construction and/or need to fill in some steep area. 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 installation of a new barbed wire fence and the purchase of plantain seeds and a tractor 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 the economic development for this applicant.

**Summary of Findings and Conclusions:** The proposed activity has been found to not have any adverse effects on the 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. DNER authorization may be required for any ground disturbance associated with the activities in the proposed project.
<b>Endangered Species</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	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.
	If a Puerto Rican harlequin butterfly is found in the activity site, work shall cease, and the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to how proceed.

### Determination:

$\bowtie$	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.
Prepa	rer Signature:Date:1/25/2024
	e/Title/Organization: <u>Patricia Carmenatty / Environmental Specialist/ Behar Ybarra</u>
Certify	ving Officer Signature: CarlalDate:Date:Date:
Name	P/Title: Janette I. Cambrelén, Permit and Environmental Compliance Specialist

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

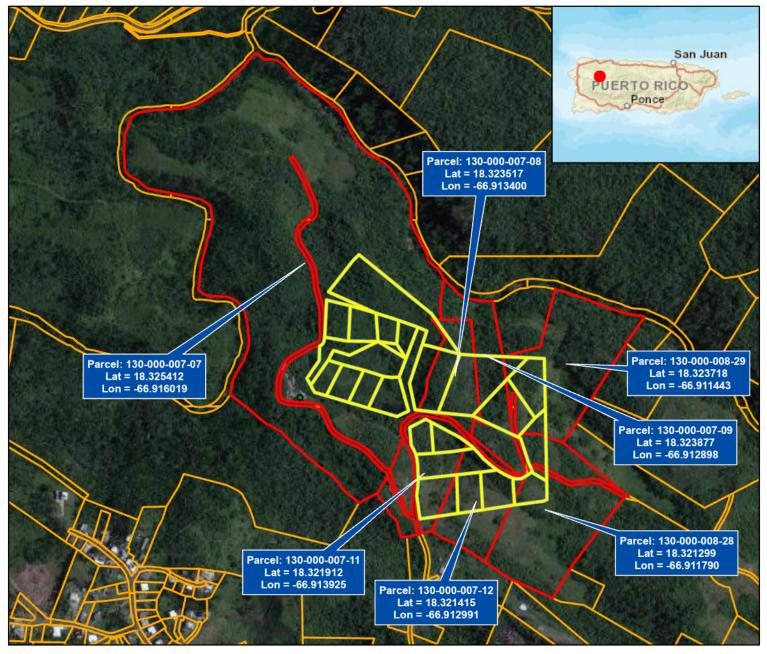


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**Figures** 

## Application ID: PR-RGRW-04175

Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below



#### Legend



PR-RGRW-04175 Fencing

BEHAR-YBARRA & ASSOCIATES LLC CONSULTING ENGINEERS ARCHITECTS AND PLANNERS

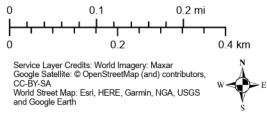
Puerto Rico Department of Housing ReGrow

Location: Aerial Map

Figure 1

PR-RGRW-04175 Parcel

CRIM Parcels



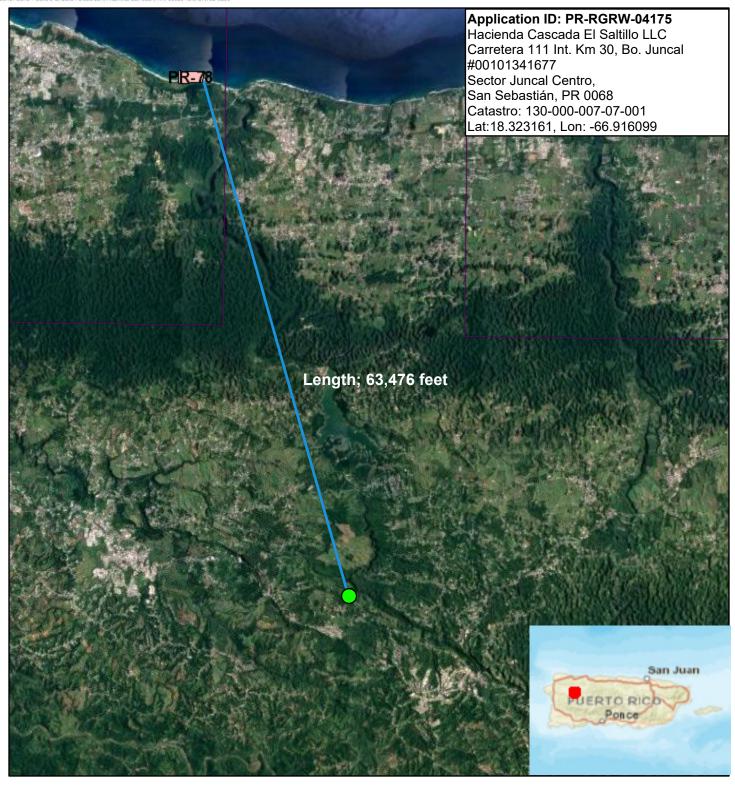
#### Source

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





# Figure 3 PR-RGRW-04175 CBRS





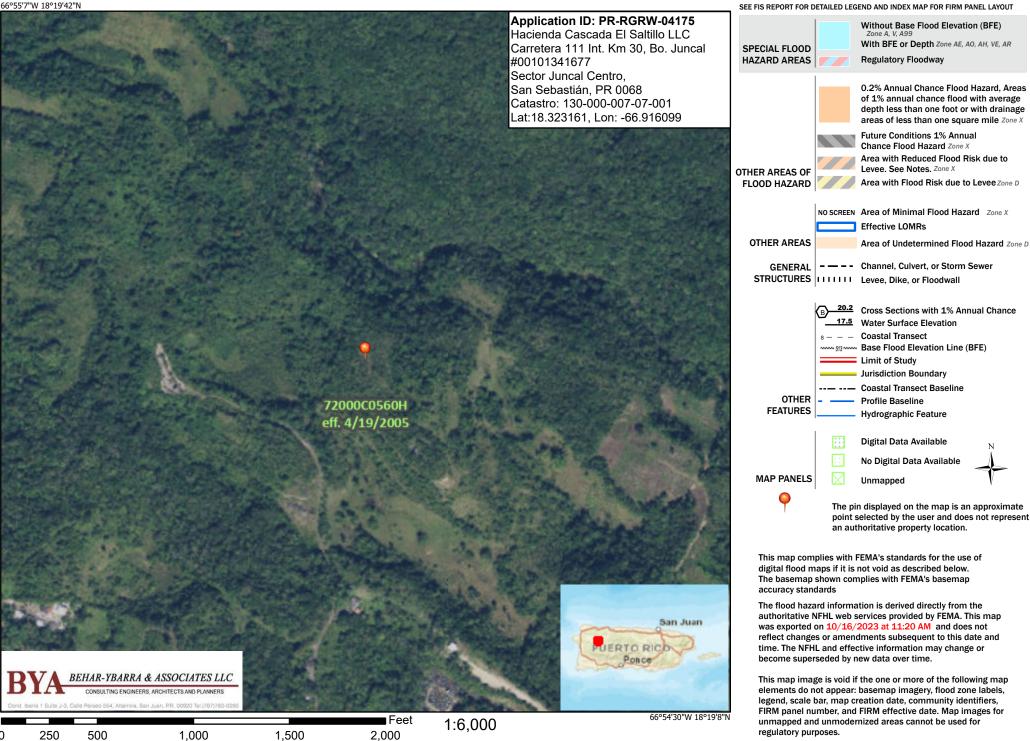
Earthstar Geographics | Google Earth Image 2021 @ Maxar Technologies; @ Image 2021 CNES/Airbus | GoogleEarth | US Forest Service Enterprise Map Services Program | U.S. Fish and Wildlife

7 km

# National Flood Hazard Layer FIRMette Figure 4



# Legend



Basemap Imagery Source: USGS National Map 2023

## Application ID: PR-RGRW-04175

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

Puerto Rico Department of Housing ReGrow

Figure 4.1

Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, FEMA Flood Insurance Rate Map (FIRM) San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below

# San Juan UERTO RICO Ponce Parcel: 130-000-007-08 Lat = 18.323517 Х Lon = -66.913400 Parcel: 130-000-008-29 Parcel: 130-000-007-07 Lat = 18.323718 Lat = 18.325412 Lon = -66.911443 Lon = -66.916019 Parcel: 130-000-007-09 Lat = 18.323877 Lon = -66.912898 Х Parcel: 130-000-008-28 Lat = 18.321299 Parcel: 130-000-007-11 Lon = -66.911790 Lat = 18.321912 Lon = -66.913925 Parcel: 130-000-007-12 Lat = 18.321415 Lon = -66.912991

#### Legend



- PR-RGRW-04175 Parcel
- **CRIM** Parcels
- **Base Flood Elevation**

#### Flood Hazard Areas

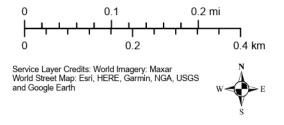


Area with a 1% annual chance of flooding. No base flood elevations determined.

Zone AE	Areas with a 1% annual chance of flooding. Base flood elevations (BFE) determined
Zone AE	Floodway area in Zone Al
Zone X	Area with a 0.2% annual chance of flooding

AE	Floodway area in Zone AE
х	Area with a 0.2% annual chance of flooding.

