



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

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

Project Information

Project Name: PR-RGRW-00089-W-RE

HEROS Number: 900000010389764

Start Date: 04/02/2024

State / Local Identifier:

Project Location: , Ponce, PR 00731

Additional Location Information:

Location: Location centroid: Latitude 18.092852, longitude -66.640956 at the address given above.
Cadastral: 316-000-009-35-000

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

This project (PR-RGRW-00089-W-RE) entails the award of a grant to Joel Perez Rodriguez DBA Agricultura Moderna, an agricultural business, at Carr. 503 Km. 0.3 Sector Aguacate Bo. Tibes, Ponce, PR 00731. Tax ID Number: 316-000-009-35-000. Coordinates (18.092852, -66.640956). This project had an original CENST review which included the purchase of farm equipment including a UTV, a tractor, a mower attachment, a rotary tiller attachment, a rake attachment, a post hole digger attachment, a plow attachment, cilantro seeds, and coriander seeds for project cost of \$47,895.38. See attached CENST environmental review. This review includes a scope item previously considered as an EA level of review (an irrigation system) which is now evaluated as CEST level of review in accordance with FR-6492-N-01 with a project cost of \$2,104.62. The proposed activities consist of the purchase and installation of an irrigation system. The irrigation system includes a water pump that will be installed on a cement slab. The cement slab will measure 2 feet x 2 feet, with a depth of 1.5 feet. The installation of the water pump & cement slab will require ground disturbance. The cement slab will be supplied by the applicant. All the pipes related to the irrigation system will go above the ground, it will not be anchored to it. The water necessary to be distributed by the irrigation system will be obtained from an existing PRASA intake on the property located approximately 300 feet from the water pump and any water line will be above ground. Electricity to run the water pump will be obtained from an existing LUMA/PREPA outlet on the property, with the aerial power lines. No new water or electricity connections will be necessary for the development of the project. Based on a review of historical aerial imagery, has been an agrarian land for more than 20 years. The project Joel Perez Rodriguez DBA Agricultura Moderna, PR-RGRW-00089-W-RE has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #10 - 10. 7 CFR 799.32(e) (2) (xxxvii): Watering tank or trough installation, if in areas not previously disturbed. HUD Level of Review: CEST. Potential application to HUD activities: Agricultural watering tank or trough installation that includes new ground disturbance has been classified as CEST under

the waiver.

Level of Environment Review Determination:

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

Funding Information

Grant Number	HUD Program	Program Name	
B-17-DM-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-18-DE-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-18-DP-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00

Estimated Total HUD Funded Amount: \$2,104.62

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$2,354.62

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

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Endangered Species Act	In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR 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 PR Boa.	N/A	

Determination:

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

Preparer Signature:  Date: April.15.2025

Name / Title/ Organization: Ianmario Heredia / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature:  Date: 6/6/2025

Name/ Title: Pedro A. de León Rodríguez, MSEM/Permits and Environmental Compliance Specialist

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

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

Project Information

Project Name: PR-RGRW-00089-W-RE

HEROS Number: 900000010389764

Start Date: 04/02/2024

Responsible Entity (RE): Department of Housing - Puerto Rico, P.O. Box 21365 San
Juan PR, 00928

State / Local Identifier:

RE Preparer: Ianmario Heredia

Certifying Office
r:

Grant Recipient (if different than Responsible Ent
ity):

Point of Contact:

Point of Contact: Justin Neely
Consultant (if applicable): Horne LLP

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: , Ponce, PR 00731

Additional Location Information:

Location: Location centroid: Latitude 18.092852, longitude -66.640956 at the address given above. Cadastral: 316-000-009-35-000

Direct Comments to: environmentcdbg@vivienda.pr.gov

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

This project (PR-RGRW-00089-W-RE) entails the award of a grant to Joel Perez Rodriguez DBA Agricultura Moderna, an agricultural business, at Carr. 503 Km. 0.3 Sector Aguacate Bo. Tibes, Ponce, PR 00731. Tax ID Number: 316-000-009-35-000. Coordinates (18.092852, -66.640956). This project had an original CENST review which included the purchase of farm equipment including a UTV, a tractor, a mower attachment, a rotary tiller attachment, a rake attachment, a post hole digger attachment, a plow attachment, cilantro seeds, and coriander seeds for project cost of \$47,895.38. See attached CENST environmental review. This review includes a scope item previously considered as an EA level of review (an irrigation system) which is now evaluated as CEST level of review in accordance with FR-6492-N-01 with a project cost of \$2,104.62. The proposed activities consist of the purchase and installation of an irrigation system. The irrigation system includes a water pump that will be installed on a cement slab. The cement slab will measure 2 feet x 2 feet, with a depth of 1.5 feet. The installation of the water pump & cement slab will require ground disturbance. The cement slab will be supplied by the applicant. All the pipes related to the irrigation system will go above the ground, it will not be anchored to it. The water necessary to be distributed by the irrigation system will be obtained from an existing PRASA intake on the property located approximately 300 feet from the water pump and any water line will be above ground. Electricity to run the water pump will be obtained from an existing LUMA/PREPA outlet on the property, with the aerial power lines. No new water or electricity connections will be necessary for the development of the project. Based on a review of historical aerial imagery, has been an agrarian land for more than 20 years. The project Joel Perez Rodriguez DBA Agricultura Moderna, PR-RGRW-00089-W-RE has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #10 - 10. 7 CFR 799.32(e) (2) (xxxvii): Watering tank or trough installation, if in areas not previously disturbed. HUD Level of Review: CEST. Potential application to HUD activities: Agricultural watering tank or trough installation that includes new ground disturbance has been classified as CEST under the waiver.

Maps, photographs, and other documentation of project location and description:[ReEvaluation Memo .docx](#)[PR-RGRW-00089-W-RE Site Map.pdf](#)[PR-RGRW-00089-W-RE IUGF CEST.pdf](#)[PR-RGRW-00089 CENST ERR.pdf](#)[PRDOH Regrow Puerto Rico Program - 5836 Waiver \(002\).pdf](#)[Farm Service Agency Adopted Categorical Exclusions Identified in FR-6492-N-01.pdf](#)[PR-RGRW-00089-W-RE EFOR.pdf](#)**Level of Environmental Review Determination:**

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

58.35(a)(3)(iii)

Determination:

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

Approval Documents:[00089-SIG-PAGE\(1\).pdf](#)

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Reevaluation of a Completed Review

The environmental findings of a completed environmental review were re-evaluated to determine if the original findings are still valid for all of the three scenarios below:

- a. Substantial changes in the nature, magnitude, or extent of the project, including adding new activities not anticipated in the original scope of the project are proposed.
- b. There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project, or
- c. The selection of an alternative not in the original finding is proposed.

It was determined that the original findings were still valid.

Statement or memo documenting determination:

The project Joel Perez Rodriguez DBA Agricultura Moderna, PR-RGRW-00089-W-RE has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #10 - 10. 7 CFR 799.32(e) (2) (xxxvii): Watering tank or trough installation, if in areas not previously disturbed. HUD Level of Review: CEST. Potential application to HUD activities: Agricultural watering tank or trough installation that includes new ground disturbance has been classified as CEST under the waiver.

[ReEvaluation Memo \(1\).docx](#)

[PR-RGRW-00089 CENST ERR\(1\).pdf](#)

[PRDOH Regrow Puerto Rico Program - 5836 Waiver \(002\)\(1\).pdf](#)

[Farm Service Agency Adopted Categorical Exclusions Identified in FR-6492-N-01\(1\).pdf](#)

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-17-DM-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-18-DE-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-18-DP-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00

**Estimated Total HUD Funded,
Assisted or Insured Amount:** \$2,104.62

Estimated Total Project Cost: \$2,354.62

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The site is located 37,130 feet from the nearest civil airport (Mercedita Airport in Ponce) and 250,508 feet from the military airport, Luis Munoz Marin International Airport in San Juan. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 76,656 ft from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1635H, effective on 4/19/2005: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would

particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93		require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 36,302 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. At the time of this review, this section has not been updated in HEROS to include questions regarding radon. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. See attached radon documents.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1635H, effective on 4/19/2005: This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan, Trujillo Alto and Rio Grande. The proposed project is located in the municipality of Ponce; therefore, PFIRM information was not available for the area and therefore not considered in the review. At the time of this review, this section has not been updated in HEROS to include questions regarding FFRMS. This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted.

Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 301,751 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

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

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Endangered Species Act	In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR Boa does	N/A		

	not move off, the construction manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the PR Boa.			
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Project Mitigation Plan

Should new ground disturbance occur the Karst zone must be evaluated and when necessary DNER must be consulted prior to construction activities. In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR 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 PR Boa.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities**Airport Hazards**

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The site is located 37,130 feet from the nearest civil airport (Mercedita Airport in Ponce) and 250,508 feet from the military airport, Luis Munoz Marin International Airport in San Juan. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-00089-W-RE Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Screen Summary**Compliance Determination**

This project is not located in a CBRS Unit. It is 76,656 ft from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-00089-W-RE CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

✓ Yes

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

[PR-RGRW-00089-W-RE FIRM.pdf](#)

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

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

✓ No

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

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary**Compliance Determination**

Flood Map Number 72000C1635H, effective on 4/19/2005: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

✓ No

Air Quality

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

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

Yes

✓ No

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

Screen Summary**Compliance Determination**

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

Supporting documentation**Are formal compliance steps or mitigation required?**

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

☒ No

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

Screen Summary**Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 36,302 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[PR-RGRW-00089-W-RE CZM.pdf](#)

Are formal compliance steps or mitigation required?

Yes

☒ No

Contamination and Toxic Substances

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

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

☒ No

Explain:

Based on ECHO reports for the facilities, there is no impact for the intended use of this project. See attached table. The environmental field observation did not note any items of concern. See the attached environmental field observation report. A google earth review of the area shows no visible hazards. The past land use for the last 10-15 year is agricultural.

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. At the time of this review, this section has not been updated in HEROS to include questions regarding radon. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. See attached radon documents.

Supporting documentation

[Radon Attachments.pdf](#)

[PR-RGRW-00089-W-RE Toxics.pdf](#)

[PR-RGRW-00089-W-RE Toxic Table.pdf](#)

[PR-RGRW-00089-W-RE Radon Memo.docx](#)

[PR-RGRW-00089-W-RE EFOR\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

2. Are federally listed species or designated critical habitats present in the action area?

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

3. What effects, if any, will your project have on federally listed species or designated critical habitat?

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

- ✓ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

4. Informal Consultation is required

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?

- ✓ Yes, the Service(s) concurred with the finding.

Based on the response, the review is in compliance with this section. Document and upload the following below:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

✓ Mitigation as follows will be implemented:

In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR 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 PR Boa.

No mitigation is necessary.

Screen Summary

Compliance Determination

This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.

Supporting documentation

[PR-RGRW-00089-W-RE USFWS Consultation Package.pdf](#)

[PR-RGRW-00089-W-RE USFWS Concurrence Letter.pdf](#)

Are formal compliance steps or mitigation required?

✓ Yes

No

Explosive and Flammable Hazards

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

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

☒ No

Yes

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

☒ No

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

Yes

Screen Summary**Compliance Determination**

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

☒ No

Farmlands Protection

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

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

Yes

✓ No

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

This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project is in an area designated as Not prime farmland.

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

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-00089-W-RE Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

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

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

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)

☒ None of the above

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

[PR-RGRW-00089-W-RE FIRM.pdf](#)

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

Does your project occur in a floodplain?

☒ No

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

Yes

Screen Summary**Compliance Determination**

Flood Map Number 72000C1635H, effective on 4/19/2005: This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. PFIRMS in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan, Trujillo Alto and Rio Grande. The proposed project is located in the municipality of Ponce; therefore, PFIRM information was not available for the area and therefore not considered in the review. At the time of this review, this section has not been updated in HEROS to include questions regarding FFRMS. This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

Supporting documentation

[PR-RGRW-00089-W-RE ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Only SHPO was consulted as No Historic Properties Affected was determined and no Tribal Lands were identified.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

Step 2 – Identify and Evaluate Historic Properties

1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

No Historic Properties present within the APE

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as

per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

☒ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

☒ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-00089-W-RE SHPO Consultation Package.pdf](#)

Are formal compliance steps or mitigation required?

Yes

☒ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

☒ None of the above

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

☒ No

Sole Source Aquifers

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

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

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

< No

✓

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

No

Screen Summary**Compliance Determination**

The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[PR-RGRW-00089-W-RE Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted.

Supporting documentation

[PR-RGRW-00089-W-RE Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is located 301,751 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-00089-W-RE Wild and Scenic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Environmental Justice

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

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

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

Yes

✓ No

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

Screen Summary**Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No



Detailed Facility Report

Facility Summary

PRASA – PONCE NUEVA WATER TREATMENT PLAN

PR–10 R–501 KM 0.1, PONCE, PR 00731

FRS (Facility Registry Service) ID: 110033157394

EPA Region: 02

Latitude: 18.093571

Longitude: -66.643596

Locational Data Source: RCRAINFO

Industries: --

Indian Country: N

Enforcement and Compliance Summary

Statute	RCRA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): No Information

Resource Conservation and Recovery Act (RCRA): Active VSQG, (PRR000021337)

Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information

Greenhouse Gas Emissions (eGGRT): No Information

Toxic Releases (TRI): No Information

Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Go To Enforcement/Compliance Details

Known Data Problems <<https://epa.gov/resources/echo-data/known-data-problems>>

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110033157394					N	18.093571	-66.643596
ICIS		40481					N	18.093571	-66.643596
ICIS		32161					N	18.040774	-66.590507
RCRAInfo	RCRA	PRR000021337	VSQG	Active (H)			N	18.093571	-66.643596

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110033157394	PRASA - PONCE NUEVA WATER TREATMENT PLAN	PR-10 R-501 KM 0.1, PONCE, PR 00731	Ponce Municipio
ICIS		40481	PRASA WTP PTA NUEVA PONCE	RD 10 KM.1, PONCE, PR 00731	Ponce Municipio
ICIS		32161	PRASA PONCE	CARR. 10R 501 KM. 0.1, PONCE, PR 00731	Ponce Municipio
RCRAInfo	RCRA	PRR000021337	PRASA - PONCE NUEVA WATER TREATMENT PLAN	PR #10 R-501 KM 0.1, PONCE, PR 00731	Ponce Municipio

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in *italics* are not included in ECHO's Compliance Monitoring Activity counts because they are not compliance monitoring strategy <<https://www.epa.gov/compliance/compliance-monitoring-programs>> activities or because they are not counted as inspections within EPA's Annual Results <<https://www.epa.gov/enforcement/enforcement-data-and-results>>.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	PRR000021337	No	07/06/2024	0	07/05/2024

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11
RCRA (Source ID: PRR000021337)		07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23	01/01-03/31/24
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified
	Violation	Agency										

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in *italics* are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/ Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/ Filed Date	Settlements/ Actions	Settlement/ Action Date	Federal Penalty Assessed	State/ Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost
No data records returned															

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
No data records returned						

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Ecological Use	Fish Consumption Use	Recreation Use	Other Use
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No data records returned

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
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No data records returned

Pollutants

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

TRI Facility ID	Year	Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Disposal to Land	Total On-Site Releases	Total Off-Site Transfers
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No data records returned

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

Potential Environmental Justice Concerns

US Territory

Supplemental/EJ index percentiles >= 90 (Census block group)

Supplemental/EJ index percentiles >= 90 (1-mile average)

