



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://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-04098

**HEROS Number:** 900000010378316

**State / Local Identifier:**

**Project Location:** , Adjuntas, PR 00601

**Additional Location Information:**

Location centroid: Latitude 18.20018853, longitude -66.80543446 at the address given above.  
Cadastral: 239-000-006-52-001

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

The project business is Keven A Camacho Ramos located at Carr 135 Km 16.3, Bo Yahuecas, Adjuntas, PR 00601. Project includes the purchase of farm equipment including land acquisition, 17,000 plantain seeds, pesticide & yautia, pesticide & plantain, fumigation & taro. Land used to be used for the cultivation of coffee about 25 years ago. Applicant intends to plant banana, taro, yautia and expanding some existing ranches of recao. The applicants does intend to remove some trees as needed in order to plant the banana trees.

**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)(5)

**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:** \$150,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$150,000.00

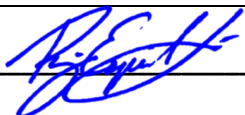
**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Endangered Species Act	Nationwide Standard Conservation Measures	N/A	

**Determination:**

<input type="checkbox"/>	This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (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: May 31, 2024

Name / Title/ Organization: Ricardo Espiet Lopez / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature:  Date: May 31, 2024

Name/ Title: I. Lorenzo, 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-04098

**HEROS Number:** 900000010378316

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

**State / Local Identifier:**

**RE Preparer:** Ricardo Espiet Lopez

**Certifying Office** IVELISSE LORENZO  
**r:**

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):** HORNE LLP

**Point of Contact:** Paige Pilkinton

**Project Location:** , Adjuntas, PR 00601

**Additional Location Information:**

Location centroid: Latitude 18.20018853, longitude -66.80543446 at the address given above. Cadastral: 239-000-006-52-001

**Direct Comments to:** environmentcdbg@vivienda.pr.vov

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

The project business is Keven A Camacho Ramos located at Carr 135 Km 16.3, Bo Yahuecas, Adjuntas, PR 00601. Project includes the purchase of farm equipment including land acquisition, 17,000 plantain seeds, pesticide & yautia, pesticide & plantain, fumigation & taro. Land used to be used for the cultivation of coffee about 25 years ago. Applicant intends to plant banana, taro, yautia and expanding some existing ranches of recao. The applicants does intend to remove some trees as needed in order to plant the banana trees.

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

[PR-RGRW-04098\\_IUGF.pdf](#)

**Level of Environmental Review Determination:**

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

**Determination:**

	This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (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:**

[PR-RGRW-04098 SIG-PAGE\(1\).pdf](#)

[PR-RGRW-04098 SIG-PAGE.pdf](#)

**7015.15 certified by Certifying Officer**

**on:**

**7015.16 certified by Authorizing Officer**

**on:**



**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name	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:** \$150,000.00

**Estimated Total Project Cost:** \$150,000.00

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

<b>Compliance Factors:</b> 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)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The nearest airport RPZ/CZ is approximately 115,486.1 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
<b>Coastal Barrier Resources Act</b> 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 102,639.6 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

<p><b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Flood Map Number 72000C1060H, 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.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b></p>		
<p><b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>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.</p>
<p><b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The project is located 101,096.3 feet from the coastal zone.</p>
<p><b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p><b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>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.</p>
<p><b>Explosive and Flammable Hazards</b> Above-Ground Tanks][24 CFR Part 51 Subpart C</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>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.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural</p>

		use. The project is in compliance with the Farmland Protection Policy Act.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1060H, effective on 4/19/2005: This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
<b>Historic Preservation</b> 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.
<b>Noise Abatement and Control</b> 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.
<b>Sole Source Aquifers</b> 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	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. According to EPA, there are no sole source aquifers in Puerto Rico.
<b>Wetlands Protection</b> 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.
<b>Wild and Scenic Rivers Act</b> 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 355,245.4 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

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

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure or Condition</b>	<b>Comments on Completed Measures</b>	<b>Mitigation Plan</b>	<b>Complete</b>
Endangered Species Act	Nationwide Standard Conservation Measures	N/A		

**Project Mitigation Plan**

Nationwide Standard Conservation Measures

**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 nearest airport RPZ/CZ is approximately 115,486.1 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

#### Supporting documentation

[PR-RGRW-04098\\_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 102,639.6 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

#### **Supporting documentation**

[PR-RGRW-04098\\_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-04098 Flood Map.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. 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 72000C1060H, 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 in compliance with the Coastal Zone Management Act. The project is located 101,096.3 feet from the coastal zone.