Areas determined to be outside the 0.2% annual Zone X chance flood.

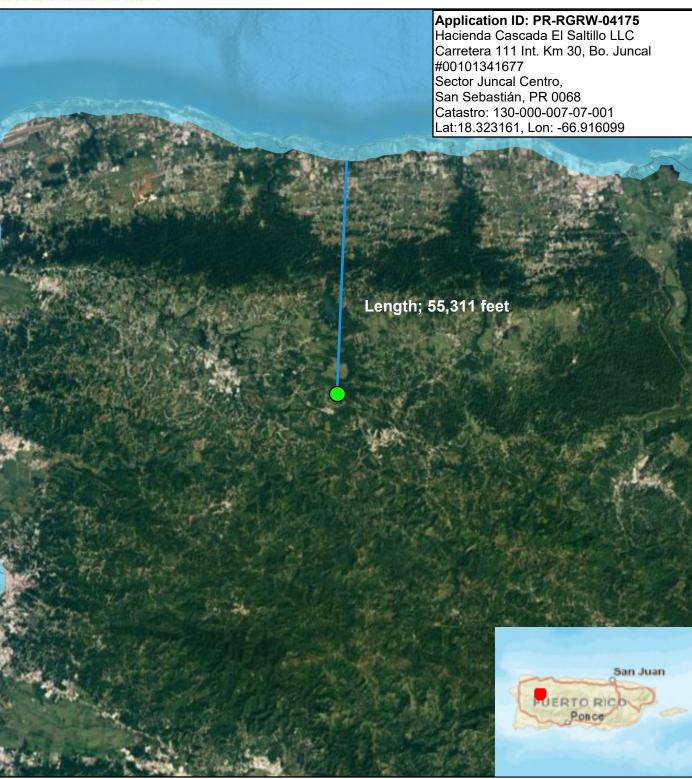


#### Source

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



# Figure 5 PR-RGRW-04175 CZM

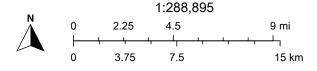


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**Coastal Zone Management** 



PR-RGRW-04175



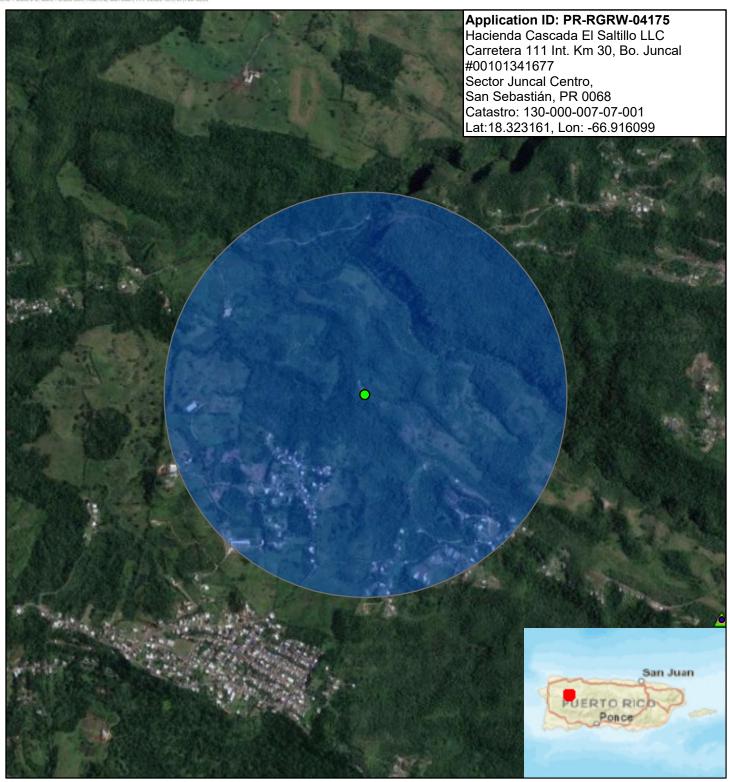
Source

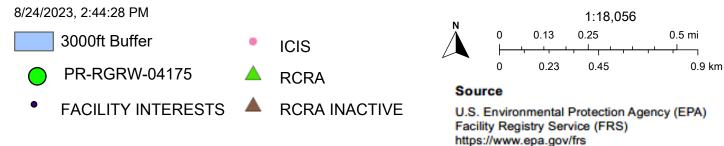
National Oceanic and Atmospheric Administration (NOAA) NOAA Office for Coastal Management (NOAA/OCM) https://www.fisheries.noaa.gov/inport/item/53132

BYA



# Figure 6 PR-RGRW-04175 Toxic





BYA



Figure 7 PR-RGRW-04175 Endangered Species

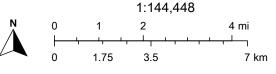


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**USFWS Critical Habitat - Final** 

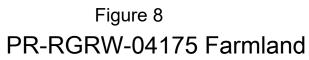


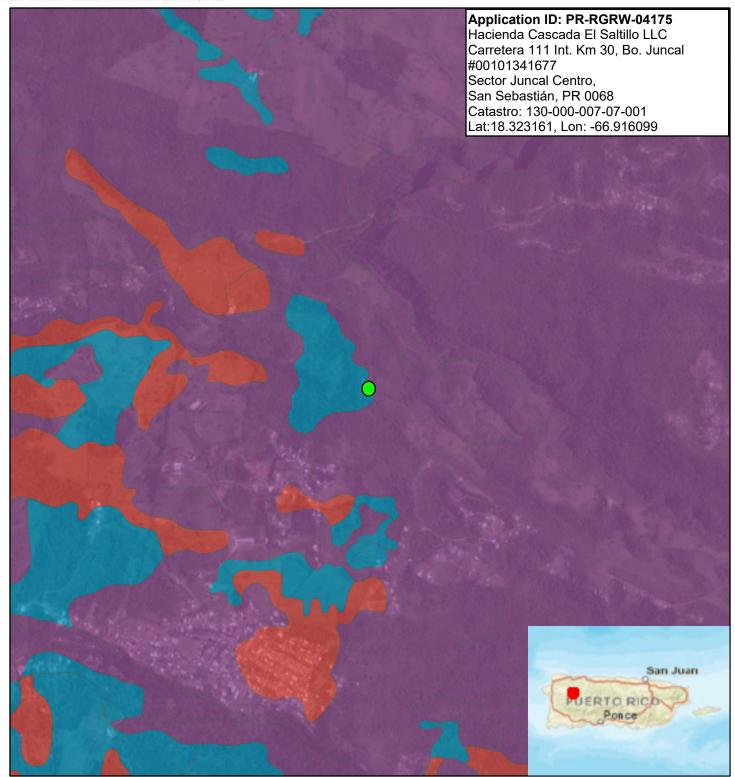
PR-RGRW-04175



Source

National Oceanic and Atmospheric Administration (NOAA) Office of Response and Restoration https://response.restoration.noaa.gov/

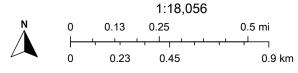




8/24/2023, 2:56:54 PM
Farmland Protection
All areas are prime farmland
Farmland of statewide importance
Not prime farmland
PR-RGRW-04175

BEHAR-YBARRA & ASSOCIATES LLC

CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS



#### Source

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

Maxar | Google Earth Image 2021 © Maxar Technologies; © Image 2021 CNES/Airbus | GoogleEarth | US Forest Service Enterprise Map Services Program | U.S. Fish and Wildlife Service, Coastal

# Application ID: PR-RGRW-04175

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

nd. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, P.R. 00920 Tel.(787)783-02

Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below

# Advisory Base Flood Elevation (ABFE) Puerto Rico Department of Housing ReGrow

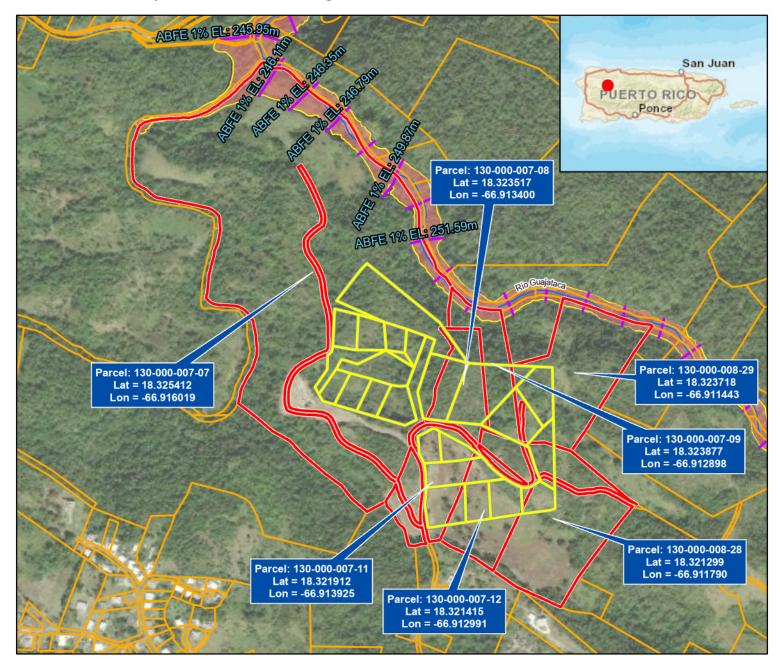
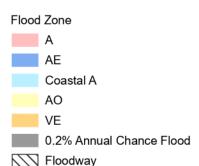
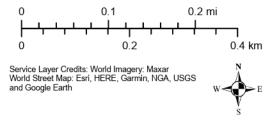