EJScreen Indexes Shown

Index Type

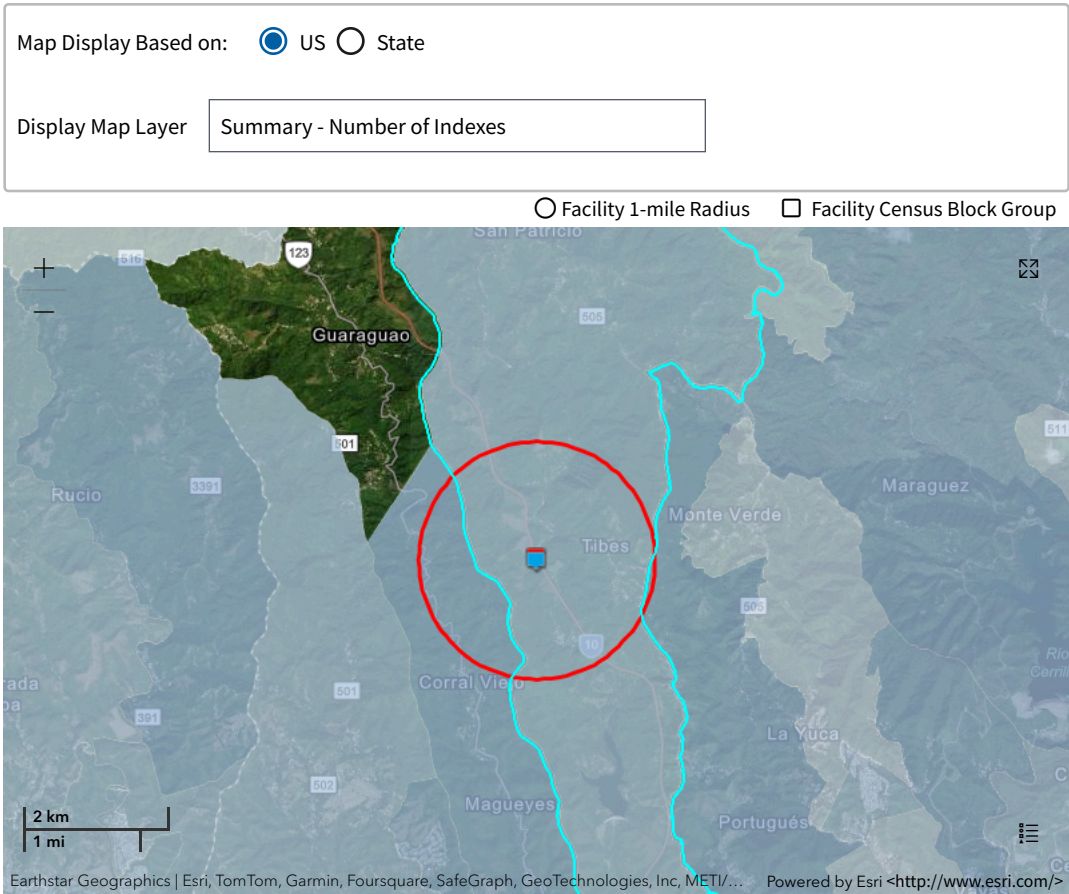
Supplemental (default)

Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 721130726001	US (Percentile)			State (Percentile)		
	Facility Census Block Group	1-mile Avg	1-mile Max	Facility Census Block Group	1-mile Avg	1-mile Max
Supplemental Indexes						
Count of Indexes At or Above 90th Percentile	4	4	6	0	0	5
Particulate Matter 2.5	--	N/A	--	--	N/A	--
Ozone	--	N/A	--	--	N/A	--
Diesel Particulate Matter	0	0	6	15	17	45
Air Toxics Cancer Risk	54	54	56	81	77	92
Air Toxics Respiratory Hazard Index	20	28	40	0	17	92
Toxic Releases to Air	99	99	99	84	83	95
Traffic Proximity	75	76	97	25	25	67
Lead Paint	80	83	92	37	43	65
Risk Management Plan (RMP) Facility Proximity	97	98	99	64	74	94
Hazardous Waste Proximity	74	77	91	21	25	49
Superfund Proximity	99	99	99	65	68	82
Underground Storage Tanks (UST)	0	0	--	0	0	--
Wastewater Discharge	99	99	99	87	83	96



Demographic Profile of Surrounding Area (1-Mile Radius)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. Census boundaries and demographic data for U.S. Territories are based on the "2020 Island Areas Demographic Profiles" from the U.S. Census Bureau. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary <<https://epa.gov/help/reports/dfr-data-dictionary#demographic>>.

General Statistics (U.S. Census)		Age Breakdown (U.S. Census) - Persons (%)	
Total Persons	581	Children 5 years and younger	40 (7%)
Population Density	187/sq.mi.	Minors 17 years and younger	160 (28%)
Housing Units in Area	216	Adults 18 years and older	421 (72%)
General Statistics (ACS (American Community Survey))		Seniors 65 years and older	77 (13%)
Total Persons	629	Race Breakdown (U.S. Census) - Persons (%)	
Percent People of Color	100%	White	450 (77%)
Households in Area	192	African-American	45 (8%)
Households on Public Assistance	29	Hispanic-Origin	579 (100%)
Persons With Low Income	466	Asian/Pacific Islander	4 (1%)
Percent With Low Income	75%	American Indian	7 (1%)
Geography		Other/Multiracial	76 (13%)
Radius of Selected Area	1 mi.	Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Center Latitude	18.093571	Less than 9th Grade	75 (18.43%)
Center Longitude	-66.643596	9th through 12th Grade	53 (13.02%)
Land Area	100%	High School Diploma	122 (29.98%)
Water Area	0%	Some College/2-year	76 (18.67%)
Income Breakdown (ACS (American Community Survey)) - Households (%)		B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	39 (9.58%)
Less than \$15,000	109 (56.77%)		
\$15,000 - \$25,000	37 (19.27%)		

Income Breakdown (ACS (American Community Survey)) - Households (%)	
\$25,000 - \$50,000	19 (9.9%)
\$50,000 - \$75,000	6 (3.13%)
Greater than \$75,000	21 (10.94%)



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO



Memorandum to File

Date: 4/9/2025

From: Justin Neely
Environmental Manager
CDBG-DR Program
Regrow Puerto Rico Program
Puerto Rico Department of Housing

Application Number: PR-RGRW-00089-W-RE

Project: Joel Pérez Rodríguez DBA Agricultura Moderna

Re: Justification for the Infeasibility and Impracticability of Radon Testing

After reviewing Application Number PR-RGRW-00089-W-RE under the Regrow Puerto Rico Program, administered by the Puerto Rico Department of Housing (**PRDOH**), to complete the property's contamination analysis in accordance with 24 C.F.R. § 50.3(i) and 24 C.F.R. § 58.5(i), we have determined that testing the property's radon levels is infeasible and impracticable.

Per the U.S. Department of Housing and Urban Development's (**HUD**) CPD Notice 23-103, the recommended best practices and alternative options for radon testing are infeasible and impracticable in this case due to the following reasons:

- As required by the CPD Notice 23-103, the scientific data reviewed in lieu of testing must consist of a minimum of ten documented test results over the previous ten years. If there are less than ten documented results over this

period, it is understood that there is a lack of scientific data. The latest report for radon testing in Puerto Rico was prepared in 1995 by the U.S. Department of the Interior in Cooperation with the U.S. Environmental Protection Agency. No other completed studies and reports on radon testing are available in Puerto Rico.

- There is no available science-based or state-generated information for Puerto Rico for the last ten years that can be used to determine whether the project site is in a high-risk area. The Department of Health and Human Services, Centers for Disease Control and Prevention (**CDC**), National Environmental Public Health Tracking, and Radon Testing map do not include Puerto Rico data.
- There are only two (2) licensed professionals in Puerto Rico who can conduct radon testing using the American National Standards Institute/American Association of Radon Scientists and Technologists (**ANSI/AARST**) testing standards, which makes it difficult, time-consuming, and highly expensive to coordinate and secure a site visit for the contamination evaluation.
- Do-it-yourself (**DIY**) radon test kits are known to be unreliable in assuring and controlling the quality of the test results; they are not readily available in Puerto Rico, and the cost and time required for purchasing and sending them for analysis are unreasonable when weighed against the results' reliability and the need for prompt results.
- Local authorities in Puerto Rico do not have the specialized radon monitoring equipment or trained staff needed to conduct the radon testing analysis and ensure proper quality control and quality assurance practices are adhered to. We also do not have a radiation laboratory certified for radon testing.

As part of the evaluation for this determination, PRDOH sent information requests to six (6) local agencies at the state and federal levels. We received responses from the following agencies:

- United States Geological Survey;
- Centers for Disease Control and Prevention;
- Puerto Rico Department of Health; and
- United States Environmental Protection Agency.

The agencies mentioned above confirmed the lack of scientific data on Radon testing for Puerto Rico and the technical difficulties that we face to comply with HUD's Radon testing requirement. For the above-mentioned reasons, Radon testing is infeasible and impracticable for this property, and no further consideration of Radon is needed for the environmental review.



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Wednesday, July 3, 2024

Lauren B Poche

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

SHPO-CF-06-21-24-04 PR-RGRW-00089 (Ponce), Joel Pérez Rodríguez DBA
Agricultura Moderna

Dear Ms. Poche,

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. Beneficencia, Viejo San Juan, PR 00901 | PO Box 9023935, San Juan, PR 00902-3935



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

April 30, 2024

Arch. Carlos A. Rubio Cancela

Executive Director

Puerto Rico State Historic Preservation Office

Cuartel de Ballajá, Third Floor

San Juan, Puerto Rico 00901

Re: Authorization to Submit Documents for Consultation

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 review services, among others, that will support the objectives of the agenda for both CDBG-DR and CDBG -MIT Programs.

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,

Aldo A. Rivera Vázquez, PE

Director

Division of Environmental Permitting and Compliance

Office of Disaster Recovery

June 21, 2024

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-00089 – Joel Pérez Rodríguez DBA Agricultura Moderna – Carr. 503 Km. 0.3 Sector Aguacate, Bo. Tibes, Ponce, 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 Joel Pérez Rodríguez DBA Agricultura Moderna located at Carr. 503 Km. 0.3 Sector Aguacate Bo. Tibes, in the municipality of Ponce. The undertaking for this project includes the purchase and installation of an irrigation system. The irrigation system includes a water pump that will be installed on a cement slab. The cement slab will measure 2' x 2', with a depth of 1.5 feet. The installation of the water pump & cement slab will require ground disturbance. The applicant will supply the cement slab. All the pipes related to the irrigation system will go above the ground, it will not be anchored to it. The water necessary to be distributed by the irrigation system will be obtained from an existing PRASA intake on the property located 300 feet from the water pump. Electricity to run the water pump will be obtained from an existing LUMA/PREPA outlet on the property. No new water or electricity connections will be necessary for the development of the project.

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

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


Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager
LBP/JLE

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Joel Pérez Rodríguez DBA Agricultura Moderna		
Case ID: PR-RGRW-00089		City: Ponce
Project Location: Carr. 503 Km. 0.3 Sector Aguacate Bo. Tibes, Ponce, PR, 00731		
Project Coordinates: 18.092852 -66.640956; 18.093085 -66.640595		
TPID (Número de Catastro): 316-000-009-35-000		
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction		
Construction Date (AH est.): n/a		Property Size (acres): 1,784
SOI-Qualified Archaeologist: Jaqueline López Meléndez		
Date Reviewed: May 30, 2024		


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

Project Description (Undertaking)

The proposed activities for PR-RGRW-00089 consist of the purchase and installation of an irrigation system. The irrigation system includes a water pump that will be installed on a cement slab. The cement slab will measure 2' x 2', with a depth of 1.5 feet. The installation of the water pump & cement slab will require ground disturbance. The cement slab will be supplied by the applicant. All the pipes related to the irrigation system will go above the ground, it will not be anchored to it. The water necessary to be distributed by the irrigation system will be obtained from an existing PRASA intake on the property located 300 feet from the water pump. Electricity to run the water pump will be obtained from an existing LUMA/PREPA outlet on the property. No new water or electricity connections will be necessary for the development of the project. The project area is located at PR-503 km. 0.3 within the Municipality of Ponce. Based on a review of historical aerial imagery, has been an agrarian land for more than 20 years.

Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the water pump & cement slab 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	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Joel Pérez Rodríguez DBA Agricultura Moderna	
Case ID: PR-RGRW-00089	City: Ponce

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 is one (1) archaeological site reported within 0.50 miles of the project location: Hacienda Molina (ICP: PO-100) located 0.47 miles northeast (see table). The proposed project is located in a flat area between mountains in the Tibes ward of Ponce at an elevation of 787 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Mucara. The project area APE is in MuE2. The closest freshwater source is Portugués River located 0.09 miles southeast and unnamed creek, located 0.27 miles northwest of the project area. The south coast is approximately 7.71 miles (12.40 km) from the project area.

Within the 0.50 miles radius we have eight archaeological studies, all with negative results.


The soil in the area has been classified as Mucara silty clay, 20 to 40 percent slopes, eroded (MuE2). This is a steep soil on side slopes and ridges on the humid uplands. Runoff is rapid. Erosion is a hazard. This soil is not suited to cultivated crops. This soil is fertile. Because of slope, runoff, and the hazard of erosion this soil is not suitable for cultivation.

Visual inspection of the APE and its surroundings found no evidence of cultural materials.

Determination

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that no previously identified historic properties are located within or adjacent to the proposed project Area of Potential Effect. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. Within 0.50 miles radius there is one reported historic resource, Hacienda Molina (ICP: PO-100) located 0.47 miles northeast on the topographic map but there is no information that there are currently any remains of the hacienda, or the existence of significant archaeological materials or 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-00089 is located. The closest freshwater body is approximately 0.09 miles southeast of the project area. The construction of public roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Joel Pérez Rodríguez DBA Agricultura Moderna		
Case ID: PR-RGRW-00089		City: Ponce


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

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

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

This Section is to be Completed by SHPO Staff Only

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

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination			GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Joel Pérez Rodríguez DBA Agricultura Moderna			
Case ID: PR-RGRW-00089		City: Ponce	

Case ID: PR-RGRW-00089

Project Coordinates: 18.092852 -66.640956; 18.093085 -66.640595

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

Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
Hacienda Molina	-	PO-100	0.47 mi NE	Hacienda located in the topographic quadrangle. There is no additional information on this site.	No data

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
Pedro Alvarado	IA-IB/ Relocalización de la PR-10 desde la carretera Estatal PR-143 Adjuntas hasta Sta. 1587.00	1991	ICP/CAT-PO-91-08-05	Negative	0.16 mi W

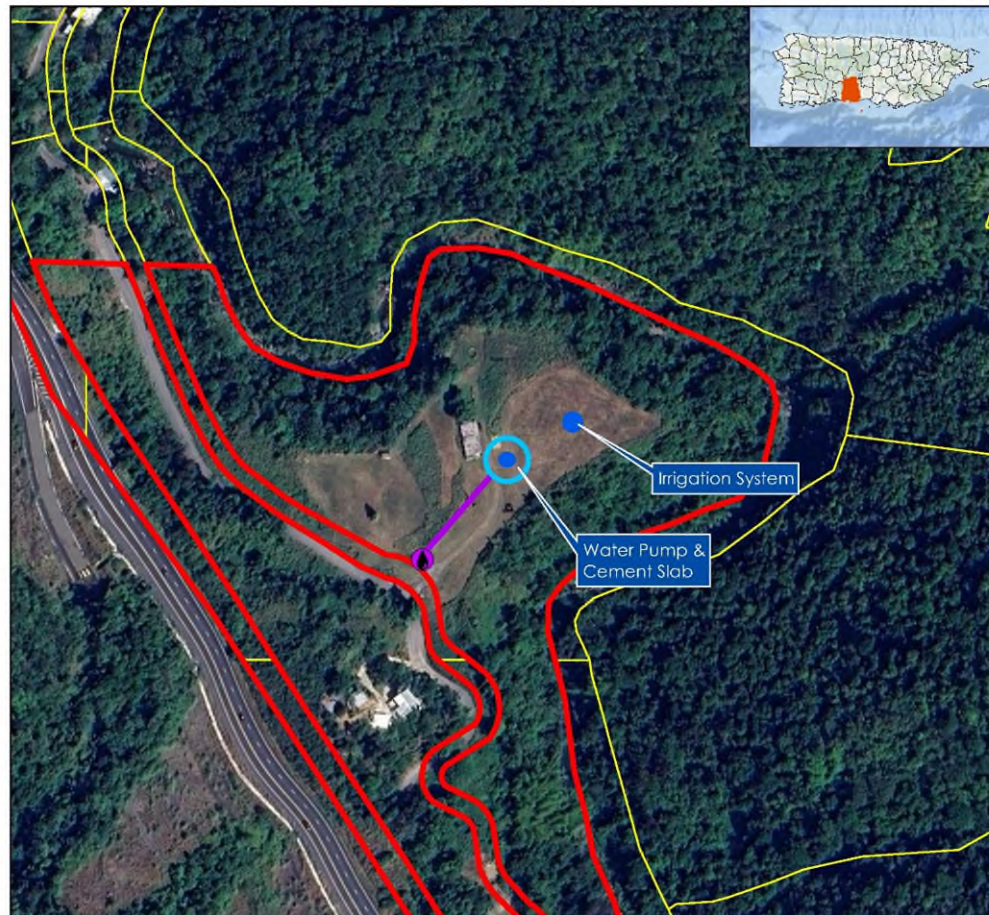
Project (PR-RGRW-00089) Location – Area of Potential Effect Map (Aerial)