#### **Supporting documentation**

[PR-RGRW-04098\\_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)

**1. Evaluate the site for contamination. 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?**

No

Yes

Check here if an ASTM Phase I Environmental Site Assessment (ESA) report was utilized. [Note: HUD regulations does not require an ASTM Phase I ESA report for single family homes]

### Screen Summary

#### Compliance Determination

#### Supporting documentation

[PR-RGRW-04098\\_Toxics\(1\).pdf](#)

[PR-RGRW-04098\\_Toxics Table.xlsx](#)

**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:

Nationwide Standard Conservation Measures

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-04098\\_USFWS Determination.pdf](#)  
[PR-RGRW-04098\\_USFWS Consultation\\_V2.pdf](#)  
[PR-RGRW-04098\\_Site Map.pdf](#)  
[PR-RGRW-04098\\_Endangered Species.pdf](#)

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

✓ Yes

No

## Explosive and Flammable Hazards

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

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

No

Yes

**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.)	<a href="#">7 CFR Part 658</a>

**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:

The current land use is for agricultural purposes, and the land will continue to be used for agriculture.

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-04098\\_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-04098\\_Flood Map.pdf](#)

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

**Does your project occur in a floodplain?**

- No

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

Yes

**Screen Summary**

**Compliance Determination**

Flood Map Number 72000C1060H, effective on 4/19/2005: This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

**Supporting documentation**

[PR-RGRW-04098\\_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” <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

**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:

Carr 135 Km 16.3, Bo Yahuecas Adjuntas, PR 00601

**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 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-04098\\_SHPO\\_package.pdf](#)

[PR-RGRW-04098\\_Historic.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
<b>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.</b>	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

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

No

### Screen Summary

#### **Compliance Determination**

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

#### **Supporting documentation**

Are formal compliance steps or mitigation required?

Yes

No

## Wetlands Protection

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

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

No

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

Yes

### Screen Summary

#### Compliance Determination

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

#### Supporting documentation

[PR-RGRW-04098\\_NWI.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 355,245.4 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

#### Supporting documentation

[PR-RGRW-04098\\_Wild and Scenic Rivers.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.