Figure 9

#### Legend

- PR-RGRW-04175 Fencing
- PR-RGRW-04175 Parcel
- CRIM Parcels
- Advisory Base Flood Elevations (ABFE)
- Hydrography
- 0.2-percent annual chance flood
- 1-percent annual chance flood



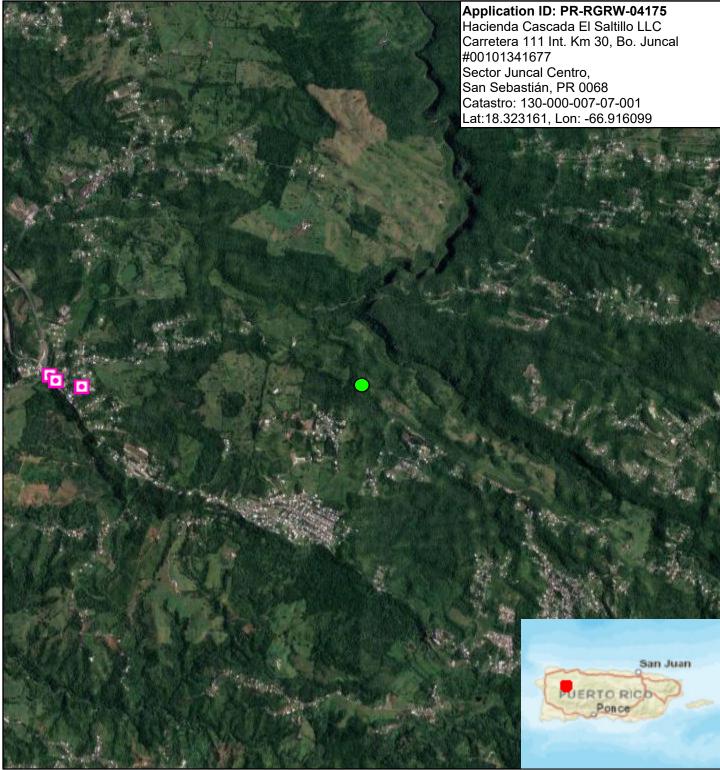


#### Source

Puerto Rico Planning Board (PRPB) https://jp.pr.gov/



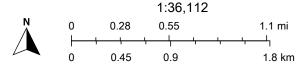
Figure 10 PR-RGRW-04175 Historic Preservation



8/24/2023, 3:25:36 PM

**PR-RGRW-04175** 

Cultural\_Resourses - Cultural Value Places



#### 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

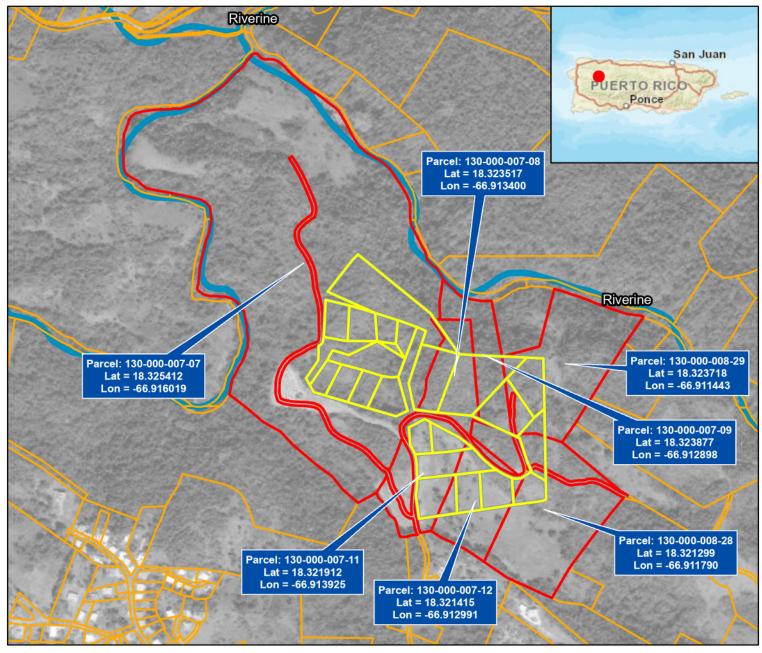
# Application ID: PR-RGRW-04175

BEHAR-YBARRA & ASSOCIATES LLC

ond. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, P.R. 00920 Tel.(787)783-0

Figure 11

USACE Jurisdictional Areas Puerto Rico Department of Housing ReGrow Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below



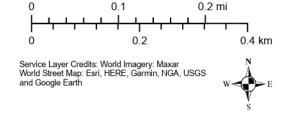
#### Legend

PR-RGRW-04175 Fencing PR-RGRW-04175 Parcel

CRIM Parcels

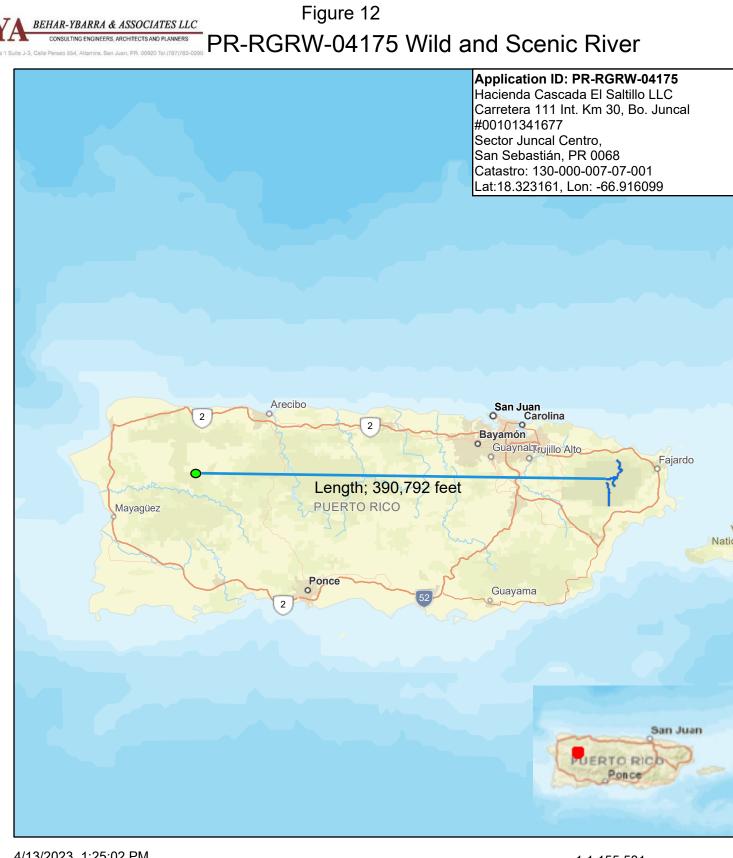
National Wetlands Inventory

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine



#### Source

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

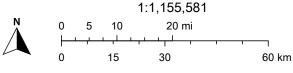


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National Wild and Scenic River Line



PR-RGRW-04175

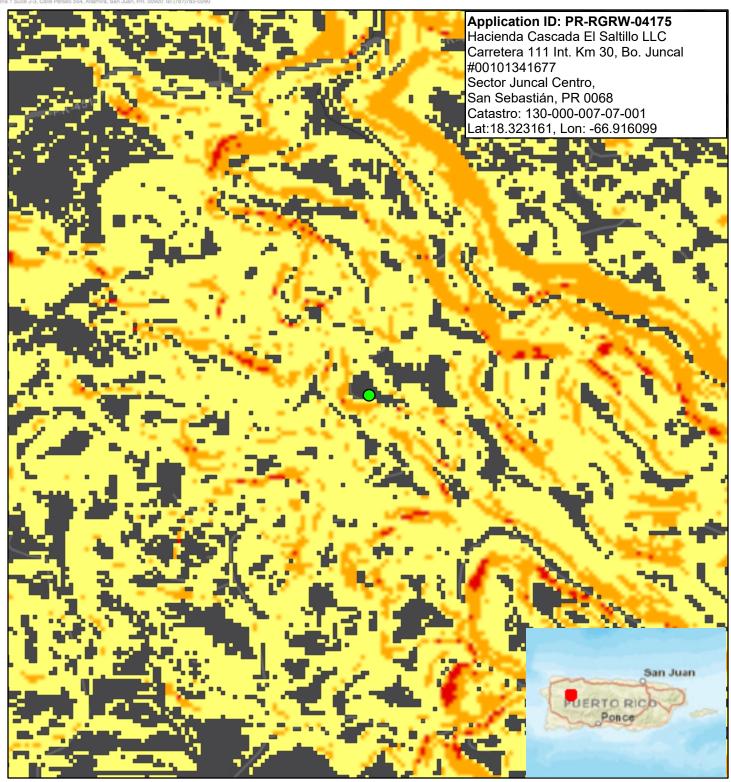


Source

U.S. Fish and Wildlife Service (FWS) National Wild and Scenic Rivers System https://www.rivers.gov/mapping-gis.php



# Figure 13 PR-RGRW-04175 Landslide



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Landslide Susceptibility

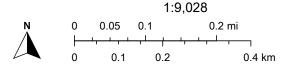
 $\bigcirc$ 

Moderate

PR-RGRW-04175

Very High Extremely High

High



Source: Landslide data from USGS: Esri Imagery Basemap service.



Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects24 CFR Part 58

# Appendix 1



# **GOVERNMENT OF PUERTO RICO**

STATE HISTORIC PRESERVATION OFFICE

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

October 4, 2023

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

SHPO 09-27-23-09 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL: PR-RGRW-04175– HACIENDA CASCADA EL SALTILLO LLC – CARRETERA 111 INT. KM 30, BARRIO JUNCAL #00101341677, SECTOR JUNCAL CENTRO, SAN SEBASTIÁN, PUERTO RICO

Dear Ms. Bair,

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

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

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

Sincerely,

Carlos A. Rubio-Cancela State Historic Preservation Officer

CARC/GMO/MB



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



September 27, 2023

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-04175 – Hacienda Cascada El Saltillo LLC – Carretera 111 Int. Km 30, Bo. Juncal #00101341677, Sector Juncal Centro, San Sebastián, 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 Hacienda Cascada El Saltillo LLC at Carretera 111 Int. Km 30, Bo. Juncal, #00101341677, Sector Juncal Centro in the municipality of San Sebastián. The proposed activities for PR-RGRW-04175 consist of installing a new barbed wire fence and the purchase of plantain seeds and a tractor. The fence will be anchored to the ground with wooden spikes so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The main production of the farm is beef cattle, but it also has plantain and fruit tree production.

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 <u>lauren.poche@horne.com</u> or phone at 225-405-7676 with any questions or concerns.

Kindest regards,

Jauan B Rock. Lauren Bair Poche, M.A. Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination



Applicant: Hacienda Cascada El Saltillo LLC

Case ID: PR-RGRW-04175

City: San Sebastián

Project Location: Carretera 111 Int. Km 30, Bo. Juncal, #00101341677, Sector Juncal Centro, San				
Sebastián PR 00685				
Project Coordinates: 18.325412 -66.916019, 18.323517 -66.913400, 18.324490 -66.912197, 18.323718				
-66.911443, 18.323877 -66.912898, 18.321299	-66.911790, 18.321415 -66.912991, 18.321912 -			
66.913925				
TPID (Número de Catastro): 130-000-007-08, 130-000-007-10, 130-000-008-29, 130-000-007-09, 130-				
000-008-28, 130-000-007-12, 130-000-007-11, 130-000-007-07				
Type of Undertaking:				
Substantial Repair/Improvements				
☑ New Construction				
Construction Date (AH est.): n/a	Property Size (acres): 105.2			

SOI-Qualified Archaeologist: Jaqueline López Meléndez	
Date Reviewed: September 13, 2023	

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

## Project Description (Undertaking)

The proposed activities for PR-RGRW-04175 consist of installing a new barbed wire fence and the purchase of plantain seeds and a tractor. The fence will be anchored to the ground with wooden spikes so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The main production of the farm is beef cattle, but it also has plantain and fruit tree production. The project area is located at PR-111 int. Km 30, Bo. Juncal, Sector Juncal Centro within the Municipality of San Sebastián. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1968 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

## Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the 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	COVERNMENT OF PUERTO RICO
Applicant: Hacienda Cascada El Saltillo LLC	
Case ID: PR-RGRW-04175	City: San Sebastián

### 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, archaeological materials of significant cultural properties within a half-mile (0.50 miles) radius of the project location. The closest reported archaeological site to the PR-RGRW-04175 project area is a Pre-Columbian site Ramón Estrada #4 (SHPO: SS0100007), located 0.97 miles southwest. The proposed project is located in San Sebastián, at an elevation between 803 to 1,082 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Colinas cobbly clay loam. The project area APE is in CmE. The Guajataca River is located within the project area on the northern and eastern border and the Varas creek is northwest and west of the parcel. The north coast is approximately 10.75 miles north from the project area.

There is one (1) archaeological study within a 0.50-miles radius of the proposed project area, with negative results (see table).

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. The project area is located in the rural mountainous area of San Sebastián. On September 12, 2023, we visually inspected the project area. The land where the project will be developed has a steep topography. The surface is covered with grass and to the west, east and north the vegetation is dense, with many trees and shrubs. The central area of the plot, where grass predominates, has many cobblestones of different sizes.

The project area is dominated by Colinas cobbly clay loam, 20 to 40 percent slopes (CmE). This soil is on side slopes and ridgetops of the limestone hills. This soil is not suited to cultivated crops. Slope, runoff, past erosion, hazard of erosion, and the large number of cobblestones on the surface are limitations.

#### Determination

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-04175 is located. The installation of the fence

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO
Applicant: Hacienda Cascada El Saltillo LLC	- · · ·
Case ID: PR-RGRW-04175	City: San Sebastián

will have minimal impact on the surface of the project area. The construction of public roads and agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by this reconstruction project.

### 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):

- $\boxtimes$  No Historic Properties Affected
- □ No Adverse Effect

Condition (if applicable):

□ Adverse Effect

Proposed Resolution (if appliable)

## This Section is to be Completed by SHPO Staff Only

The Puerto Rico State Historic Preservation Office has reviewed the above information and:

□ **Concurs** with the information provided.

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	GOVERNMENT OF PUERTO RICO
Applicant: Hacienda Cascada El Saltillo LLC	· · · ·
Case ID: PR-RGRW-04175	City: San Sebastián

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

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

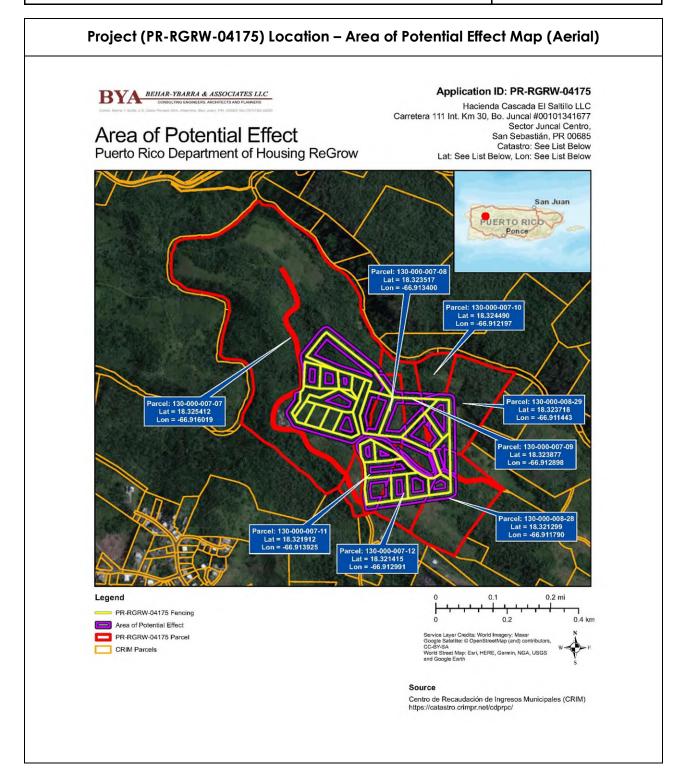
# Table of cultural resources surveys conducted within the project area or within a 0.50-miles radius.

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/ Direction
Ethel Schlafer	IA/ Junker Junior Guerra	2004	ICP/CAT-SS- 04-05-02	Negative	0.05 mi S



Applicant: Hacienda Cascada El Saltillo LLC

Case ID: PR-RGRW-04175



**REGROW PUERTO RICO PROGRAM** GOVERNMENT OF PUERTO RICO Section 106 NHPA Effect Determination Applicant: Hacienda Cascada El Saltillo LLC Case ID: PR-RGRW-04175 City: San Sebastián Project (PR-RGRW-04175) Location - Aerial Map Application ID: PR-RGRW-04175 BYA BEHAR-YBARRA & ASSOCIATES LLC Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Location: Aerial Map Puerto Rico Department of Housing ReGrow Catastro: See List Below Lat: See List Below, Lon: See List Below San Juan PUERTO RICO Ponce Parcel: 130-000-007-08 Lat = 18.323517 Lon = -66.913400 Parcel: 130-000-007-10 Lat = 18.324490 Lon = -66.912197 Parcel: 130-000-008-29 Lat = 18.323718 Lon = -66.911443 arcel: 130-000-007-07 Lat = 18.325412 Lon = -66.916019 Parcel: 130-000-007-09 Lat = 18.323877 Lon = -66.912898 Parcel: 130-000-008-28 Lat = 18.321299 Lon = -66.911790 Parcel: 130-000-007-11 Lat = 18.321912 Lon = -66.913925 Parcel: 130-000-007-12 Lat = 18.321415 Lon = -66.912991 Legend 0.2 mi PR-RGRW-04175 Fencing 0.2 0.4 km PR-RGRW-04175 Parcel : World Imagery: Maxar penStreetMap (and) con CRIM Parcels Map: Esri, HERE, Garmin, NGA, USGS rld Str Source Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.crimpr.net/cdprpc/