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corporación, Estado 1 Suite 2-03, Calle Ponce 554, Arroyo, San Juan, P.R. 00925 TEL: 787-703-0290

Application ID: PR-RGRW-00089

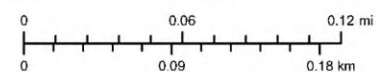
Joel Pérez Rodríguez DBA Agricultura Moderna
Carr. 503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Coordinates Lat: 18.092852, Lon: -66.640956

Area of Potential Effect Puerto Rico Department of Housing ReGrow



Legend:

- 00089_Water Connection
- PR-RGRW-00089
- Area of Potential Effect (15 mts)
- PRASA Connection
- Parcel-00089
- CRIM_PARCELAS_2018



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



1:3,000

Source

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

Project (PR-RGRW-00089) Location - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Ciudad, Ido. 1 Suite 2-3, Calle Ponce 56A, Arroyo, San Juan, P.R. 00922 Tel: (787) 769-2296

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna

Carr. 503 Km. 0.3 Sector Aguacate

Bo. Tibes, Ponce, PR 00731

Catastro: 316-000-009-35-000

Water Pump & Cement Slab Location

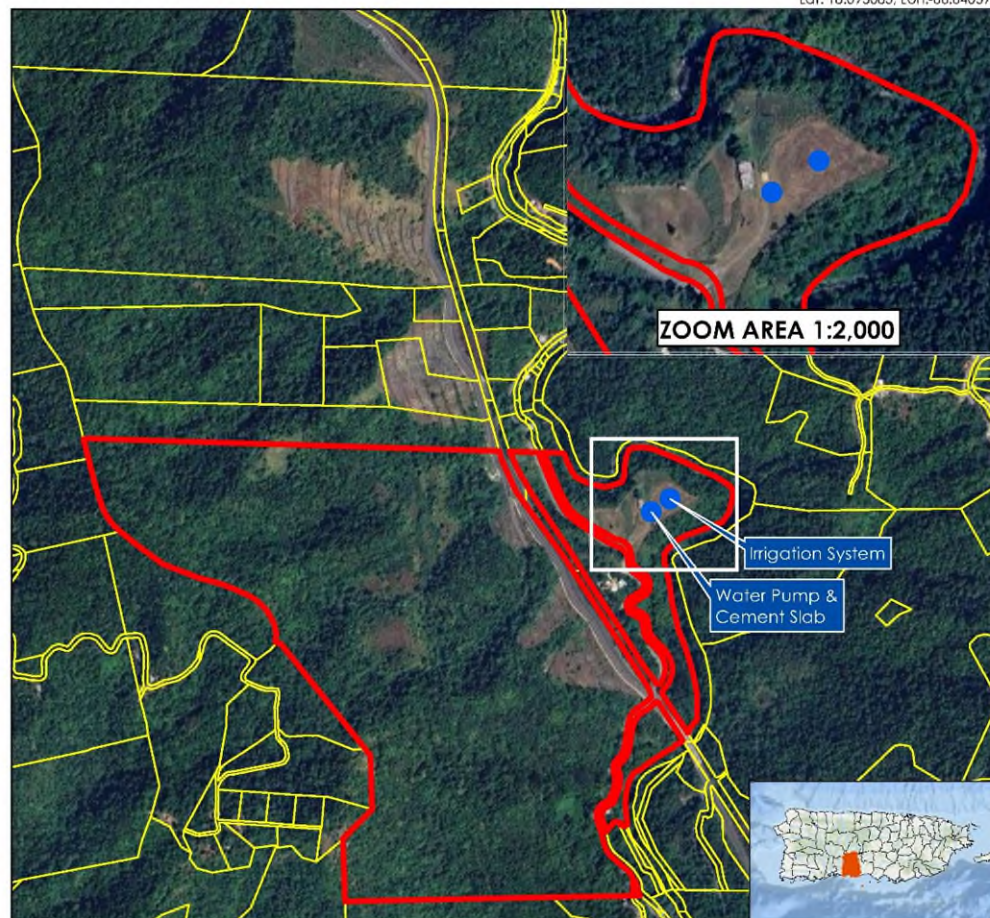
Lat: 18.092852, Lon: -66.640956

Irrigation System Location

Lat: 18.093085, Lon: -66.640595

Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- Parcel-00089
- CRIM_PARCELAS_2018

0 0.2 0.4 mi
0 0.3 0.6 km

Service Layer Credits: Esri, Garmin, GEBCO, NOAA
N.GDC, and other contributors and Google Earth

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



1:10,000

Project (PR-RGRW-00089) Location - USGS Topographic Map

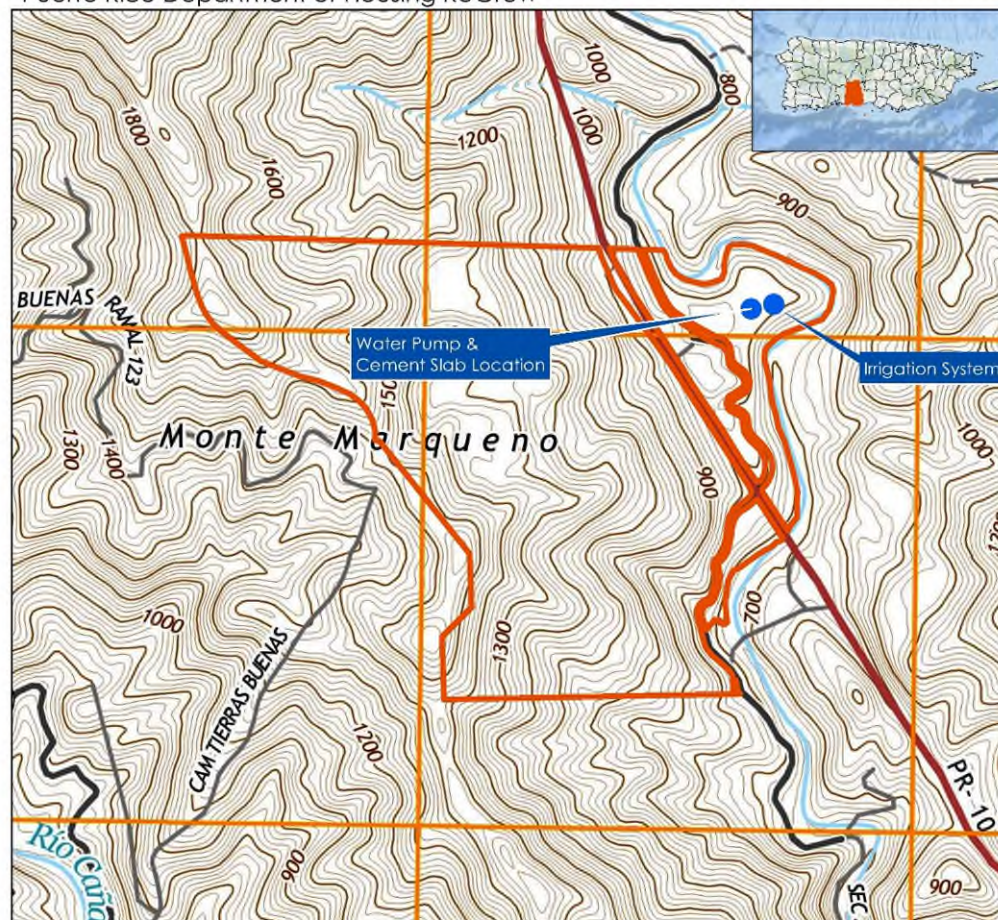
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corporación, Exempt 1001-000-000, Calle Comercio 55A, Arroyo, San Juan, PR, 00920 TEL: (787) 713-0290

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna
Carr.503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Coordinates: Lat: 18.092852,
Lon: -66.640956

Location USGS Topographic Map

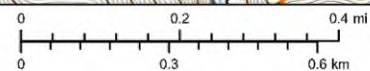
Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- Parcel-00089
- Contour Interval 20 Feet

Quadrangle: Peñuelas



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

Source

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



Applicant: Joel Pérez Rodríguez DBA Agricultura Moderna

Case ID: PR-RGRW-00089

City: Ponce

Project (PR-RGRW-00089) Location – Soils Map

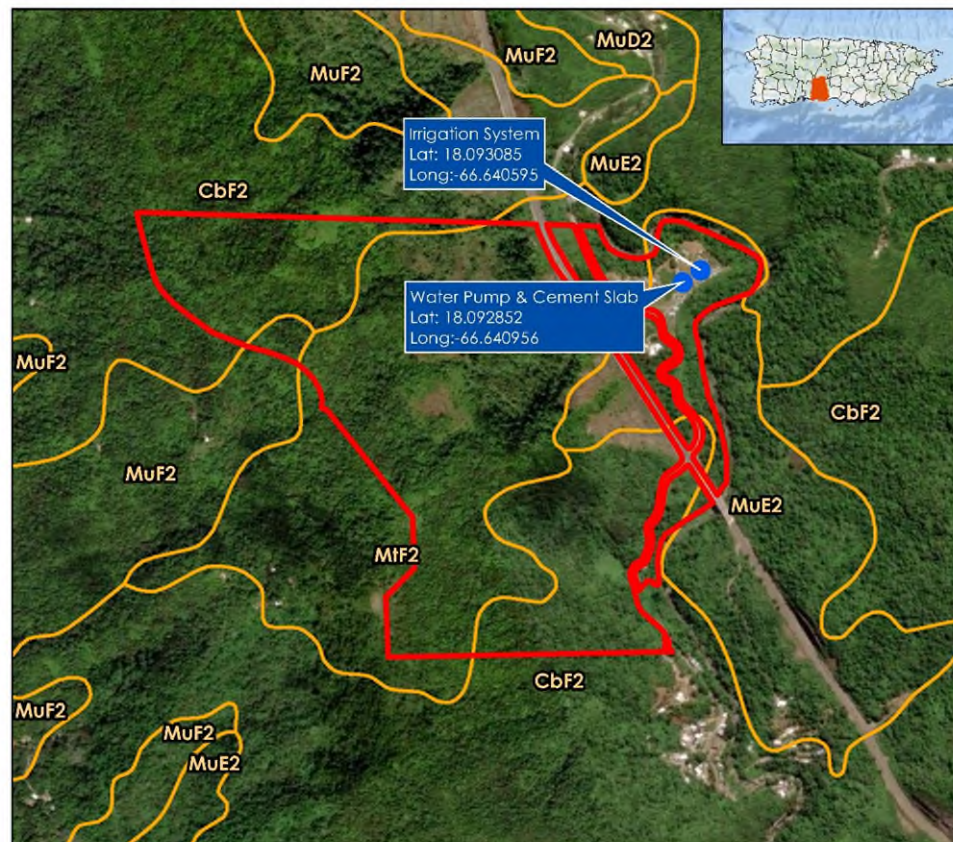
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Carr. 100, Suite 101, San Juan, P.R. 00925 Tel: (787) 732-0200

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna
Carr. 503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Coordinates: Lat: 18.092852,
Lon: -66.640956

Soils Map

Puerto Rico Department of Housing ReGrow

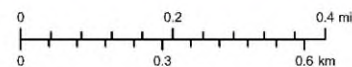


Legend:

- PR-RGRW-00089
- Parcel-00089
- Soil Map Unit Symbol

Soil Map Unit Symbol

CbF2 - Caguabo gravelly clay loam, 20 to 60 percent slopes
MiF2 - Morado clay loam, 40 to 60 percent slopes
MuE2 - Mucara silty clay, 20 to 40 percent slopes, eroded
MuF2 - Mucara silty clay, 40 to 60 percent slopes, eroded



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

Source

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



1:10,000

Project (PR-RGRW-00089) Location with Previous Investigations - Aerial Map

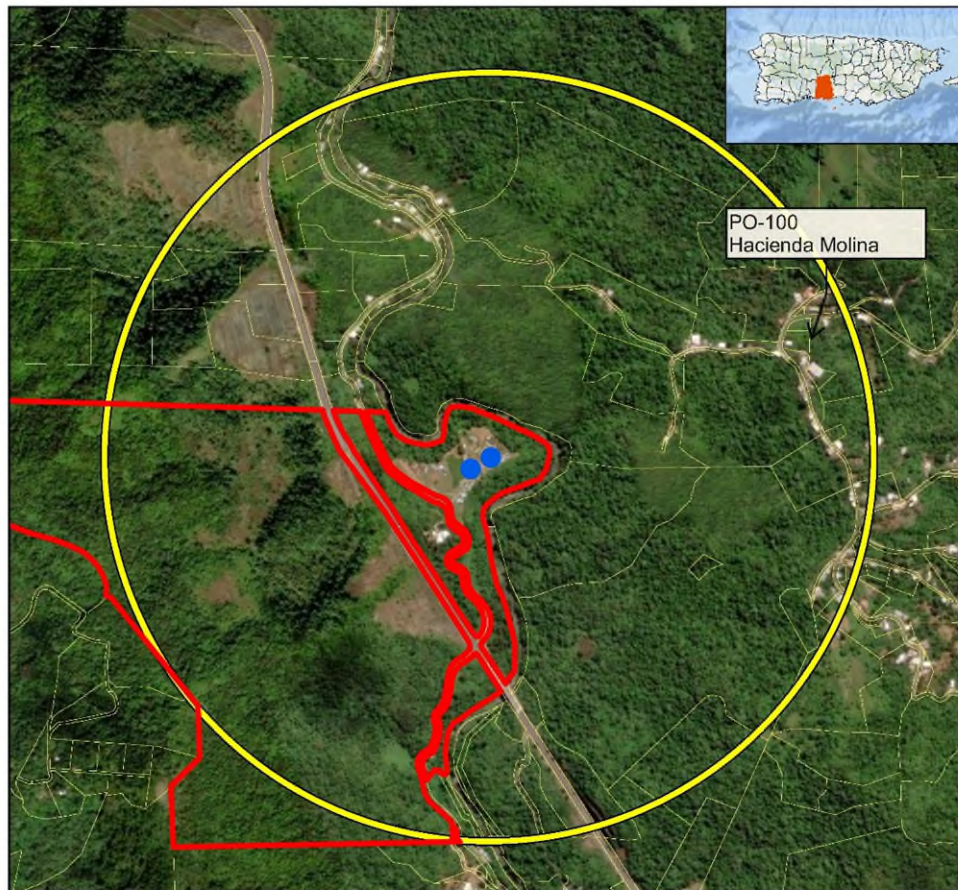
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Ciudad, Barrio 1, Suite J-3, Calle Ponce 334, Arroyo, San Juan, PR. 00923 7642121/763-2295

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna
Carr. 503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Coordinates: Lat: 18.092852,
Lon: -66.640956

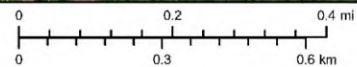
Previous Investigations Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- Parcel-00089
- 0.5 Mile (0.8Km) Buffer
- CRIM_PARCELAS_2018



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

Source

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



1:10,000

Project (PR-RGRW-00089) Location with Previously Investigations USGS Topographic Map