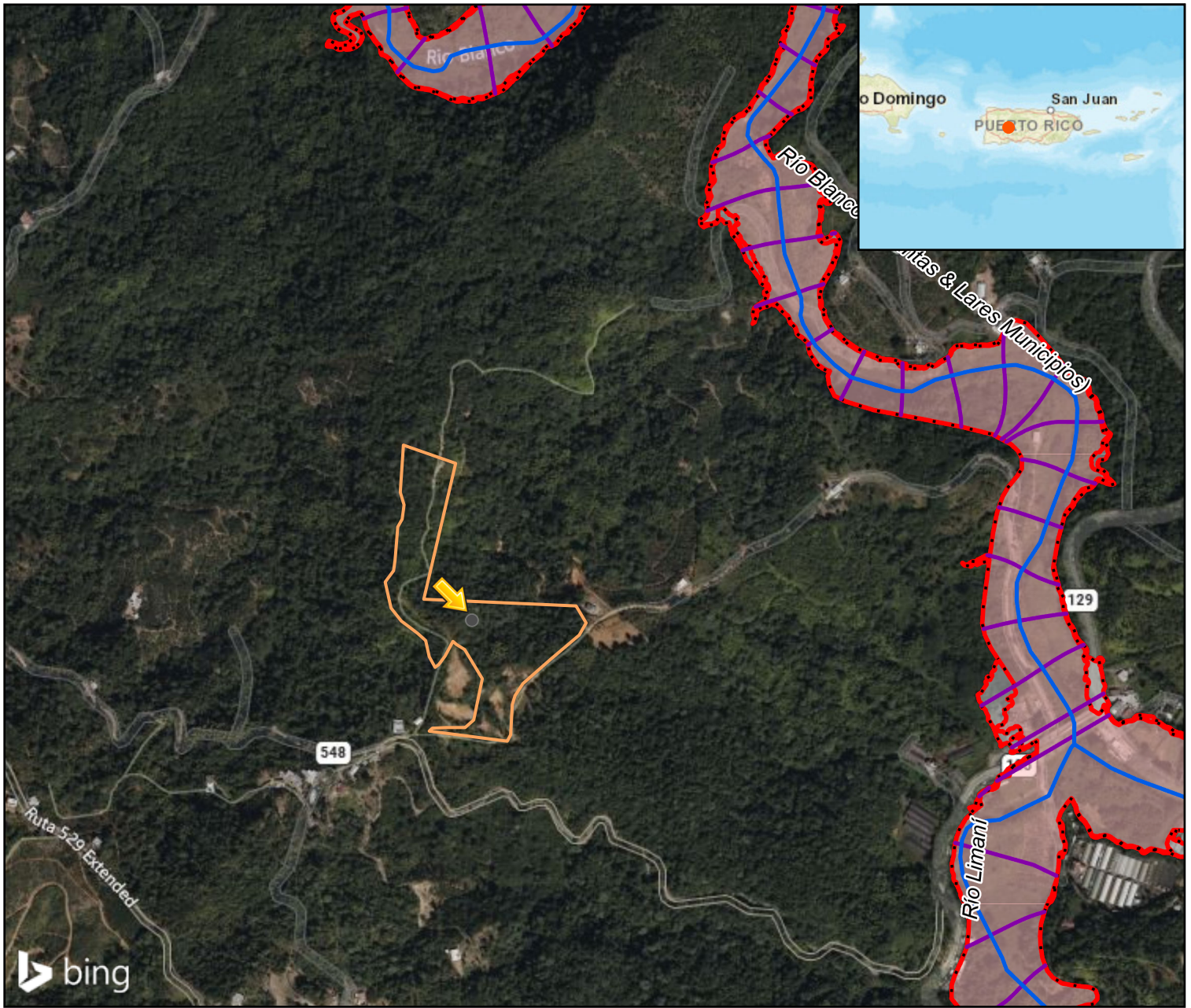
**Supporting documentation**

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

Yes

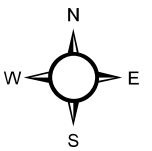
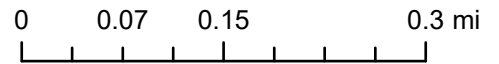
No

# PR-RGRW-04098 ABFE



**Legend**

- A
- 0.2% Annual Chance Flood Zone
- Zone/BFE Boundary
- Advisory Base Flood Elevation
- Streamline



FEMA Map Service





ABFE 1PCT

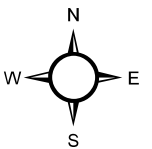
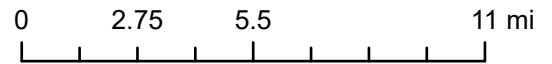


# PR-RGRW-04098 Airports



**Legend**

-  Civilian Airports 2,500ft Buffer
-  Runway Protection Zones
-  Airport Runways
-  Minor Airport



Runway Protection Zones

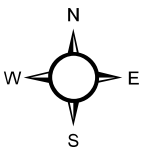
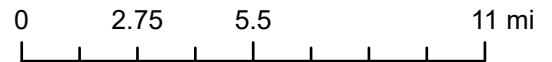
Major Civil and Military Airports

# PR-RGRW-04098 CBRS



## Legend

 System Unit



U.S. Fish and Wildlife Service

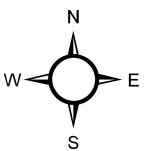
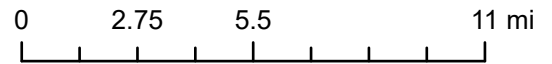
Coastal Barrier Resources Act Program