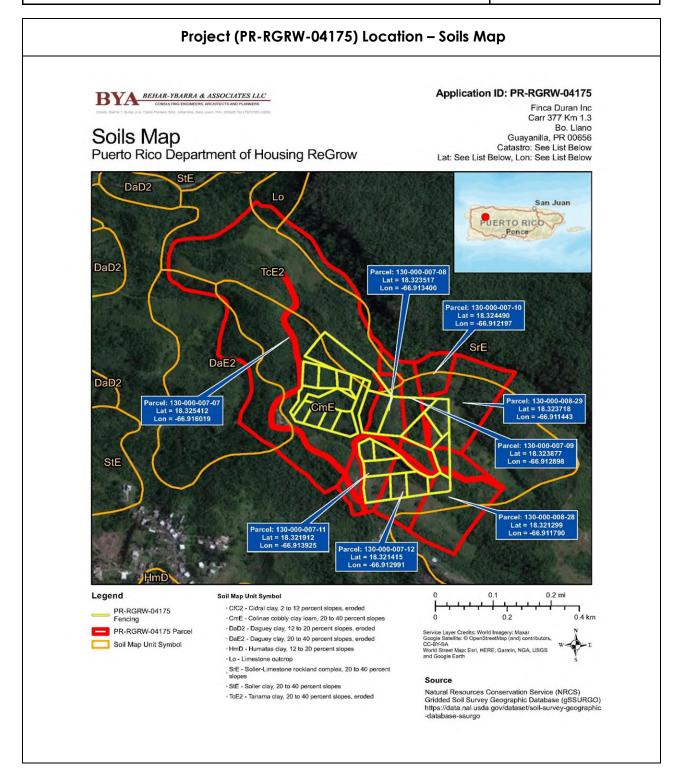
PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM **REGROW PUERTO RICO PROGRAM** GOVERNMENT OF PUERTO RICO Section 106 NHPA Effect Determination Applicant: Hacienda Cascada El Saltillo LLC Case ID: PR-RGRW-04175 City: San Sebastián Project (PR-RGRW-04175) Location - USGS Topographic Map Application ID: PR-RGRW-04175 BYA BEHAR-YBARRA & ASSOCIATES LLC Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Location: USGS Topographic Map Puerto Rico Department of Housing ReGrow Catastro: See List Below Lat: See List Below, Lon: See List Below San Juan Quebrada PUERTO RICO Ponce Las Varas Lat = 18.323517 Lon = -66.91340 130-0 Lat = 18.324490 0 1000 rcel: 130-000-0 cel: 130-000-007 Lat = 18.325412 18.323718 Quadrangle San Sebastian col 08-28 18.321912 -66.913925 0.1 0.2 mi Legend PR-RGRW-04175 Fencing 0.2 0.4 km PR-RGRW-04175 Parcel vice Layer Credits: World Street Map: Esri, HERE, min, NGA, USGS Contour Interval 20 Feet Source United States Geological Survey (USGS) National Geologic Map Database https://ngmdb.usgs.gov/ngmdb/ngmdb\_home.html