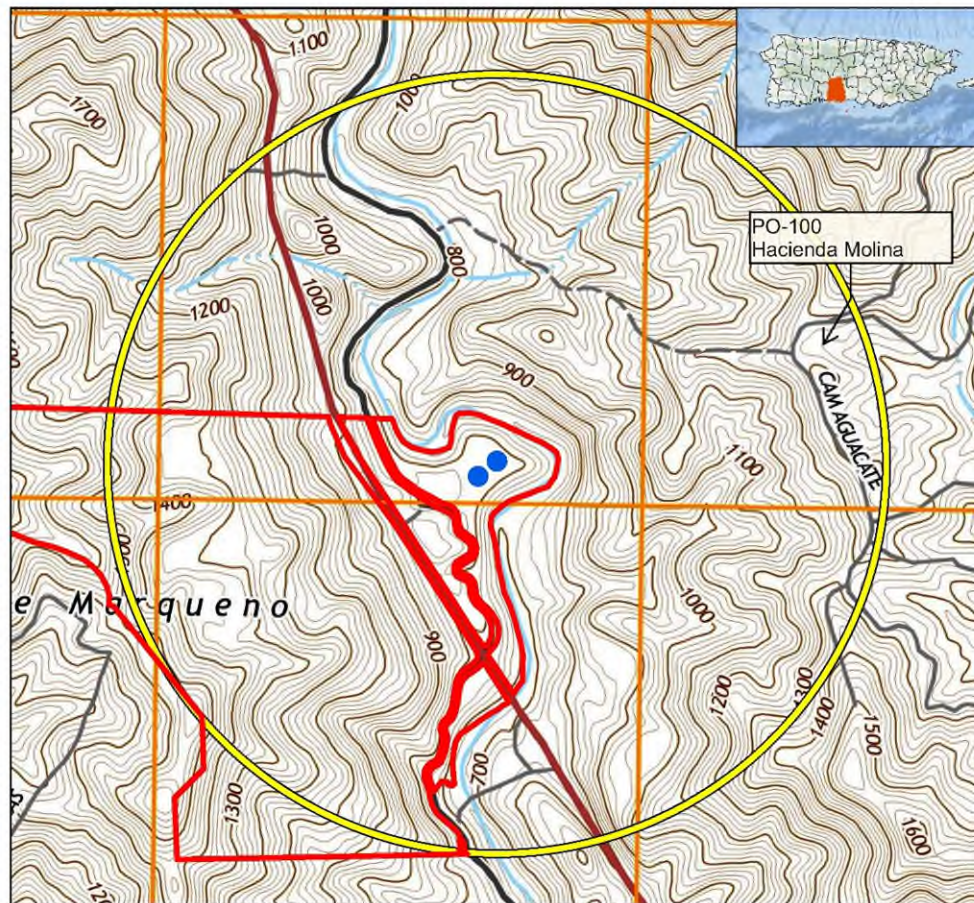
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corral, Avenida 1 (Calle J-2), Calle Tercera 2014, Aguadilla, San Juan, PR, 00923 786-732-7153-0230

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna
Carr.503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Coordinates: Lat: 18.092852,
Lon: -66.640956

Previous Investigations Topographic Map

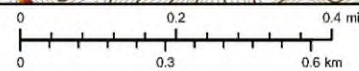
Puerto Rico Department of Housing ReGrow



Legend:

- Parcel-00089
- 0.5 Mile (0.8Km) Buffer

Quadrangle: Peñuelas



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

Source

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



Photograph Key

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corral Street, 1 Suite 205, Calle Ponce 004, Ponce, San Juan, P.R. 00731-1000/00731-0090

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna Carr. 503
Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: S16-000-009-SS-000
Water Pump & Cement Slab Location
Lat: 18.092852, Lon: -66.640956
Irrigation System Location
Lat: 18.093085, Lon: -66.640595

Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- Parcel-00089
- CRIM_PARCELAS_2018

0 0.2 0.4 mi
0 0.3 0.6 km

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

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



1:10,000



Applicant: Joel Pérez Rodríguez DBA Agricultura Moderna

Case ID: PR-RGRW-00089

City: Ponce



Photo #:1

Description (include direction): Area where the water pump and cement slab will be installed, looking northwest.

Date: May 24, 2024



Photo #:2

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

Date: May 24, 2024



October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

Re: Authorization to Submit Documents


Dear Arch. Rubio Cancela:

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

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

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

Cordially,


Juan C. Pérez Bofill, P.E. M.Eng
Director of Disaster Recovery
CDBG DR-MIT



United States Department of the Interior

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



In Reply Refer to:
FWS/R4/CESFO/72113-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-00089 DBA Agricultura
Moderna-Joel Pérez Rodríguez, Ponce, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated July 23, 2024, requesting informal consultation 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) is proposing purchase and installation of an irrigation system. The irrigation system includes a water pump that will be installed on a cement slab (2 feet (Ft) wide x 2 Ft long x 1.5 Ft deep). The project will be located at State Road PR-503, Km 0.3, Tibes Ward, Aguacate Sector (18°05'34.3"N 66°38'27.4"W) in the municipality of Ponce. The installation of the water pump and cement slab will require ground disturbance.

Using the Information for Planning and Consultation (IPaC) system PRDOH has determined that the proposed project (Project code: 2024-0100708) lies within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

The PRDOH has determined that the proposed project will have no effect (NE) Puerto Rican harlequin butterfly due to the lack of suitable habitat (33,273 Ft from project site). We acknowledge receipt of PRDOH's NE determination for the Puerto Rican harlequin butterfly. Currently, we do not have information to refute that determination. Because the PRDOH made a NE determination, PRDOH is not required to conduct formal or informal section 7 consultation with the Service, and the Service is not required to concur with PRDOH's NE determination.

Since the land has been used for agricultural uses for more than 20 years and the proposed project will not change the land use, PRDOH has determined that based on the nature of the project, scope of work and existing habitat, the proposed actions may affect, but are not likely to adversely affect the Puerto Rican boa. Conservation measures will be implemented prior to and during the irrigation system installation to avoid or minimize impacts to this species.

We have reviewed the information provided in your letter and in our files, and concur with your determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures.

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 caribbean_es@fws.gov or by phone at (786) 244-0081.

Sincerely,

LOURDES
MENA

Digitally signed by
LOURDES MENA
Date: 2024.08.04
17:33:12 -04'00'

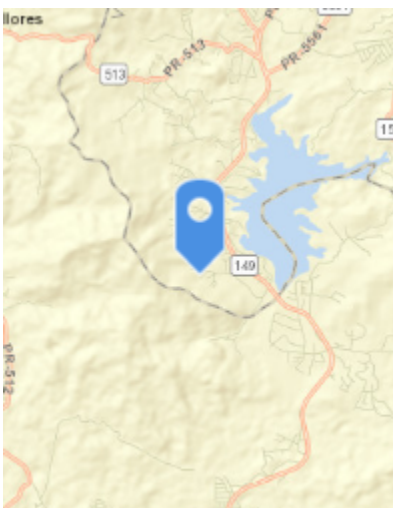
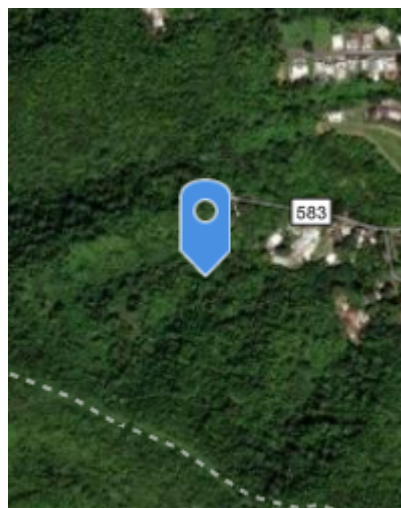
Lourdes Mena
Field Supervisor

drr

cc:

Allison Cullet, HORNE

APPLICANT/LOCATION INFORMATION

Applicant ID:	PR-RGRW-00089	 <p>Esri, HERE, Gaode, Powered by Esri</p>	 <p>Esri, Maxar, Ea... Powered by Esri</p>
Applicant Name:	Joel Pérez Rodríguez DBA Agricultura Moderna		
Parcel ID:	316-000-009-35-000		
Latitude:	18.092852		
Longitude:	-66.640956		
Street Address:	Car. .503 Km. 0.3 Sector Aguacate Bo. Tibes		
Municipio:	Ponce		
Zip Code:	00731		
Site Inspector:	Patricia Carmenatty		
Date of Visit:	5/17/2024		
Time of Visit:	10:30 am		

FIELD OBSERVATIONS

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

Photo Direction: Northeast

Comments: Irrigation system location



Photo Direction: East

Comments: Irrigation system location



Photo Direction: Southeast

Comments: Irrigation system location



Photo Direction: Southwest

Comments: Facing away from irrigation system location. Entrance of the Farm



Photo Direction:

Comments: 2' x 2' concrete slab location



Photo Direction: Northeast

Comments: 2' x 2' concrete slab location



Photo Direction: Southwest

Comments: Entrance of the Farm



Facing Away from Side #2

Photo Direction: Northeast

Comments: Facing away, entrance of the Farm



Photo Direction:

Comments: AAA connected



Photo Direction: South

Comments: LUMA Connected / All connections will be aerial



Photo Direction: Northeast

Comments: LUMA connected on property



Photo Direction: Northwest

Photo Description: Structure on property. The applicant uses it as storage and has the utilities connected.



Photo Direction: Northwest

Photo Description: Structure on property. The applicant uses it as storage and has the utilities connected.



Photo Direction: Looking down

Photo Description: steep slope to access the near river,



Photo Direction:

Photo Description: looking up, the steep slope near the river and the farm



Photo Direction: Looking down, NE

Photo Description: steep slope to
access the near river,



Photo Direction: Looking down, NE

Photo Description: steep slope to
access the near river,



Photo Direction: East

Photo Description:



Photo Direction: NE

Photo Description: Looking down you can see the river.



Photo Direction: Looking up

Photo Description: steep slope



Photo Direction: Looking down

Photo Description: steep slope, near river



June 26, 2024

Robert Tawes
Division Supervisor, Environmental Review
U.S. Fish and Wildlife Service
Southeast Regional Office
1875 Century Boulevard
Atlanta, GA 30345
email: robert_tawes@fws.gov

RE: Informal Consultation for Case PR-RGRW-00089 located at Carr. 503 Km. 0.3 Sector Aguacate Bo. Tibes, Ponce, PR, 00731.

Dear Mr. Tawes:

The Puerto Rico Department of Housing is requiring 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-00089, located at coordinates for the irrigation system and concrete slab: latitude 18.092852, longitude -66.640956 on Carr. 503 Km. 0.3 Sector Aguacate Bo. Tibes, Ponce, PR, 00731, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-00089 consist of the purchase and installation of an irrigation system. The irrigation system includes a water pump that will be installed on a cement slab. The cement slab will measure 2' x 2', with a depth of 1.5 feet. The installation of the water pump & cement slab will require ground disturbance. The cement slab will be supplied by the applicant. All the pipes related to the irrigation system will go above the ground, it will not be anchored to it. The water necessary to be distributed by the irrigation system will be obtained from an existing PRASA intake on the property located 300 feet from the water pump. Electricity to run the water pump will be obtained from an existing LUMA/PREPA outlet on the property. No new water or electricity connections will be necessary for the development of the project. The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the concrete slab, see Figure 3: Area of Potential Effect.

Existing Conditions and Trends:

The proposed project parcel 316-000-009-35-000 is designated as Not Prime Farmland, See Figure 4: Farmland Protection Map. The project area is located in the mountainous area of Ponce. The area where the concrete slab for the water pump and irrigation system will be placed has a flat topography, refer to Photo 1 and Photo 2. The soil in the area has been classified as Mucara silty clay, 20 to 40 percent slopes, eroded (MuE2). This is steep soil on side slopes and ridges on the humid uplands. The land has been used for agricultural uses for more than 20 years and the proposed project will not change the land use

associated with these placements. The closer Final Critical Habitat is located 33,273 feet from the project location, see Figure 5: Critical Habitats Map. Approximately 240 feet from the proposed project is the Portugues River, see Figure 6: Wetlands Map.

Using the Information for Planning and Consultation (IPaC) system (See Exhibit 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
Reptiles	
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	Endangered
Insects	
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	Threatened
Critical Habitat	
There are no critical habitats within the project area.	

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated June 6, 2024, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "*May Affect, but is Not Likely to Adversely Affect*" (NLAA) determination on the Puerto Rican Boa, see Exhibit B. Based on the location of the project and habitat evaluation it was determined that the proposed action will have *No Effect* for the Puerto Rican Harlequin due to lack of suitable habitat. Vegetation removal will not be necessary for the proposed project.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	Puerto Rican Boa Conservation Measures 2024
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	No Effect	No conservation measures
Critical Habitats		
There are no critical habitats within the project area.		

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination for the Puerto Rican Boa. 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 contact Allison Cullett at allison.cullett@horne.com.

References:

Puerto Rican boa (*Chilabothrus inornatus*)

Species Profile: <https://ecos.fws.gov/ecp/species/6628>

USFWS Puerto Rican boa Conservation Measures

Puerto Rican Harlequin Butterfly (*Atlantea tulita*)

Species profile: <https://ecos.fws.gov/ecp/species/9005>

Exhibit A: Figures

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna
Carr. 503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Water Pump & Cement Slab Location
Lat: 18.092852, Lon: -66.640956
Irrigation System Location
Lat: 18.093085, Lon: -66.640595