# PR-RGRW-04098 CZM



Legend

 Coastal Zone Management Act Boundary

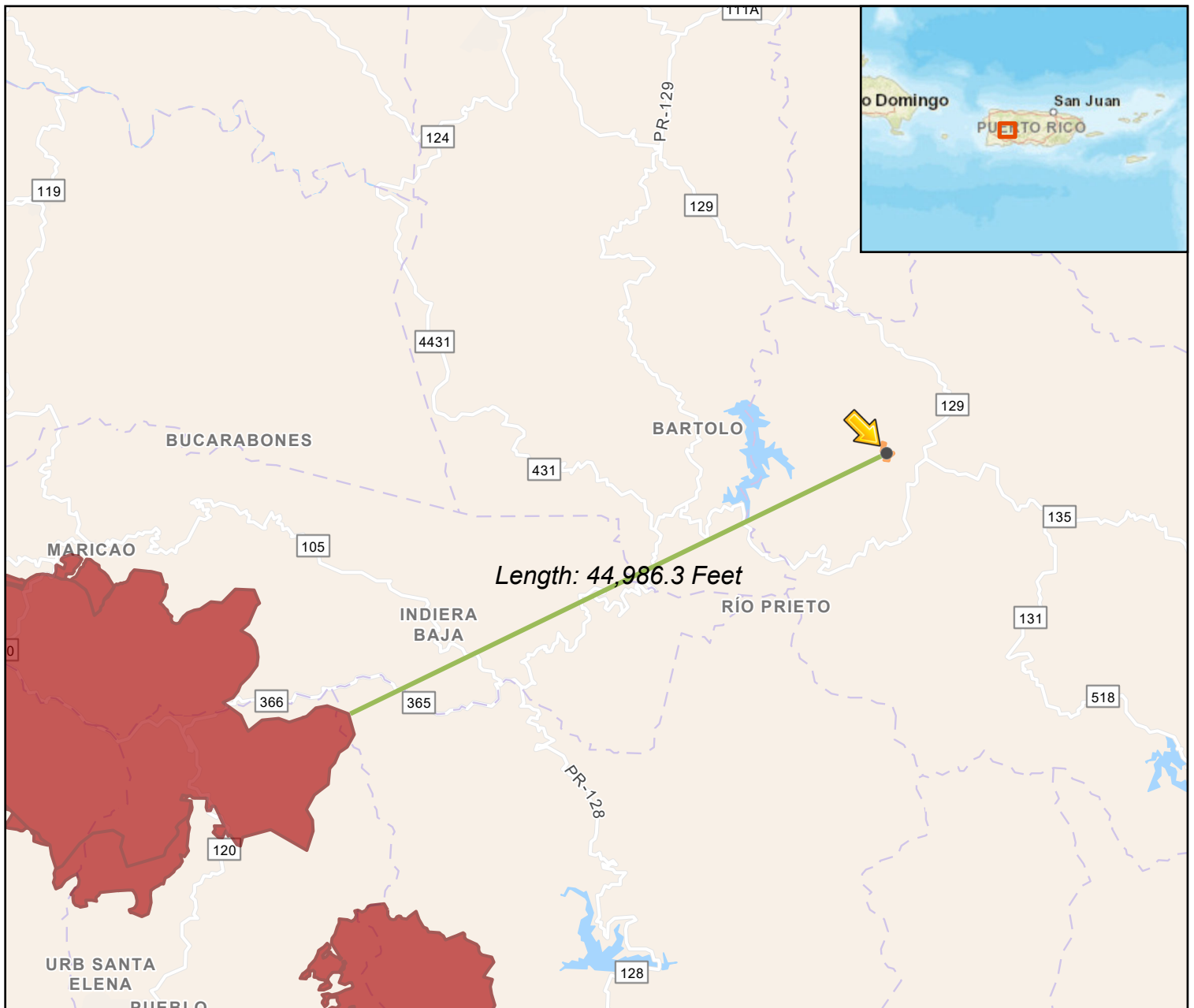


NOAA

Coastal Zone Management Act

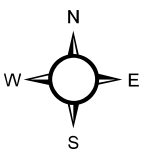
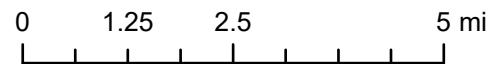


# PR-RGRW-04098 Endangered Species



### Legend

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



NOAA

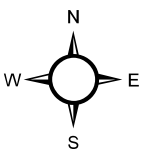
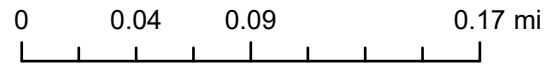
U.S. Fish and Wildlife Service