Applicant: Hacienda Cascada El Saltillo LLC

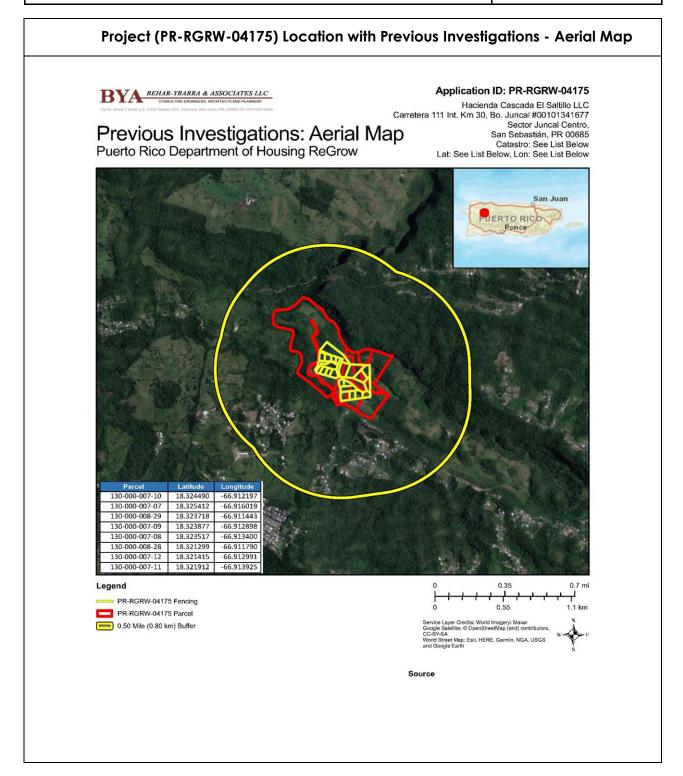
Case ID: PR-RGRW-04175





Applicant: Hacienda Cascada El Saltillo LLC

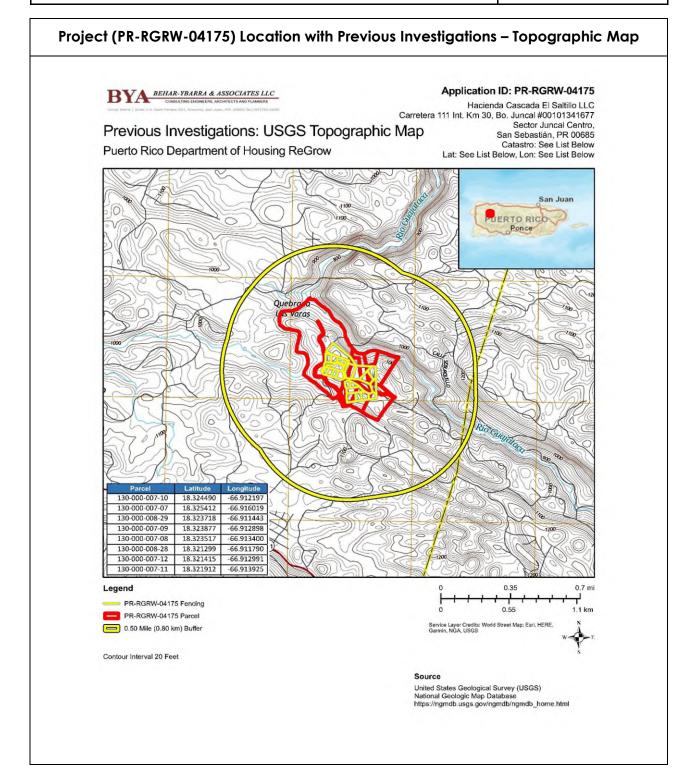
Case ID: PR-RGRW-04175





Applicant: Hacienda Cascada El Saltillo LLC

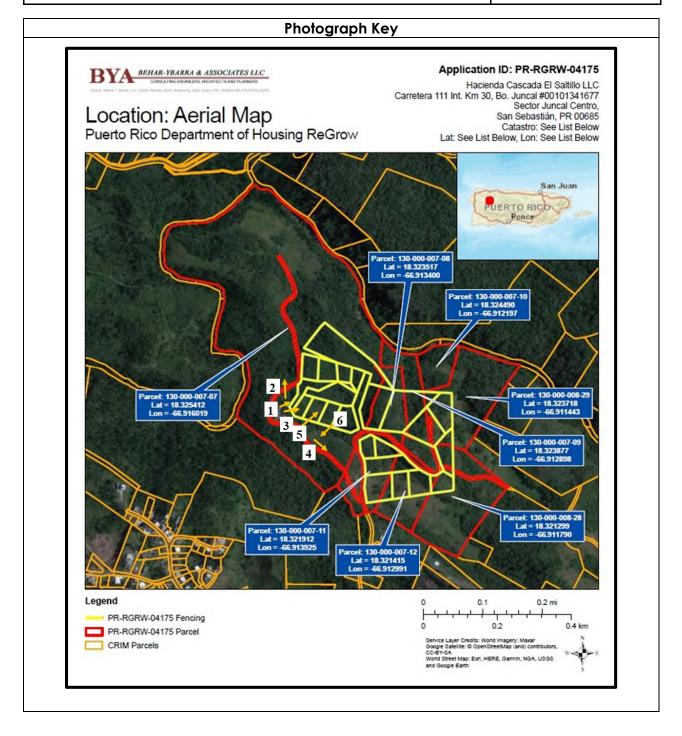
Case ID: PR-RGRW-04175





Applicant: Hacienda Cascada El Saltillo LLC

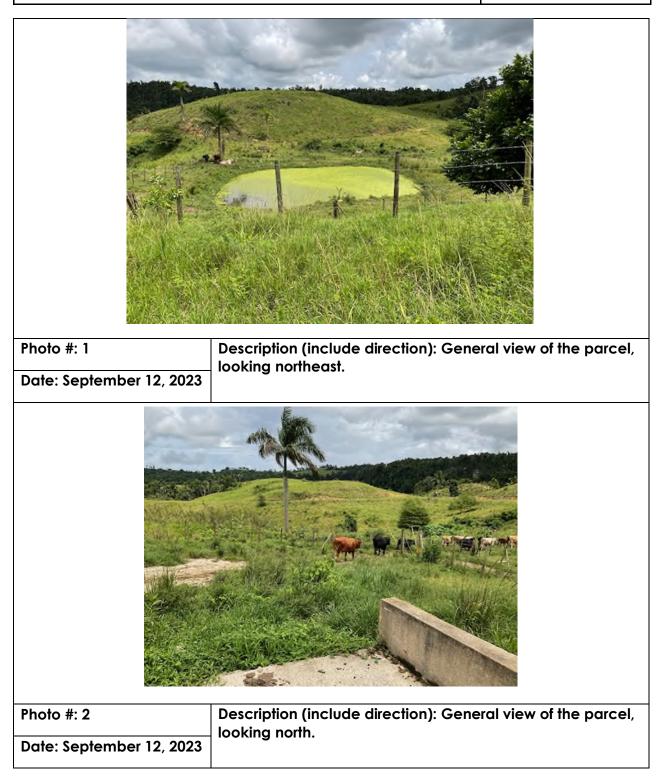
Case ID: PR-RGRW-04175





Applicant: Hacienda Cascada El Saltillo LLC

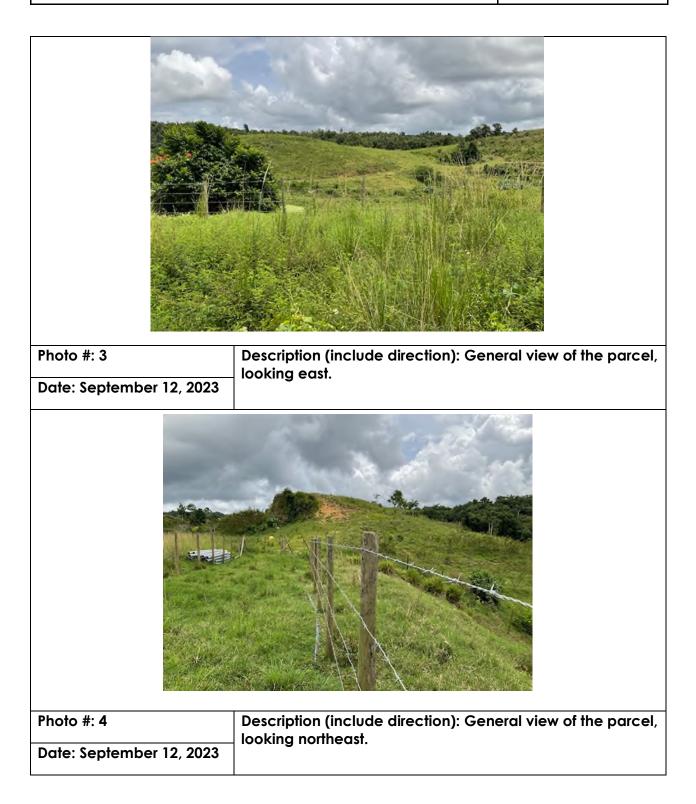
Case ID: PR-RGRW-04175





Applicant: Hacienda Cascada El Saltillo LLC

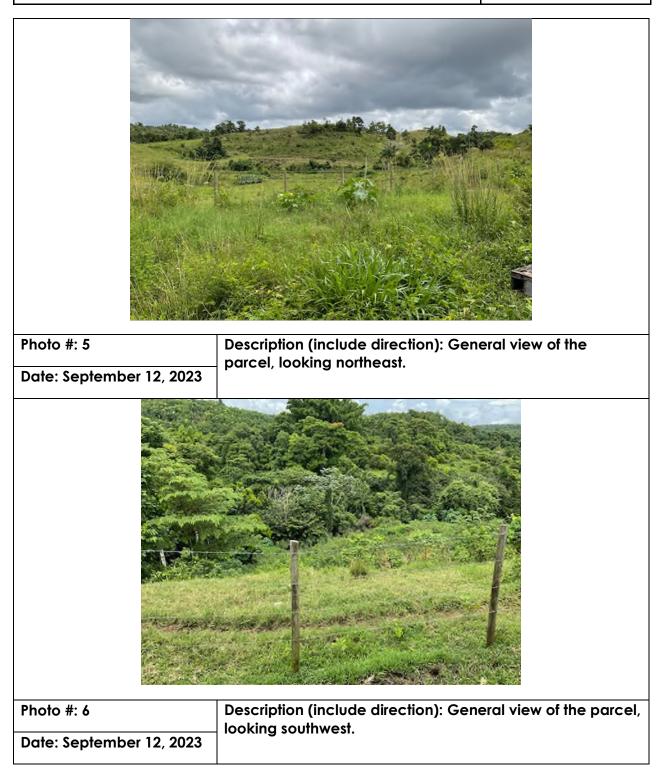
Case ID: PR-RGRW-04175





Applicant: Hacienda Cascada El Saltillo LLC

Case ID: PR-RGRW-04175







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

CDBG-DR FUNDS I HOUSING



Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects24 CFR Part 58

# Appendix 2

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

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

Data is current as of March 31, 2023

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

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

Change	the	State:
Change	uie	State.

PUERIO RICO • GO	PUERTO RICO 🗸	GO
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Important	Notes		Download	National Datas	set: dbf   xls	Data	a dictionary	(PDF)
	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
PUERTO	RICO	·		·	·			
Arecibo Municipic	Lead (2008)	Arecibo, PR	11121314151617181920212223			Part	32,185	72/013
Bayamon Municipic	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021
Catano Municipic	Sulfur	San Juan, PR	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio		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	Guayama-	181920212223	//		Part	23,401	72/123
San Juan Municipic	Sulfur	Son Juon	181920212223	//		Part	147,963	72/127
Toa Baja Municipic	Sulfur Dioxide (2010)	San Juan, PR		//		Part	52,441	72/137

Important Notes



Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects24 CFR Part 58

# Appendix 3



# United States Department of the Interior

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



In Reply Refer to: FWS/R4/CESFO/72131-Gen

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

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

> Re: CDBG-DR PR-RGRW-04175 Hacienda Cascada El Saltillo LLC, San Sebastián, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated October 30, 2023, requesting comments on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) on behalf of Hacienda Cascada El Saltillo LLC (the Applicant) is proposing the consist of the installation of a new fence with wooden spikes which will require ground disturbance, purchase of plantain seeds and a tractor. The project will be located at PR-111 Km. 30 Int., Juncal Ward, Juncal Centro Sector in the municipality of San Sebastián, Puerto Rico.

Using the Information for Planning and Consultation (IPaC) system the proponent has determined that the proposed project lies within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*), *Cordia bellonis*, palma de manaca (*Calyptronoma rivalis*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

Based on the nature of the project, scope of work, information available, and analysis of the IPaC lists together with field direct observations of the area where the project will be developed, the proponent has determined that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican harlequin butterfly since its critical habitat is approximately 28,091 feet from the proposed project site. Since the land is currently dedicated mainly to beef cattle production and also plantain and fruit tree production, the proponent has determined that the

#### Mr. Pérez-Bofill

proposed project actions will have no effect (NE) on the Puerto Rican boa, *Cordia bellinis* and palma de manaca.

We acknowledge receipt of your NE determination for the Puerto Rican boa, *Cordia bellinis* and palma de manaca. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the Service, and the Service is not required to concur with your NE determination.

As for the Puerto Rican harlequin butterfly, we have reviewed the information provided in your letter and our files and concur with your determination that the proposed project may affect but is not likely to adversely affect the species.

Please be aware that the Puerto Rican harlequin butterfly measures were amended to clarify how they are appropriately applied. Therefore, the Service recommends the applicant to adopt the implementation of the below updated conservation measures for the proposed actions.

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

- 7. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions:
  - Clearly mark the host plant with flagging tape.
  - Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
  - Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
  - Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.
- 8. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office at caribbean es@fws.gov.
- 9. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are:
  - José Cruz-Burgos, Endangered Species Coordinator:
    - o Mobile: 305-304-1386
    - o Office phone: 786-244-0081
    - o Office Direct Line: 939-320-3120
    - Email: jose\_cruz-burgos@fws.gov

Carlos Pacheco, Fish and Wildlife Biologist:

- Mobile: 786-847-5951
- Office Direct Line: 939-320-3113
- Email: <u>carlos\_pacheco@fws.gov</u>

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

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

Sincerely yours,

EDWIN MUNIZ Date: 2023.11.27 08:34:06 -04'00' Edwin E. Muñiz Field Supervisor October 30, 2023

OBG-DR FUND

SOBG-MIT FUT

Mr. Edwin Muñiz Field Supervisor Fish and Wildlife Service Caribbean Ecological Services Field Office PO Box 491 Boqueron, PR 00622 Email: <u>caribbean es@fws.gov</u>; <u>edwin muniz@fws.gov</u>

#### RE: Puerto Rico Department of Housing Re-Grow PR-RGRW-04175 Project – Hacienda Cascada El Saltillo LLC – Endangered Species Evaluation

DEPARTMENT OF

Dear Mr. Muñiz:

The Puerto Rico Department of Housing (PRDOH) is requesting an informal consultation under Section 7 (a) (2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-04175, located at PR-111 Km. 30 Int., Juncal Ward, Juncal Centro Sector, San Sebastián, PR 00685; coordinates for fence location: 18.325412 - 66.916019, 18.323517 - 66.913400, 18.324490 - 66.912197, 18.323718 - 66.911443, 18.323877 - 66.912898, 18.321299 - 66.911790, 18.321415 - 66.912991, 18.321912 - 66.913925 (Appendix A: Figures 1 & 2).