Location: Aerial Map

Puerto Rico Department of Housing ReGrow

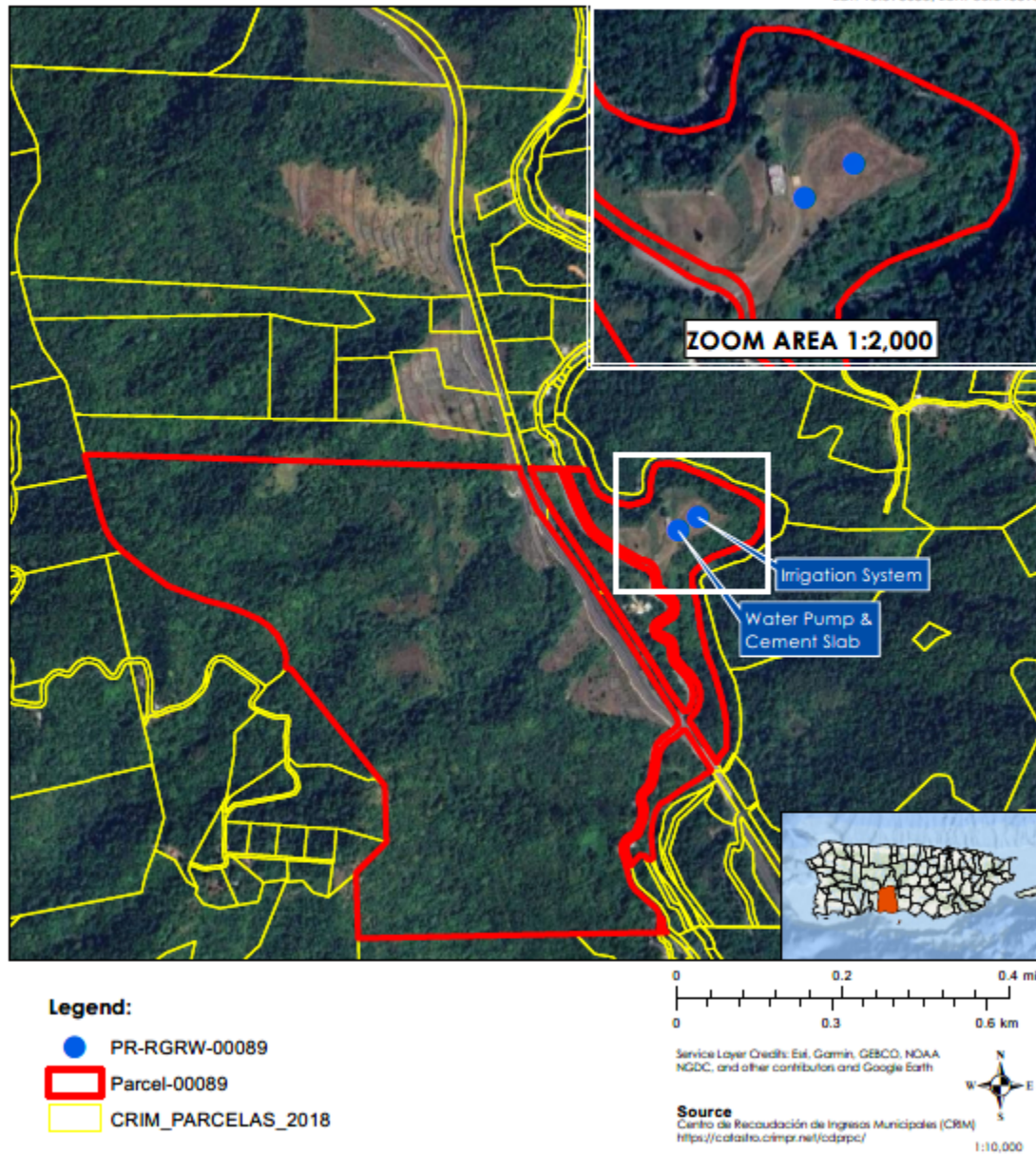


Figure 1: PR-RGRW-00089 Location Map

Location USGS Topographic Map

Puerto Rico Department of Housing ReGrow

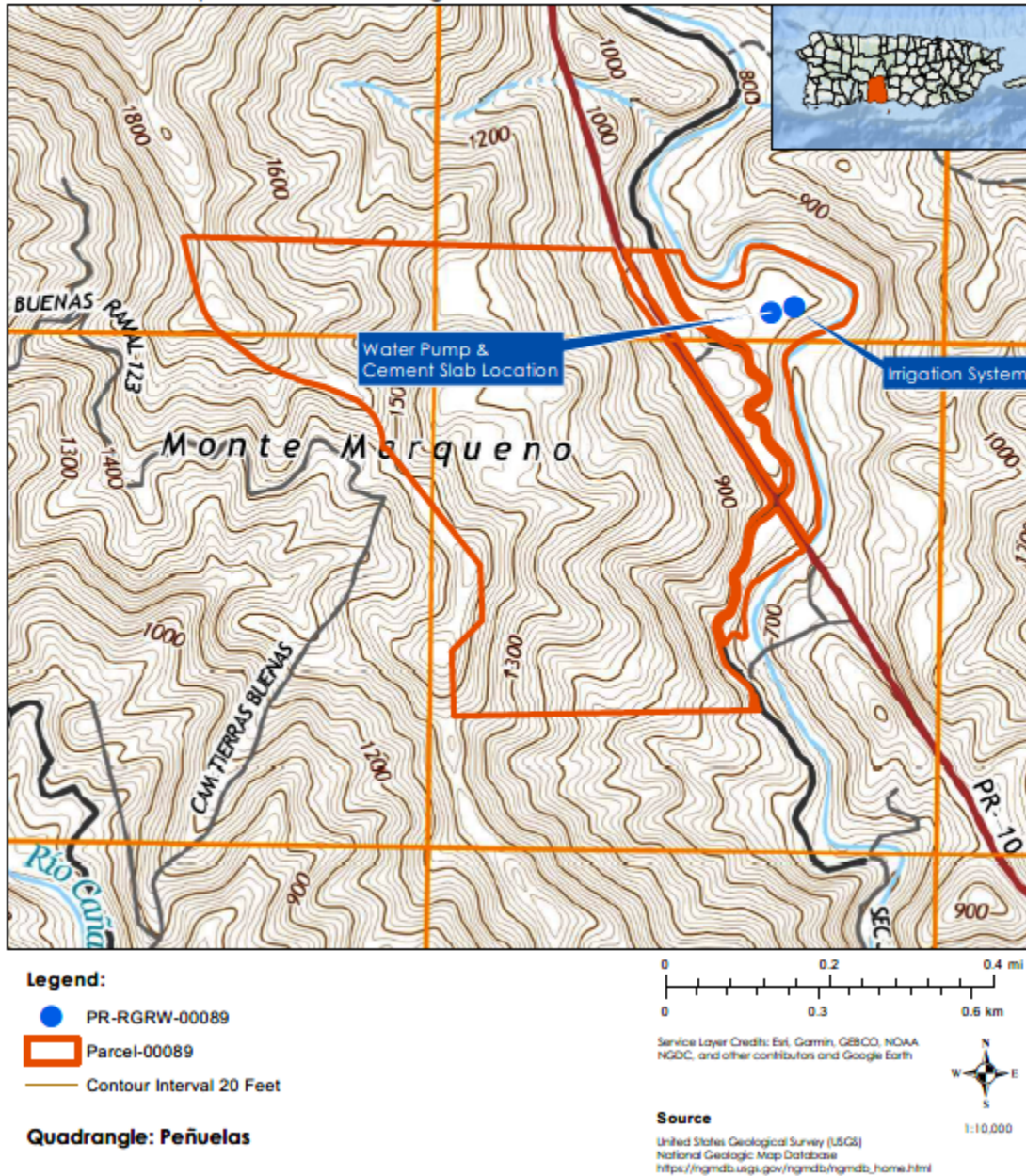


Figure 2: PR-RGRW-00089 Topographic Map

Figure 3: PR-RGRW-00089 Area of Potential Effect Map

Application ID: PR-RGRW-00089

Joel Pérez Rodríguez DBA Agricultura Moderna
Car. .503 Km. 0.3 Sector Aguacate
Bo. Tibes, Ponce, PR 00731
Catastro: 316-000-009-35-000
Water Pump & Cement Slab Location
Lat: 18.092852, Lon: -66.640956

Farmland Protection

Puerto Rico Department of Housing ReGrow



Figure 4: PR-RGRW-00089 Farmland Protection Map

Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow

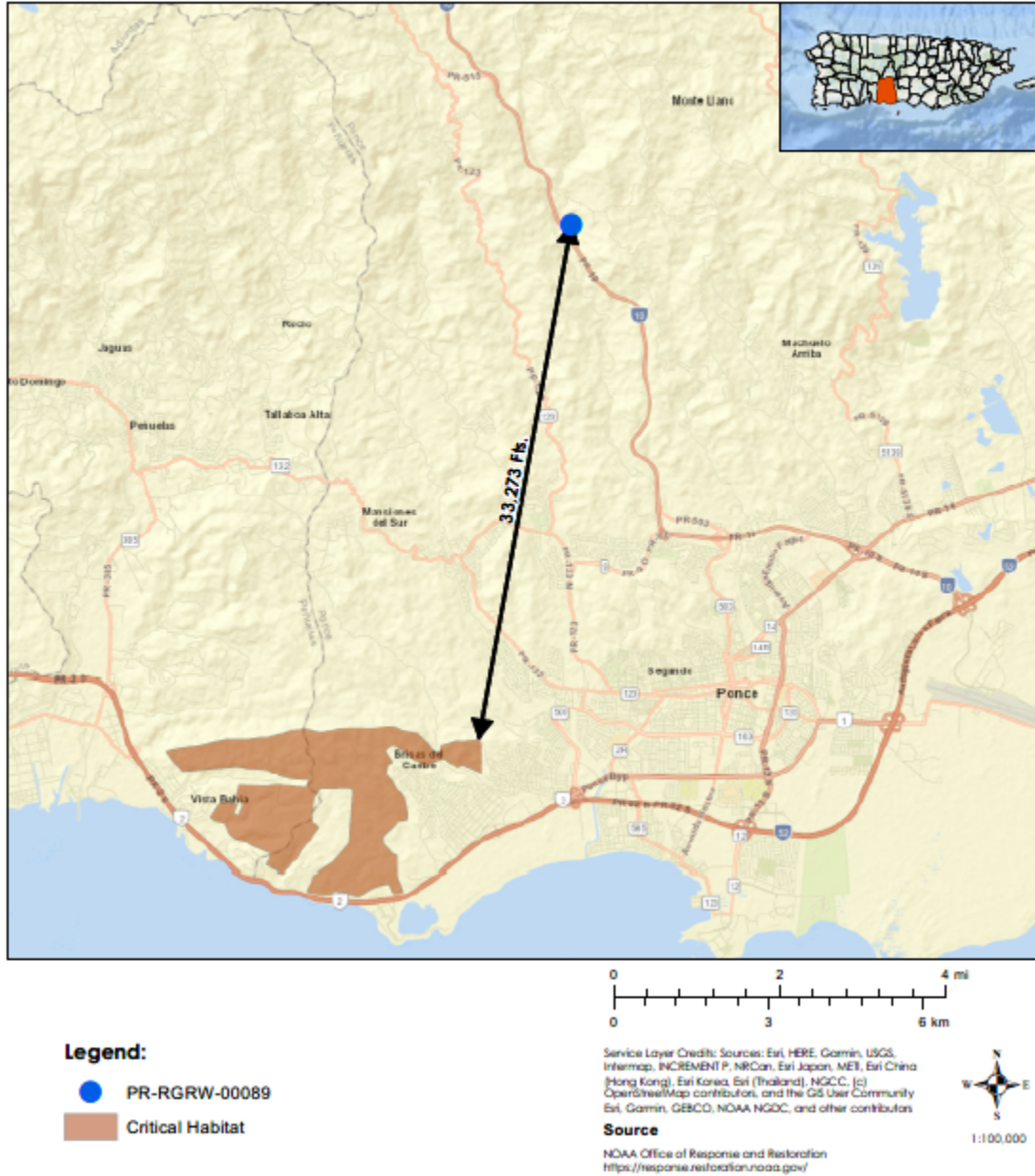


Figure 5: PR-RGRW-00089 Critical Habitats Map

Wetlands Map

Puerto Rico Department of Housing ReGrow



Figure 6: PR-RGRW-00089 Wetlands Map

Exhibit 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: (939) 320-3135 Fax: (787) 851-7440
Email Address: CARIBBEAN_ES@FWS.GOV

In Reply Refer To:
Project Code: 2024-0100708
Project Name: PR-RGRW-00089

06/06/2024 18:55:09 UTC

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 caribbean_es@fws.gov. 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-the-endangered-species-act-with-the-caribbean-ecological%20Services-field-office-template-letter.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-consultation-handbook.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

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0100708

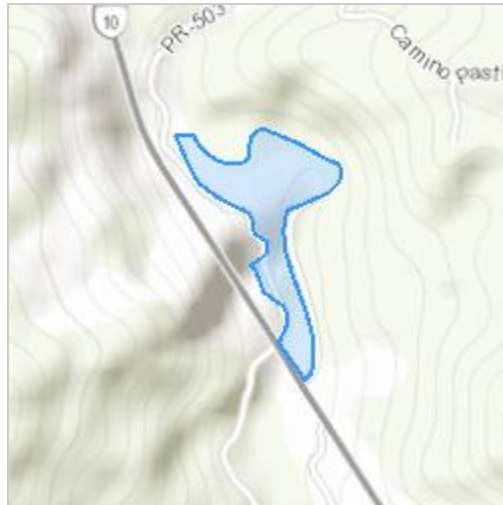
Project Name: PR-RGRW-00089

Project Type: Federal Grant / Loan Related

Project Description: The proposed project includes the purchase of an irrigation system. A new cement slab will be built for the installation of the pump.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.09133815,-66.64083041873306,14z>



Counties: Ponce County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

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

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

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

REPTILES

NAME	STATUS
<p>Puerto Rican Boa <i>Chilabothrus inornatus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6628</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/JKMQL5APTNA2BJDHXXVX3A5ZYQ/documents/generated/7159.pdf</p>	Endangered

INSECTS

NAME	STATUS
<p>Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/9005</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/JKMQL5APTNA2BJDHXXVX3A5ZYQ/documents/generated/7168.pdf</p>	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 [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
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 Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) 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 [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

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

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.

RIVERINE

- R5UBH

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Egon Gonzalez
Address: Calle 37 GG1 Jardines De Caparra
City: Bayamon
State: PR
Zip: 00959
Email: egonadrian94@yahoo.com
Phone: 7874617368



United States Department of the Interior



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

In Reply Refer To:
Project code: 2024-0100708
Project Name: PR-RGRW-00089

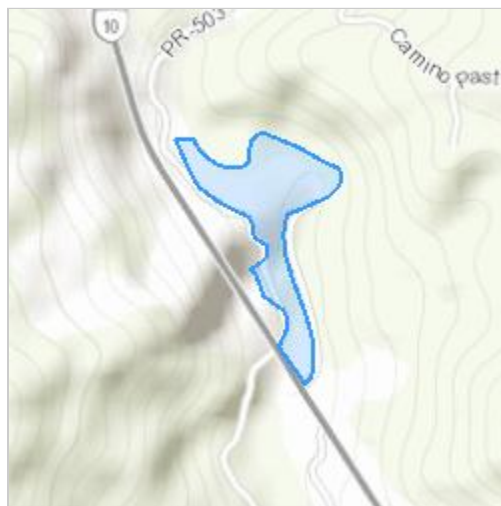
06/06/2024 18:58:48 UTC

Subject: Consistency letter for the project named 'PR-RGRW-00089' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On June 06, 2024, Egon Gonzalez used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-00089'. The project is located in Ponce County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.09133815,-66.64083041873306,14z>



The following description was provided for the project 'PR-RGRW-00089':

The proposed project includes the purchase of an irrigation system. A new cement slab will be built for the installation of the pump.

Based on your answers and the assistance of the Service's Caribbean DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered	NLAA

Consultation with the Service is not complete. The above effect determination(s) becomes applicable when the lead federal action agency or designated non-federal representative submits them as a request to the Service to rely on the Caribbean DKey in order to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **979-144501435**

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

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

- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened

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

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

Action Description

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

1. Name

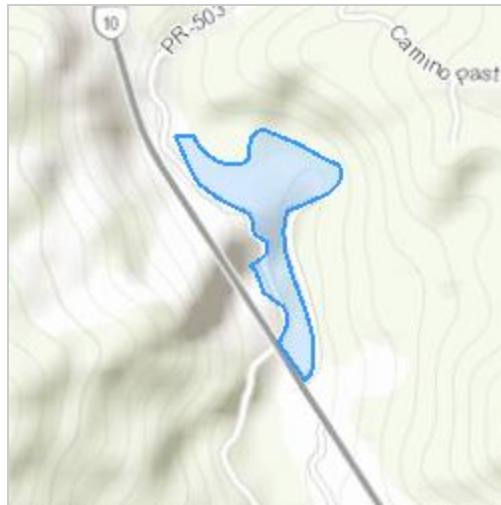
PR-RGRW-00089

2. Description

The following description was provided for the project 'PR-RGRW-00089':

The proposed project includes the purchase of an irrigation system. A new cement slab will be built for the installation of the pump.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.09133815,-66.64083041873306,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

No

10. Is the proposed project adjacent or within a forested area?

Note: Examples of immediately adjacent to forested areas are rock walls and haystack hills (“mogotes”), wet montane forest, lowland wet forest, remnant coastal, mangrove forest, damp and dry limestone karst forests, pastureland with patches of exotic trees.

Yes

11. Is the project area more than 1 acre?

Yes

12. Is the proposed project an existing facility or the expansion of an existing facility within the footprint of the already developed area?

No

13. Is the proposed project a new facility which would require earth moving, vegetation clearing, or debris removal using heavy machinery, the use of staging areas, construction of temporary access roads?

Yes

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

Automatically answered

Yes

15. Will the proposed project implement the U.S. Fish and Wildlife [Puerto Rican boa Conservation Measures](#)?

Yes

16. Are you the Federal agency or designated non-federal representative for the proposed action?

No

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Egon Gonzalez
Address: Calle 37 GG1 Jardines De Caparra
City: Bayamon
State: PR
Zip: 00959
Email: egonadrian94@yahoo.com
Phone: 7874617368

Exhibit C: Field Visit Photos



Photo #:1

Description (include direction): Area where the water pump and cement slab will be installed, looking northwest.

Date: May 24, 2024



Photo #:2

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

Date: May 24, 2024

Radon Attachments



August 20, 2024

Mrs. Carmen R. Guerrero Pérez
Director
Caribbean Environmental Protection Division
City View Plaza II – Suite 7000
#48 Rd. 165 km 1.2
Guaynabo, PR 00968-8069

Via email: guerrero.carmen@epa.gov

RE: Request for information regarding available data on radon testing and levels within Puerto Rico

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

This Notice emphasizes the importance of radon testing and mitigation in ensuring safe living environments, particularly in HUD-assisted properties. PRDOH, as the grantee of the Community Development Block Grant for Disaster Recovery and Mitigation (CDBG-DR/MIT), is responsible for ensuring compliance with environmental requirements under CDBG-DR/MIT programs. To fulfill our obligations under this Notice, we must compile comprehensive and up-to-date information on radon levels, testing practices, and any mitigation efforts within the islands of Puerto Rico.