# PR-RGRW-04098 Farmlands



## Legend

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



USGS USA Soils









Farmland dataset

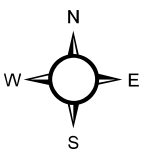
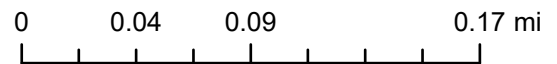


# PR-RGRW-04098 Flood Map



## Legend

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

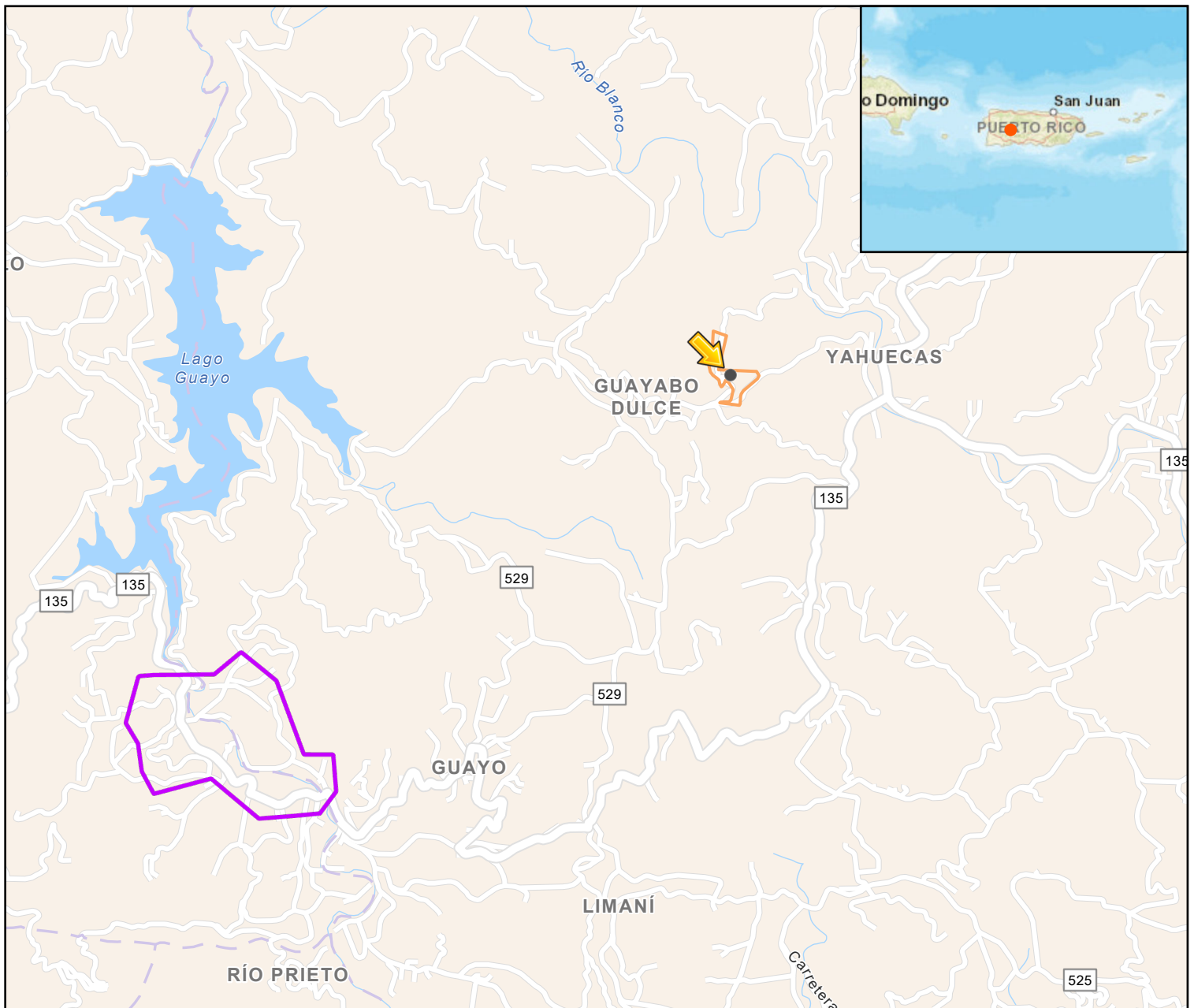


FEMA Map Service

Flood Insurance Rate Maps

8/24/2023 5:41 PM

# PR-RGRW-04098 Historic



**Legend**

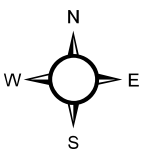
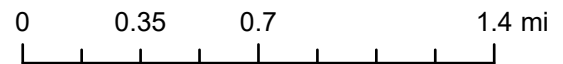
- National Historic Landmark
  - National Register of Historic Places
  - Removed from National Register of Historic Places
- 
- National Historic Landmark
  - National Register of Historic Places
  - Removed from National Register of Historic Places
  - Historic Communities

National Register Of Historic Places Points

National Register of Historic Places Polygons

National Register of Historic Places

Local Historic Areas digitized by Horne





**DEPARTAMENTO DE LA VIVIENDA  
PROGRAMA RENACER AGRÍCOLA DE PUERTO RICO –  
AGRICULTURA URBANA Y RURAL  
FORMULARIO SOBRE USO PREVISTO DE LOS FONDOS**

Yo, Keven Camacho Ramos, representante autorizado/a para el negocio Keven A Camacho Ramos, con el Caso Número PR-RGRW-04098 para el Programa Renacer Agrícola de Puerto Rico – Agricultura Urbana y Rural (**Programa Renacer Agrícola**), por la presente reconozco que fondos de subvención por la suma de \$150,000.00 se usarán de conformidad con el uso de fondos descrito a continuación.

Además, reconozco que, como parte del proceso de revisión de recibos, el Formulario sobre Uso Previsto de los Fondos será comparado con los recibos recopilados para verificar el cumplimiento con la información provista en dicho formulario.

Item	Equipment Expense Type RGRW	Unmet Need	Initials
17,000 plantain seeds	Production Supplies (Regrow Only)	\$14,960.00	
Land	Land (Regrow Only)	\$100,000.00	
Malanga fumigation & pesi	Production Supplies (Regrow Only)	\$1,824.00	
Pesticide&fum plantain	Production Supplies (Regrow Only)	\$31,242.00	