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 island-wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-04175 consist of installing a new fence, and the purchase of plantain seeds and a tractor. The fence will be anchored to the ground with wooden spikes so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The main production of the farm is beef cattle, but it also has plantain and fruit tree production. The project area is located at PR-111 Int. Km 30, Juncal Ward, Juncal Centro Sector within the Municipality of San Sebastián, Puerto Rico. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1968 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

#### **CDBG-DR** FUNDS

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the new fence, see Appendix A: Figure 3.

### **Existing Conditions and Trends:**

The proposed project parcels 130-000-007-08, 130-000-007-10, 130-000-008-29, 130-000-007-09, 130-000-008-28, 130-000-007-12, 130-000-007-11, & 130-000-007-07 are designated as farmland of statewide importance and other areas are designated as not prime farmland, see Appendix A: Figure 4. The project area is located in the rural mountainous area of San Sebastián. The land where the project will be developed has a steep topography. The surface is covered with grass and to the west, east and north the vegetation is dense, with many trees and shrubs. The central area of the plot, where grass predominates, has many cobblestones of different sizes, refer to Appendix C. In the project area, the soil has been classified as Colinas cobbly clay loam, 20 to 40 percent slopes (CmE). This soil is on side slopes and ridgetops of the limestone hills. This soil is not suited to cultivated crops. Slope, runoff, past erosion, hazard of erosion, and the large number of cobblestones on the surface are limitations. The land has been used for agricultural uses for over 30 years and the proposed project will not change the land use associated with these placements. In addition, the closer Final Critical Habitat is located at 28,091 feet from the project location, see Appendix A: Figure 5.

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

Name of species	Threatened/Endangered/Candidate
R	eptiles
Puerto Rican boa (Chilabothrus inornatus)	Endangered
	Birds
Cordia bellonis	Endangered
Palma De Manaca (Calyptronoma rivalis)	Threatened
Ir	nsects
Puerto Rican Harlequin Butterfly (Atlantea tulita)	Threatened
Critic	al Habitat
	ican Harlequin Butterfly (Atlantea tulita). The ot overlap the critical habitat.

Based on 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 October 16, 2023, 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, *Cordia bellonis* and Palma De Manaca and a "Not likely to Adversely Affect" on the Puerto Rican Harlequin Butterfly (*Atlantea tulita*), see Appendix B.

Name of the species	Effect Determination	Conservation Measures that will be implemented	
Puerto Rican boa (Chilabothrus inornatus)	No Effect (NE)	USFWS Puerto Rico Boa Conservation Measures 2020	
Cordia bellonis	No Effect (NE)	No Conservation Measures	
Palma De Manaca (Calyptronoma rivalis)	No Effect (NE)	No Conservation Measures	
Puerto Rican Harlequin Butterfly (Atlantea tulita)	Not likely to Adversely Affect (NLAA)	No Conservation Measures	
	Critical Habitats		
There is final critical habitat for Pu location d	erto Rican Harlequin Butte oes not overlap the critica		

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination included in this letter. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. Should you require any additional information, please do not hesitate to contact us at the information below.

Thank you in advance for your consideration of this issue.

Cordially,

Juan Carlos Perez Bofill, PE, MEng. Director for Disaster Recovery, CDBG-DR Program <u>environmentcdbg@vivienda.pr.gov</u> | 787.274.2527 ext. 4320 USFWS Informal Consultation PR-RGRW-04175 Page 4 / 4

#### Attachments:

Appendix A: Figure 1 – Location Site Map Figure 2 – Topographic Map Figure 3 – Area of Potential Effect Map Figure 4 – Farmland Protection Map Figure 5 – Critical Habitats Map Appendix B: Information for Planning and Consultation (IPaC) Appendix C: Field Visit Photos

C: Angel G. López-Guzmán, MSEM Deputy Director Permits and Environmental Compliance Division

#### **References:**

#### Cordia bellinis

Species Profile for Cordia bellinis https://ecos.fws.gov/ecp/species/7228

Puerto Rican boa (Chilabothrus inornatus)

Species Profile for Puerto Rican boa (Chilabothrus inornatus) https://ecos.fws.gov/ecp/species/6628 USFWS Puerto Rican boa Conservation Measures: https://ipac.ecosphere.fws.gov/project/IFKPCGRVXZHSHKC6IIAZ7CRKNI/docu ments/generated/7140.pdf

Puerto Rican Harlequin Butterfly (Atlantea tulita) Species Profile for Puerto Rican harlequin butterfly (Atlantea tulita) <u>https://ecos.fws.gov/ecp/species/9005</u>

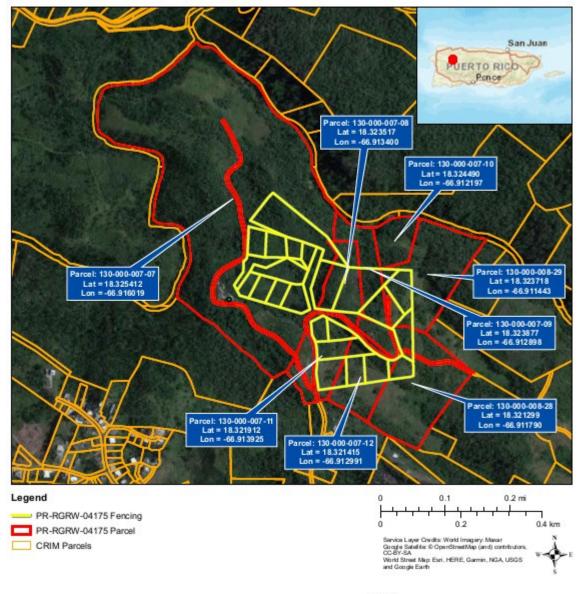
Palma De Manaca (Calyptronoma rivalis) Species Profile for Palma De Manaca (Calyptronoma rivalis) <u>https://ecos.fws.gov/ecp/species/1272</u> **Appendix A: Figures** 



Location: Aerial Map Puerto Rico Department of Housing ReGrow

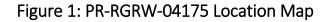
#### Application ID: PR-RGRW-04175

Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below



Source

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

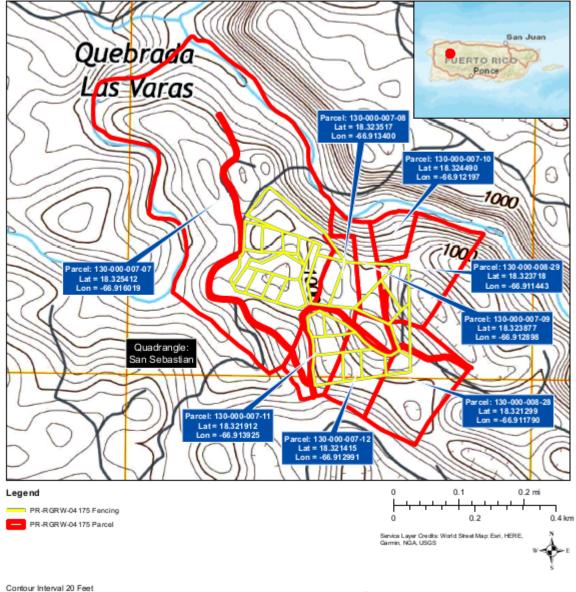


BYA BEHAR-YBARRA & ASSOCIATES LLC CONSISTING DESIDENCE, RECEPTION OF DESIDENCE AND PLANED

#### Application ID: PR-RGRW-04175

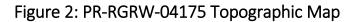
Location: USGS Topographic Map Puerto Rico Department of Housing ReGrow

Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below



Source

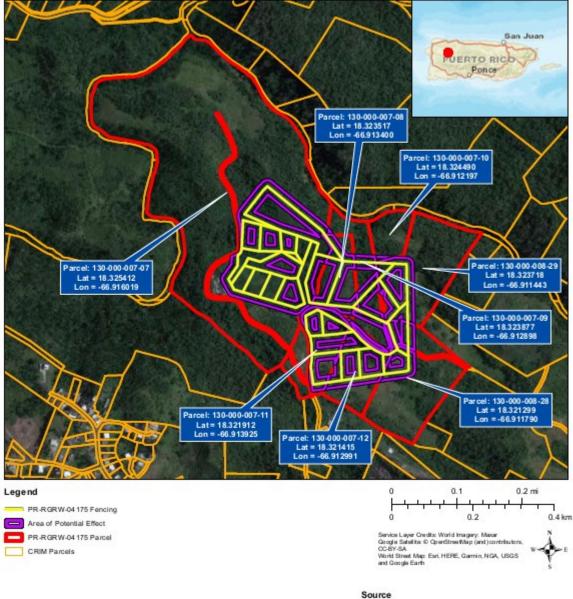
United States Geological Survey (USGS) National Geologic Map Database https://ngmdb.usgs.gov/ngmdb/ngmdb\_home.html