Specifically, we are seeking for possible availability of the following information:

Radon testing data – Results from radon testing conducted within your agency's purview, including details on location, testing methods, and recorded radon levels.

Barbosa Ave. #606, Building Juan C. Cordero Davila, Rio Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365
Tel: (787) 274-2527 | www.usenda.pr.gov



August 20, 2024

Dr. Silvina Cancelos
Professor
College of Engineering
University of Puerto Rico – Mayagüez Campus
259 Norte Blvd. Alfonso Valdés Cobián
Mayagüez, Puerto Rico

Via email: silvina.cancelos@upr.edu

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Reports and assessments – Any reports, studies, or assessments your agency has produced or commissioned that address radon testing or mitigation.

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This information is vital to ensure that our radon management strategies are practical and compliant with federal requirements. If some of this information may be sensitive or confidential, we are prepared to discuss any necessary agreements or protocols for sharing this data securely.

Please let us know if you require additional details or have any questions regarding this request. We would greatly appreciate your response by September 15, 2024, so we can incorporate this data into our ongoing compliance efforts.

Thank you in advance for your cooperation and support. We look forward to working together on this critical initiative.

Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

Cc:

Mr. Oleg Pavetko, Pavetko.Oleg@epa.gov
Mr. Matthew Laitila, laitila.matthew@epa.gov

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Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

Cc:

Dr. Carlos Marín, carlos.marin3@upr.edu



August 20, 2024

Dr. Jessica Izárry
Director
Office of Island Affairs
U.S. Centers for Disease Control and Prevention
1324 Cll Canada, San Juan, 00920
Guaynabo, PR 00968-8069

Via email: OIA@cdc.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

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CDBG-DR/MIT Program
Request for Information in relation with HUD CPD-23-103 for Puerto Rico
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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary



August 20, 2024

Mrs. Anais Rodríguez
Secretary
Puerto Rico Department of Natural Resources
Carretera 8838, km. 6.3, Sector El Cinco,
Río Piedras San Juan, PR 00926

Via email: anais.rodriguez@dma.pr.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

Cc: Mr. Luis Márquez, secretariogaire@dma.pr.gov
Eng. Amarilis Rosario, aire@dma.pr.gov
Mrs. Elid Ortega, ortega@dma.pr.gov



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

Dr. Carlos R. Mellado López
Secretary
Puerto Rico Department of Health
PO Box 70184
San Juan, PR 00936-8184

Via email: dr.carlos.mellado@salud.pr.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

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GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

Mrs. Holly Weyers
Regional Director, Southeast – Puerto Rico
US Geological Survey
3916 Sunset Ridge Road
Raleigh, NC 27607

Via email: hweyers@usgs.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

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William O. Rodríguez Rodríguez, Esq.
Secretary

Cc: Mr. Raúl Hernández Dabla, rhernandez2@salud.pr.gov

CDBG-DR/MIT Program
Request for Information in relation with HUD CDP-23-103 for Puerto Rico
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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

Cc: Mr. R. Randall Schumann, rschumann@usgs.gov

From: Charp, Paul (CDC/NCEH/DEHSP) <pac4@cdc.gov>
Sent: Tuesday, September 3, 2024 6:36 AM
To: Miranda, Sandra (CDC/PHIC/DPS); Irizarry, Jessica (CDC/PHIC/DPS); Rzeszutarski, Peter (CDC/NCEH/DEHSP); Vinson, D. Aaron (CDC/NCEH/DEHSP)
Cc: Kostak, Liana (CDC/PHIC/DPS); Vazquez, Germaine (CDC/NCEH/DEHSP)
Subject: RE: REHi: Puerto Rico Request for Information- Randon testing and levels

Good morning, Sandra and others,

In response to the request from Mr. William Rodriguez of the Department of Housing, Government of Puerto Rico, I have reviewed all the available data within the CDC National Environmental Public Health Tracking Network system for data related to radon in Puerto Rico. In addition to the tracking data available on the internet, I also reached out to Mr. Aaron Vinson of the NCEH Tracking Branch.

I was not able to find any data in the CDC systems and this was confirmed by Mr. Vinson. We also reached out the US Environmental Protection Agency who indicated they had no radon data in their systems. Please relay this information to Mr. Rodriguez in your response to his requests

If you have any additional questions, please contact me.

Thank you and best regards,

Paul A. Charp, Ph.D., Fellow, HPS
Senior Health Physicist
Emerging Environmental Hazards and Health Effects Branch (EEHHEB)
Division of Environmental Health Science and Practice (DEHSP)
National Center for Environmental Health (NCEH)
Centers for Disease Control and Prevention (CDC)
pcharp@cdc.gov
770-488-0723 office
404.388.0614 Cell



From: Schumann, R. Randall <rschumann@usgs.gov>
Sent: Wednesday, August 21, 2024 4:39 PM
To: Melanie Medina Smaine <mmedina@vivienda.pr.gov>; Weyers, Holly S <hsweyers@usgs.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>
Subject: RE: Request for Information- Radon testing and levels

Dear Ms. Medina Smaine,

In the early 1990s the U.S. Geological Survey (USGS) conducted geologic assessments of radon potential for all 50 states and the territories of Guam and Puerto Rico, in collaboration with the U.S. EPA. I conducted the geologic radon potential assessment for Puerto Rico. The PDF file of the report is too large to attach to this message but it can be obtained at <https://pubs.usgs.gov/of/1993/0292k/report.pdf>. The USGS did not conduct indoor radon testing and we did not conduct field studies associated with this assessment; it was based on existing data. Mr. David Saldana of the Puerto Rico Department of Health kindly provided us with data for 610 homes that were tested for indoor radon by his agency between 1993 and 1995, which are summarized in the report. I am not aware of any other radon-related geologic studies conducted in the Commonwealth of Puerto Rico by the U.S. Geological Survey.

Best regards,

R. Randall Schumann
Scientist Emeritus
U.S. Geological Survey
Geosciences and Environmental Change Science Center
Denver, Colorado, USA
rschumann@usgs.gov
<https://www.usgs.gov/staff-profiles/r-randall-schumann>

From: Raul Hernandez Doble <rhernandez2@salud.pr.gov>
Sent: Wednesday, August 21, 2024 2:13:31 PM
To: Melanie Medina Smaine <mmedina@vivienda.pr.gov>; Dr. Carlos Mellado <drcarlos.mellado@salud.pr.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Mayra Toro Tirado <mtoro@salud.pr.gov>
Subject: RE: [EXTERNAL] Request for Information- Radon testing and levels

Good afternoon. Ms. Medina

I regret to inform that we do not have any recent information on radon testing, since we do not have a certified radiation laboratory certified for radon testing. There are companies that sell test kits available online that can be done and mailed to a testing laboratory. There are also lists of radon contractors and these companies that process radon testing cartridges with instructions, on the Environmental Protection Agency Indoor air Quality web page. The last radon study in Puerto Rico done by the PR Department of Health was done on the year 1993.

Raul Hernandez Doble
Director, Seccion Salud Radiologica
Division de Salud Ambiental
Secretaria Auxiliar para la Vigilancia y la Proteccion de la Salud Publica
rhernandez2@salud.gov.pr
Phone: (787)765-2929 ext. 3210

From: Reyes, Brenda <Reyes.Brenda@epa.gov>
Sent: Wednesday, September 18, 2024 11:48 AM
To: Cesar O Rodriguez Santos <cesarrodriguez@drna.pr.gov>; Maritza Rosa Olivares <maritzarosaolivares@drna.pr.gov>; Silvina Cancelos Mancini <silvina.cancelos@upr.edu>; Melanie Medina Smaine <mmedina@vivienda.pr.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Povetko, Oleg (he/him/his) <Povetko.Oleg@epa.gov>
Subject: RE: Request for Information- Randon testing and levels

Saludos.

La EPA esta trabajando una respuesta a su petición. Se sometió borrador a la directora y el subdirector para su aprobación y firma.

Brenda Reyes Tomassini
Public Affairs
U.S. EPA
Region 2
Caribbean Environmental Protection Division
(787) 977-5869/(787) 977-5865
Mobile: 202-834-1290

From: Silvina Cancelos Mancini <silvina.cancelos@upr.edu>
Sent: Friday, September 6, 2024 15:04
To: Melanie Medina Smaine <mmedina@vivienda.pr.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Maritza Rosa Olivares <maritzarosaolivares@drna.pr.gov>; Reyes, Brenda <Reyes.Brenda@epa.gov>; Povetko, Oleg <Povetko.Oleg@epa.gov>
Subject: Re: Request for Information- Randon testing and levels

Estimada Melanie Medina

Quería dejarle saber que recibimos su correo el 21 de agosto al igual que el de Maritza Rosa el pasado 4 de septiembre. Ya las personas involucradas de EPA, junto conmigo y el Dr. Marín estamos al tanto del asunto y estamos trabajando para poder enviarles la información.

Atentamente

Silvina Cancelos
Professor
Associate Director
Mechanical Engineering Department
University of Puerto Rico - Mayaguez
Call BOX 9000 Mayaguez PR 00680
Tel: 787-832-4040 ext 5956
email: silvina.cancelos@upr.edu



Bubble Dynamics Lab
University of Puerto Rico - Mayaguez



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

September 23, 2024

VIA EMAIL

William O. Rodriguez Rodriguez, Esq.
Secretary
Puerto Rico Department of Housing
Barbosa Ave. 606 Building Juan C. Cordero
San Juan, PR 00917
Email: W.Rodriguez@vivienda.pr.gov

RE: EPA Response to August 20, 2024 request for information of data on radon testing and levels in Puerto Rico

Dear Honorable Secretary Rodriguez Rodriguez:

This communication is in response to your letter of August 20, 2024 addressed to the Puerto Rico Department of Natural and Environmental Resources (DNER) and referred to the U.S. Environmental Protection Agency (EPA) regarding available data on radon testing and levels within Puerto Rico.

EPA's National Radon Action Plan 2021–2025 sets a goal for the nation to find, fix and prevent high indoor radon levels in 8 million buildings by 2025 and prevent 3,500 lung cancer deaths per year. Under this Plan, leaders from across multiple sectors are working together to plan, guide, and sustain nationwide action to prevent exposure to radon.

Due to the lack of data in Puerto Rico, EPA undertook an investigation in collaboration with the University of Puerto Rico-Mayaguez (UPRM) Campus, Departments of Civil Engineering and Surveying and Mechanical Engineering, to find out if radon presented a problem in Puerto Rico. Up until 2021, the only data we had for Puerto Rico was a 1993-1995 mail-in radon screening study referred to by the U.S. Geological Survey report (USGS, 1995) in which the USGS concluded that several areas of Puerto Rico have the geologic potential to generate indoor radon levels exceeding the EPA Action Level of 4 pCi/L (picocuries per liter), perhaps locally reaching very high levels above 50 pCi/L, if a house construction and

ventilation allow for soil-gas radon to enter and concentrate within the structure.¹ According to the USGS report, most of these areas are located in the northwest part of the island. Please note that the actual 1993-1995 study documentation is not available to the EPA.

Typical radon testing technology used in mainland United States (charcoal canisters or electric-powered devices) are impractical in Puerto Rico because of high humidity and power outages. The recovery and rebuilding of communities following the aftermath of 2017 Hurricanes Irma and Maria presented an opportunity to develop radon prevention and mitigation strategies in 2019. Initially, EPA sampled indoor radon air in over 170 single-family residences in the municipalities of San Sebastian, Lares, Ciales, Arecibo, Morovis, Camuy, and Hatillo and later expanded the project to other municipalities such as Rincon, Aguada, Aguadilla, Isabela, Quebradillas, Barceloneta and Vega Baja. The quality assurance protocols were anchored in American National Standards Institute/American Association of Radon Scientists and Technologists (ANSI/AARST) standards of practice (ANSI/AARS, 2019). The sampling was designed in two stages: scoping and confirmatory sampling. The scoping sampling was conducted using Corentium Home (CH) electronic monitors and E-Perm systems. Locations measuring above the EPA Action Level of 4 pCi/L with CH were measured at the second stage of the sampling using RAD7 and Corentium Pro Continuous Radon Monitors (CRMs). Nationally certified radon sampling professionals led by one such professional from the UPRM conducted confirmatory sampling in the second stage. Also, during the study, the nationally certified radon mitigation professionals inspected several homes with elevated indoor radon levels.

Mapping radon in Puerto Rico proved to be a complicated endeavor given the COVID-19 pandemic in 2020. EPA and UPRM continue to work on the project, however, results have not been finalized, and no scientific report has been published yet. Unfortunately, EPA cannot share preliminary data at this time because it contains privileged information. Nevertheless, preliminary data from the study does show homes with levels over 4 pCi/L (EPA Action Level) that might need mitigation to protect the health of their inhabitants.

Although many states have developed laws and regulations governing radon disclosure, certification, and mitigation, Puerto Rico lacks legislation or mandatory radon testing provisions for new construction, remodeling, selling or buying homes. Given this loophole and aiming to answer your request, the EPA can provide information on Best Management Practices for sampling indoor radon in Puerto Rico.

¹ **Reference:** USGS. Geologic Radon Potential of Guam and Puerto Rico, Report 93-292-K. Washington, DC: USGS. Retrieved 9/11/2024, from <https://pubs.usgs.gov/of/1993/0292k/report.pdf>.

CITY VIEW PLAZA II BUILDING, 7TH FLOOR
ROUTE 185 GUAYNABO, PR 00988

2

If you have any questions or need any additional information, please contact me at 787-977-5865 or guerrero.carmen@epa.gov or have your staff contact Reyes, Brenda at reyes.brenda@epa.gov or (787) 977-5869.

Sincerely,

**CARMEN
GUERRERO
PEREZ**

Carmen R. Guerrero Pérez
Director

Digitally signed by
CARMEN GUERRERO PEREZ
Date: 2024.09.23 09:41:39
-04'00'

cc: Roberto Mendez, Esq (Acting Secretary, PR Department of Natural and Env. Resources)
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Joel Pérez Rodríguez DBA Agricultura Moderna
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Catastro: 316-000-009-35-000
Water Pump & Cement Slab Location
Lat: 18.092852, Lon: -66.640956

Figure 9: Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow





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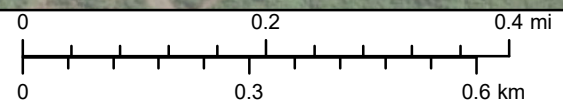
 PR-RGRW-00089