#### Application ID: PR-RGRW-04175

Area of Potential Effect Puerto Rico Department of Housing ReGrow Hacienda Cascada El Saltillo LLC Carretera 111 Int. Km 30, Bo. Juncal #00101341677 Sector Juncal Centro, San Sebastián, PR 00685 Catastro: See List Below Lat: See List Below, Lon: See List Below



urce

Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.crimpr.net/odp.pc/

# Figure 3: PR-RGRW-04175 Area of Potential Effect Map

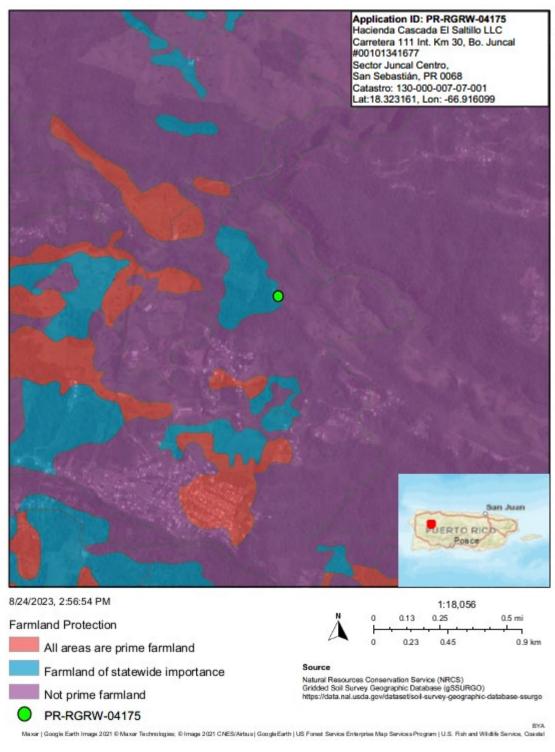


Figure 4: PR-RGRW-04175 Farmland Protection Map



Figure 5: PR-RGRW-04175 Critical Habitats Map

Appendix B: Information for Planning and Consultation (IPaC)



# United States Department of the Interior

FISH AND WILDLIFE SERVICE Caribbean Ecological Services Field Office Post Office Box 491 Boqueron, PR 00622-0491 Phone: (787) 834-1600 Fax: (787) 851-7440 Email Address: <u>CARIBBEAN ES@FWS.GOV</u>



In Reply Refer To: Project Code: 2024-0005010 Project Name: PR-RGRW-04175 October 16, 2023

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 FOLLOWING SPECIES LIST IS NOT A SECTION 7 CONSULTATION. PLEASE CONTACT OUR OFFICE TO COMPLETE THE CONSULTATION PROCESS\*

The purpose of the Endangered Species Act (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 those species and/or their designated critical habitat.

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". The enclosed species list provides information to assist with the U.S. Fish and Wildlife Service (Service) consultation process under section 7 of the Act. However, **the enclosed species list does not complete the required consultation process.** The species list identifies threatened, endangered, proposed and candidate species, as well as proposed and designated critical habitats, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. A discussion between the Federal agency and the Service should include what types of listed species may occur in the proposed action area and what effect the proposed action may have on those species. This process initiates informal consultation.

Once a species list is obtained for the proposed project, an effect determination for endangered and threatened species should be made. The applicant could make an effect determination by using available keys on IPaC for specific species. For species with no determination keys, the applicant should request concurrence from the Service by sending a project package to <u>caribbean\_es@fws.gov</u>. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

## https://www.fws.gov/sites/default/files/documents/consultation-under-section-7-of-theendangered-species-act-with-the-caribbean-ecological%20Services-field-office-templateletter.pdf

When a federal agency, after discussions with the Service, determines that the proposed action is not likely to adversely affect any listed species, or adversely modify any designated critical habitat, and the Service concurs, the informal consultation is complete, and the proposed project moves ahead. If the proposed action is suspected to affect a listed species or modify designated critical habitat, the Federal agency may then prepare a Biological Assessment (B.A.) to assist in its determination of the project's effects on species and their habitat. However, a B.A. 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 B.A. where the agency provides the Service with an evaluation on the likely effects of the action to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a B.A. are described at 50 CFR 402.12.

If a federal agency determines, based on its B.A. or biological evaluation, that listed species and/ or designated critical habitat may be affected by the proposed project, the agency is required to further 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 process. 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-consultationhandbook.pdf

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.

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". Please use this list to determine whether your project requires consultation and to make your effects determination. For more guidance, use the Guideline for Consultation under Section 7 of the Endangered Species Act with the Caribbean Ecological Services Field Office by clicking here.

This species list is provided by:

Caribbean Ecological Services Field Office caribbean es@fws.gov Post Office Box 491 Boqueron, PR 00622-0491 (786) 244-0081

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

# **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 (787) 834-1600

# **PROJECT SUMMARY**

**Project Code:** 2024-0005010 **PR-RGRW-04175 Project Name: Project Type:** New Constr - Above Ground Project Description: The proposed activities for PR-RGRW-04175 consist of installing a new fence and the purchase of plantain seeds and a tractor. The fence will be anchored to the ground with wooden spikes so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The main production of the farm is beef cattle, but it also has plantain and fruit tree production. The project area is located at PR-111 int. Km 30, Bo. Juncal, Sector Juncal Centro within the Municipality of San Sebastián. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1968 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

**Project Location:** 

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@18.3232201,-66.91419631974786,14z</u>



Counties: San Sebastián County, Puerto Rico

# **ENDANGERED SPECIES ACT SPECIES**

There is a total of 4 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 Fisheries<sup>1</sup>, 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. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6628</u> General project design guidelines: <u>https://ipac.ecosphere.fws.gov/project/IFKPCGRVXZHSHKC6IIAZ7CRKNI/documents/generated/7140.pdf</u>	Endangered
INSECTS NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <u>https://ecos.fws.gov/ecp/species/9005</u>	Threatened
FLOWERING PLANTS NAME	STATUS
Cordia bellonis No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/7228</u>	Endangered
Palma De Manaca <i>Calyptronoma rivalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/1272</u>	Threatened

#### **CRITICAL HABITATS**

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

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

### USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

#### **BALD & GOLDEN EAGLES**

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

- 1. The Bald and Golden Eagle Protection Act of 1940.
- 2. The Migratory Birds Treaty Act of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

#### **MIGRATORY BIRDS**

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

### WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

#### **IPAC USER CONTACT INFORMATION**

Agency:Private EntityName:Patricia CarmenattyAddress:Perseo St. 554 Cond. Iberia Suite J-3City:San JuanState:PRZip:00920Emailpatricia.carmenatty@byaea.comPhone:7877830290

Appendix C: Field Visit Photos

Photo #: 1 Date: September 12, 2023	Description (include direction): General view of the project site, looking northeast.
Photo #: 2 Date: September 12, 2023	Description (include direction): General view of the project site, looking north.



Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects24 CFR Part 58

## Appendix 4

# **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/m <sup>3</sup> )	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/m <sup>3</sup> )	0.0256	0.0667	35	0.261	1		
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	420	4,300	26	4,600	43		
Traffic Proximity (daily traffic count/distance to road)	39	180	36	210	35		
Lead Paint (% Pre-1960 Housing)	0.014	0.16	19	0.3	17		
Superfund Proximity (site count/km distance)	0.041	0.15	9	0.13	37		
RMP Facility Proximity (facility count/km distance)	0.15	0.47	43	0.43	45		
Hazardous Waste Proximity (facility count/km distance)	0.047	0.76	0	1.9	8		
Underground Storage Tanks (count/km <sup>2</sup> )	0	1.7	0	3.9	0		
Wastewater Discharge (toxicity-weighted concentration/m distance)	5.3E-06	2.3	2	22	14		
SOCIOECONOMIC INDICATORS	·						
Demographic Index	92%	83%	72	35%	99		
Supplemental Demographic Index	<mark>51%</mark>	43%	71	14%	99		
People of Color	95%	96%	6	39%	92		
Low Income	<mark>90%</mark>	70%	82	31%	99		
Unemployment Rate	5%	15%	26	6%	56		
Limited English Speaking Households	78%	67%	69	5%	99		
Less Than High School Education	32%	21%	78	12%	92		
Under Age 5		4%	95	6%	89		
Over Age 64	16%	22%	25	17%	50		
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A		

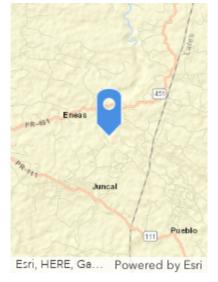
\*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations 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: <a href="https://www.epa.gov/haps/air-toxics-data-update">https://www.epa.gov/haps/air-toxics-data-update</a>.

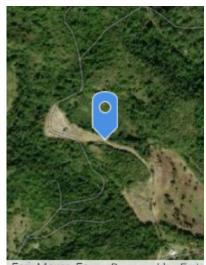


BYA BEHAR-YBARRA & ASSOCIATES LLC CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS

#### **APPLICANT/LOCATION INFORMATION**

Applicant ID:	PR-RGRW-04175
Applicant Name:	Hacienda Cascada El Saltillo LLC
Parcel ID:	130-000-007-07-001
Latitude:	18.322906
Longitude:	-66.915166
Street Address:	Carretera 111
Municipio:	San Sebastian
Zip Code:	00685
Site Inspector:	Egon Gonzalez
Date of Visit:	August 15, 2023
Time of Visit:	13:04
Building Type:	





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FIELD OBSERVATIONS								
	Question	Answer	Notes					
Α.	Is the structure in use?	No						
В.	Is the structure a greenhouse?	No						
C.	Is Electricity connected? (Utilities or Well)	No	Electricity is not connected					
D.	Is water connected? (Utilities or Well)	Yes	Water provided from water stream with pump and generator					
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.	Yes	Water cistern and water box					
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)?	Yes	There is an artificial pond .					
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 signifcant 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						