Flood Zone

 A

 0.2% Annual Chance Flood

 Area of Minimal Flood Hazard *Zone X*



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

Source

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

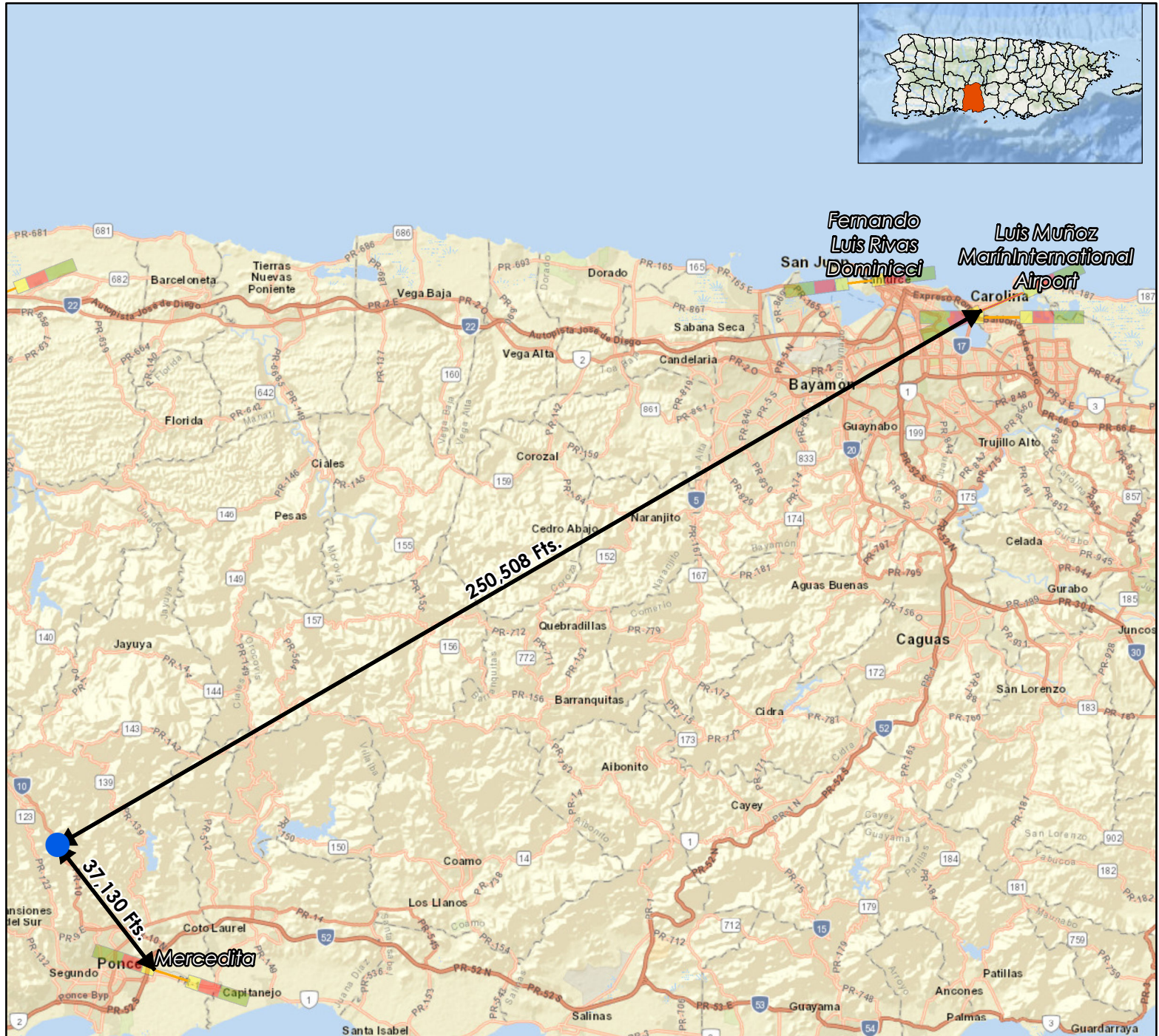


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Figure 2: Airports

Puerto Rico Department of Housing ReGrow

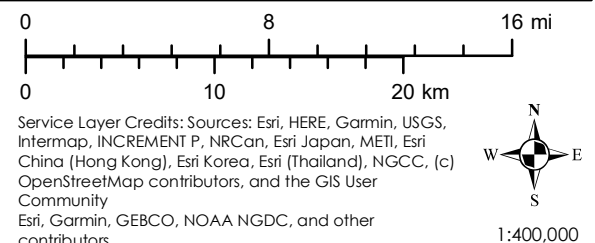


Legend:

- PR-RGRW-00089
- SJU Military Runway
- Civil Runaway

Accident Potential Zone

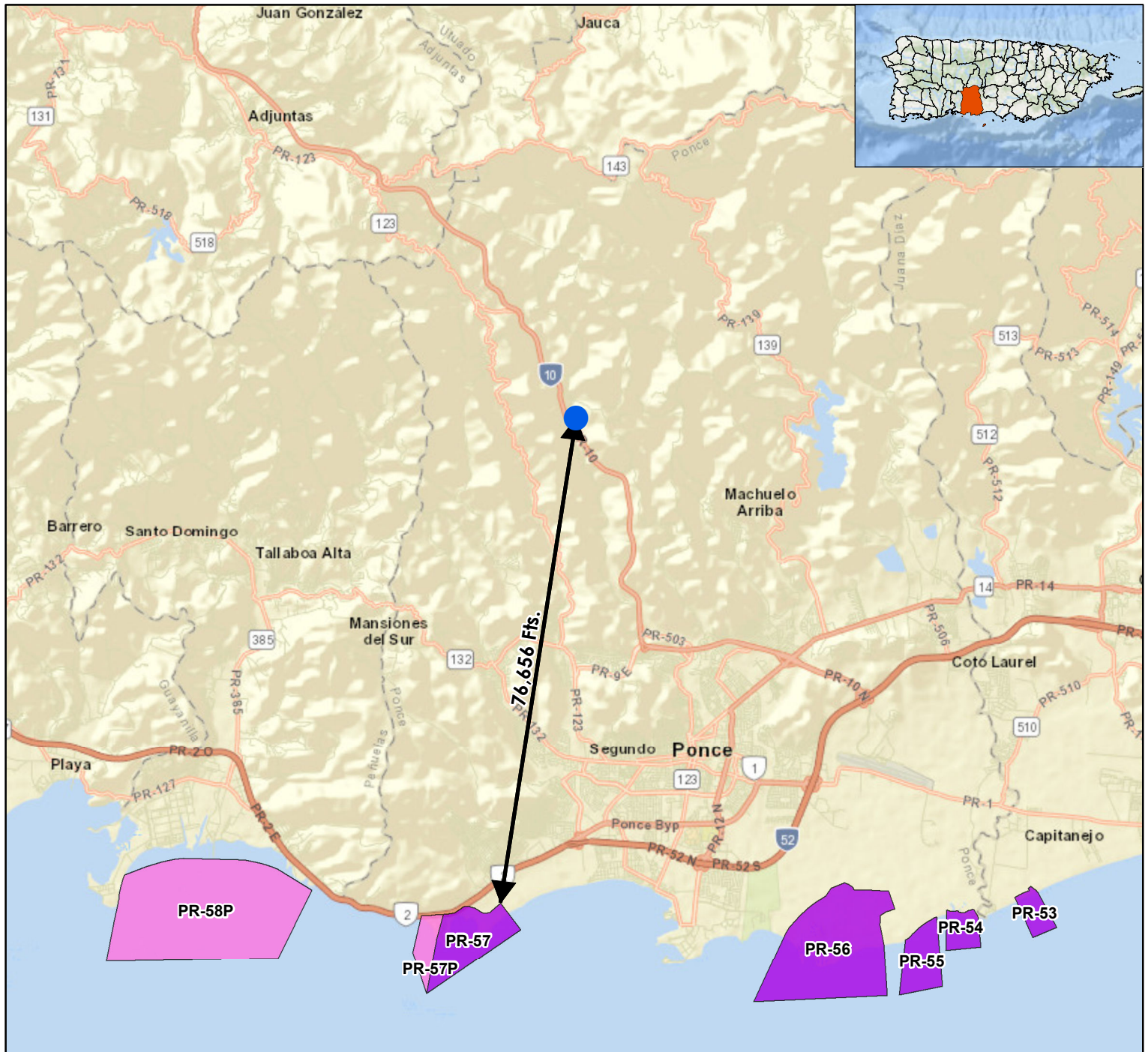
- APZ 1
- APZ 2
- Clear Zone



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Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-00089

Coastal Barrier Resources System (CBRS)

Otherwise Protected Area

System Unit

0 3 6 mi
0 4.5 9 km

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) W OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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

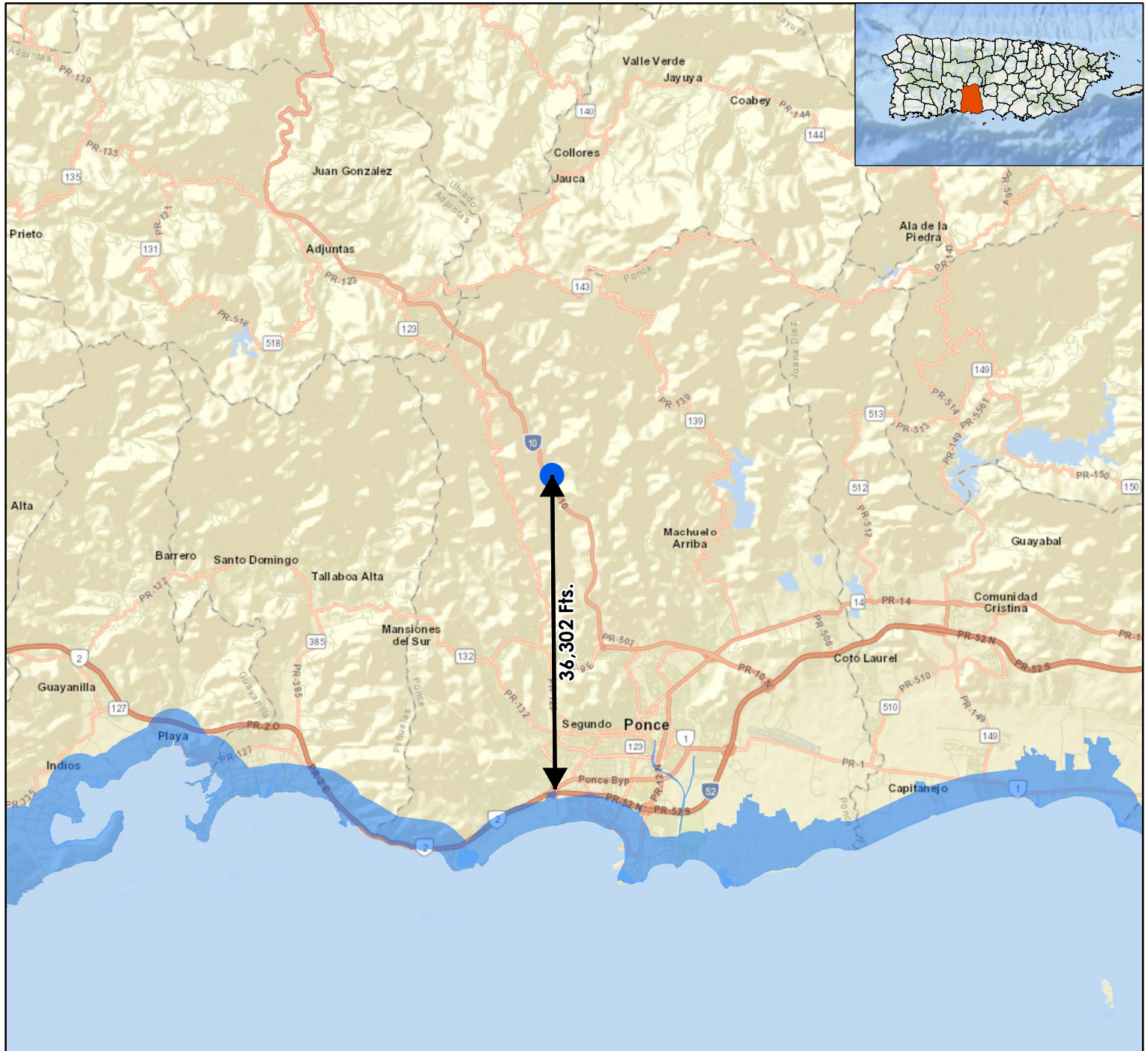


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Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- Coastal Zone Management Act Boundary



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Source

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



1:200,000

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Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-00089

Farm Class

Farmland of statewide importance

Not prime farmland

Service Layer Credits: Source: Esri, Maxar, Earthstar
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Source

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

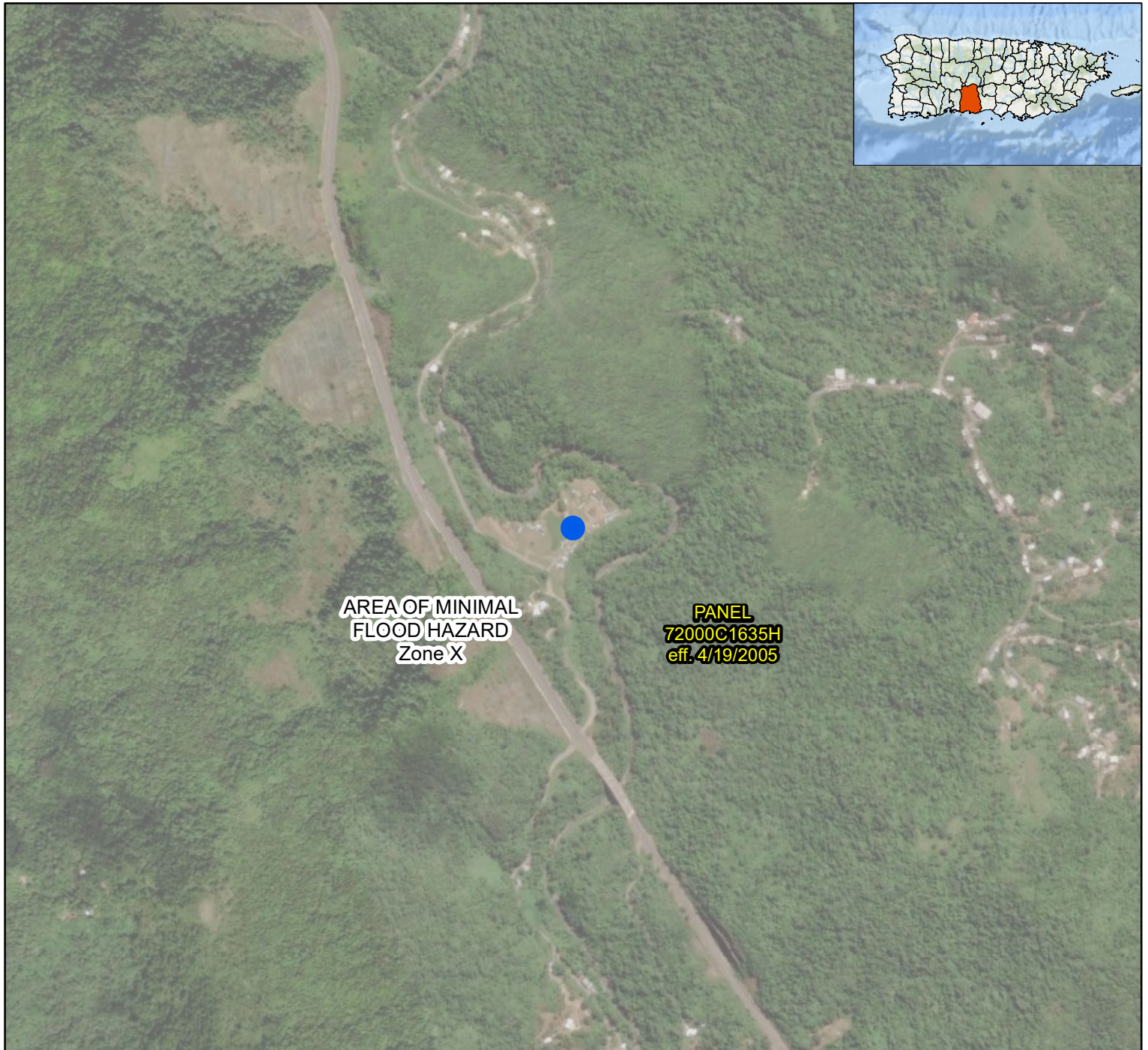


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

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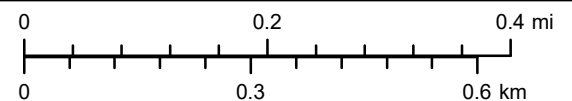
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-00089
-  Area of Minimal Flood Hazard Zone X
-  FIRM Panel



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

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

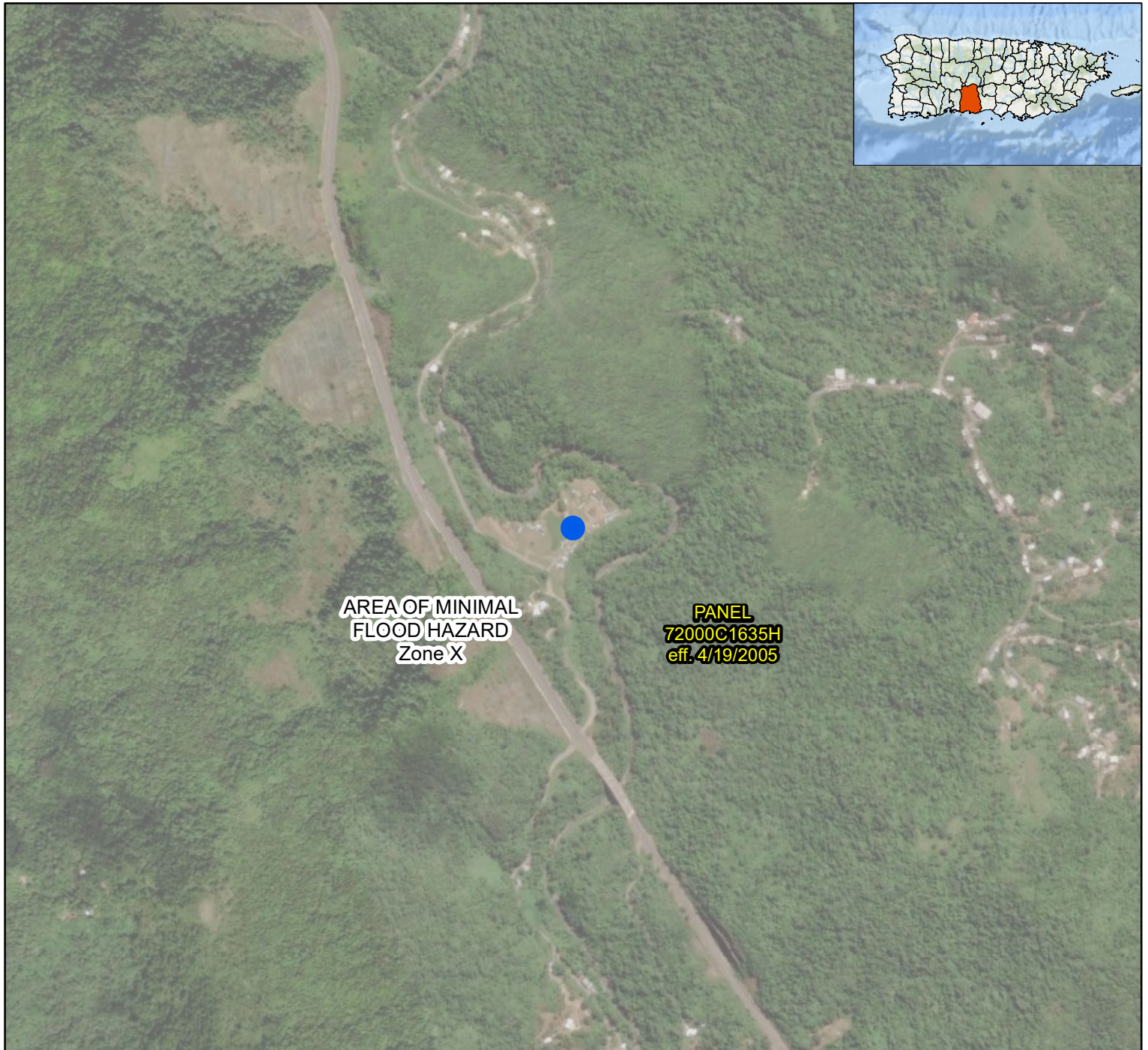


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

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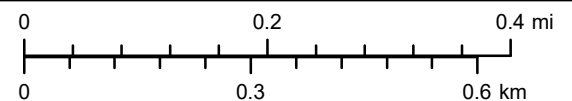
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-00089
-  Area of Minimal Flood Hazard Zone X
-  FIRM Panel



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

Source

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

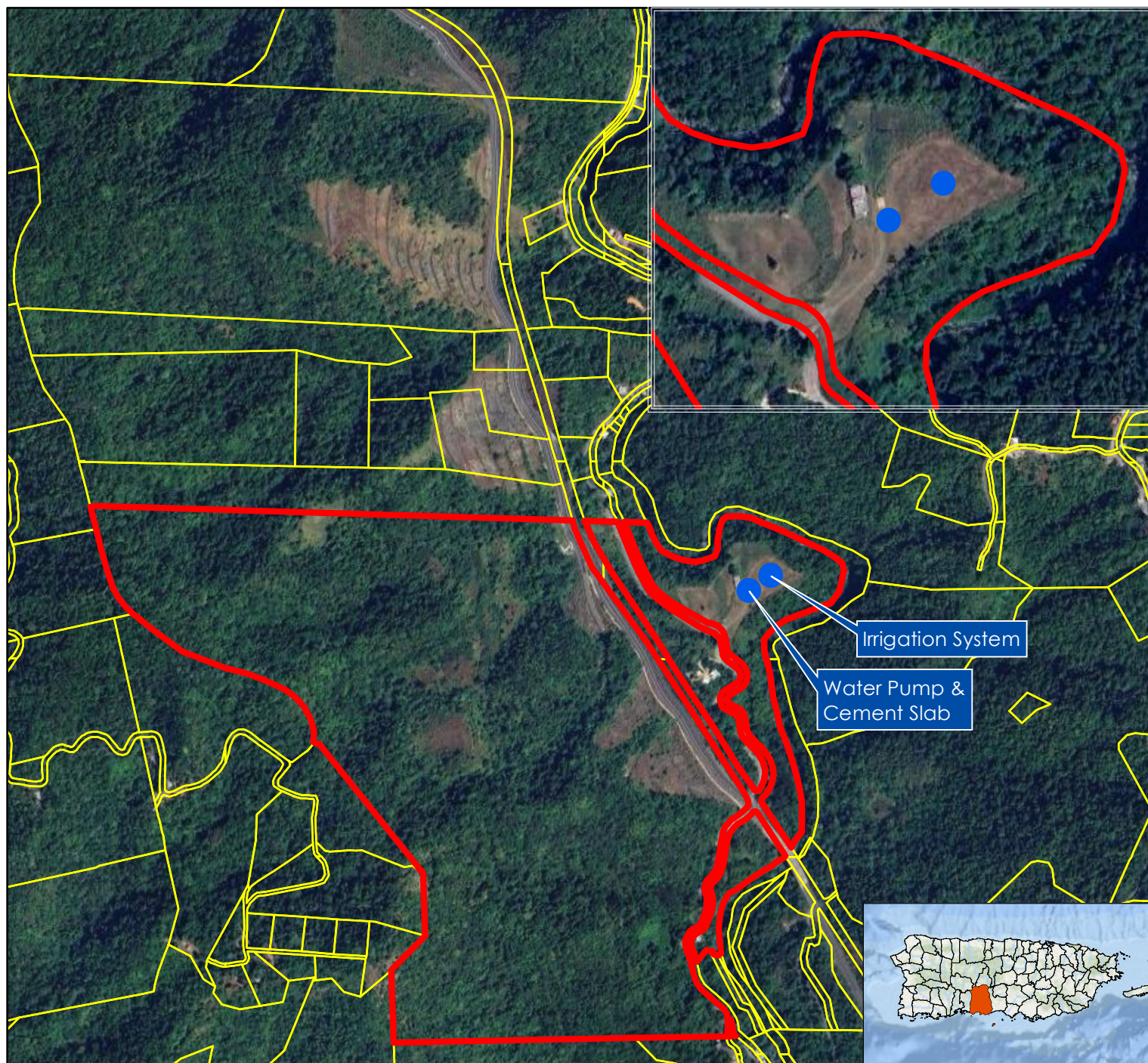


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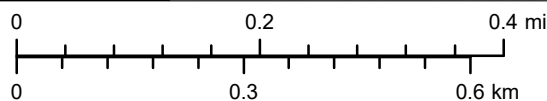
Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- ▭ Parcel-00089
- ▭ CRIM_PARCELAS_2018



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

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



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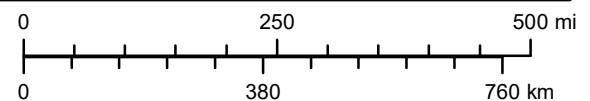
Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- EPA Sole Source Aquifers



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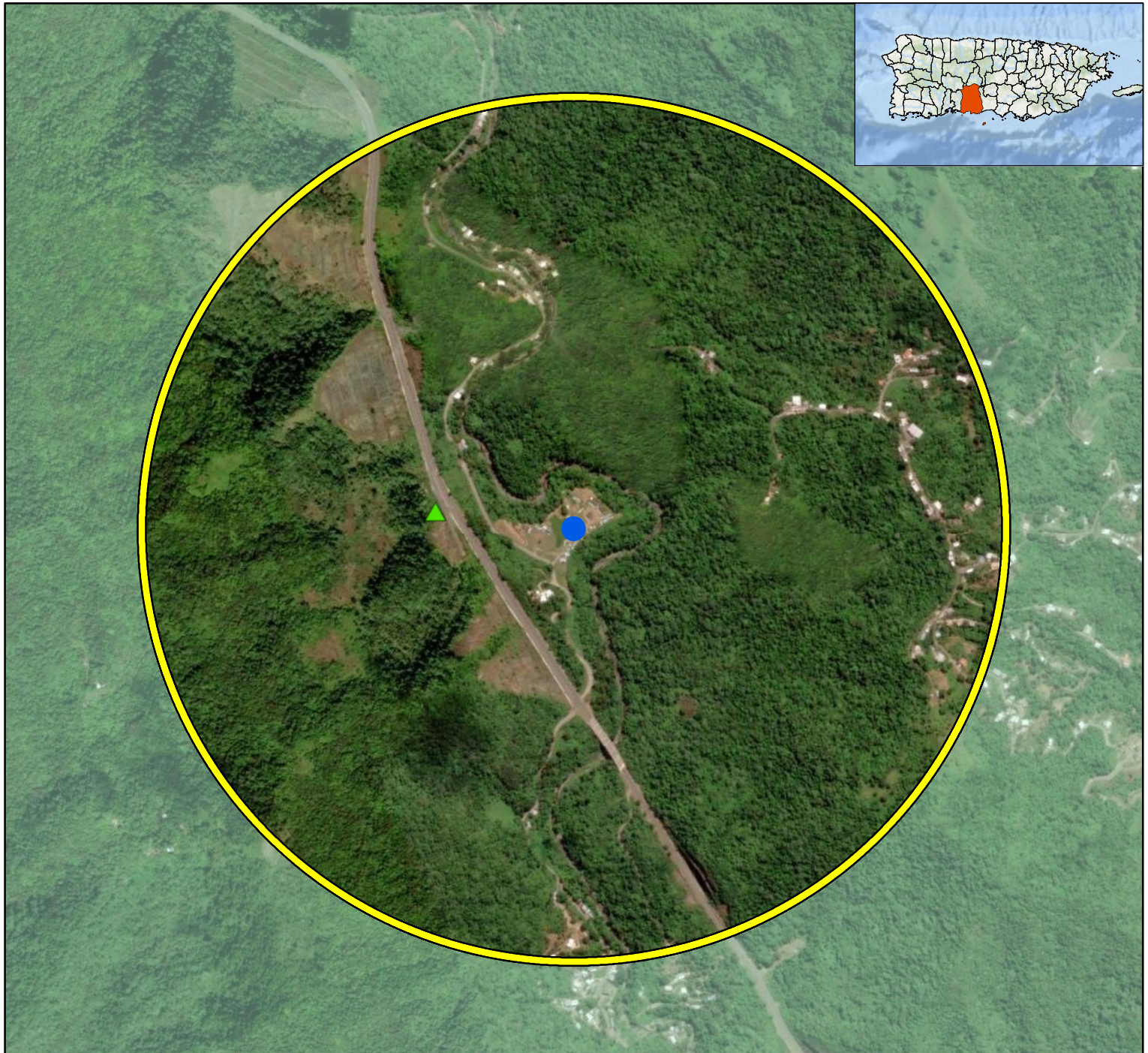


Source

U.S. Environmental Protection Agency
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b> 1:12,000,000

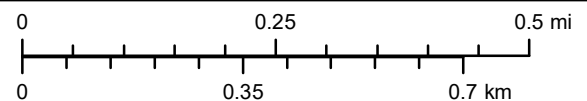
Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- 3,000 Ft. Buffer
- FACILITY INTERESTS
- ICIS
- NPDES
- ▲ RCRA
- ▲ RCRA INACTIVE



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Source

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



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Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

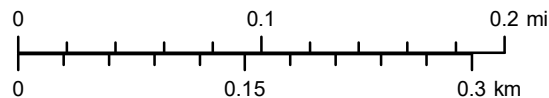


Legend:

● PR-RGRW-00089

National Wetlands Inventory

■ Riverine



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Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



Source

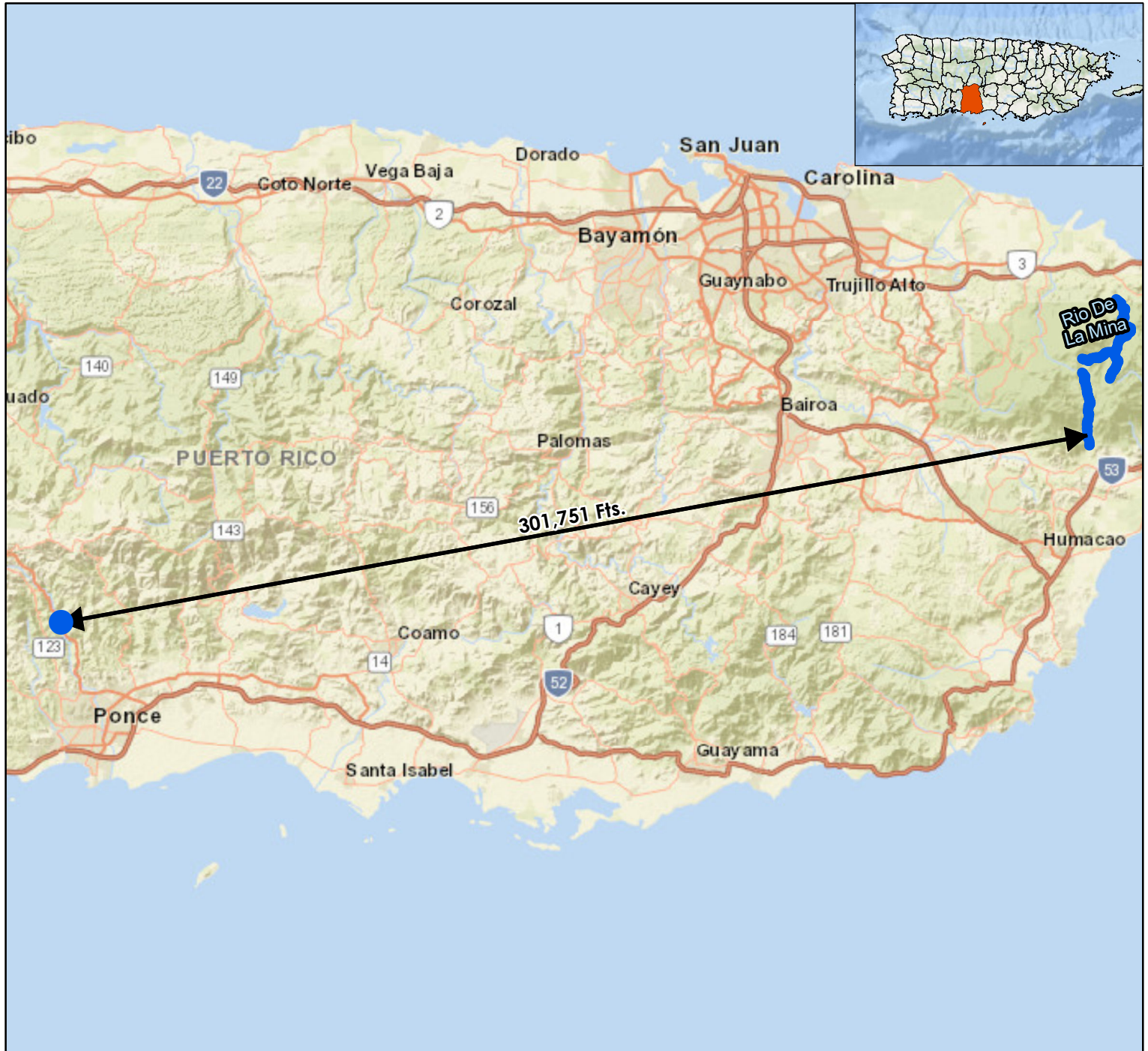
U.S. Fish and Wildlife Service - National Wetlands Inventory
<https://www.fws.gov/program/national-wetlands-inventory>

1:5,000

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Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-00089
- Wild and Scenic Rivers



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Source

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

1:500,000