Pesticide&fum. Yautia	Production Supplies (Regrow Only)	\$2,325.64	

\$150,000.00

Total de Uso Previsto de los  
Fondos

Además, reconozco y entiendo que:

- El incumplimiento con el uso previsto de los fondos descrito en este Formulario podría requerir el pago de los fondos a Departamento de la Vivienda.
- Los fondos del Programa Renacer Agrícola solo pueden ser utilizados para actividades elegibles y el uso permitido de los fondos, según se establece en las Guías del Programa Renacer Agrícola.
- El Formulario sobre Uso Previsto de los Fondos será revisado por el equipo del Programa Renacer Agrícola y, **si es aprobado**, será el formulario oficial que se utilizará durante el proceso de revisión de los recibos.

Keven Camacho Ramos

08/21/2023

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Nombre

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Firma

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Fecha

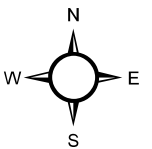
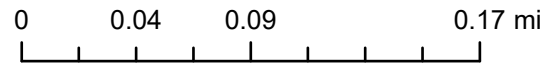


# PR-RGRW-04098 NWI



Legend

Riverine



National Wetlands Inventory

Farmland dataset



**GOVERNMENT OF PUERTO RICO**  
STATE HISTORIC PRESERVATION OFFICE

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

September 26, 2023

**Lauren Bair Poche**

HORNE

10000 Perkins Rowe, Suite 610, Bldg G  
Baton Rouge, LA 70810

SHPO 09-15-23-09 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:  
- KEVEN A. CAMACHO RAMOS – CARR. 135, KM 16.3,  
ADJUNTAS, PUERTO RICO

Dear Ms. Bair,

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

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

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

Sincerely,

Carlos A. Rubio-Cancela  
State Historic Preservation Officer

CARC/GMO/MB







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,

A handwritten signature in blue ink, appearing to be 'JB', is written over the typed name.

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT

September 18, 2023

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

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

**Section 106 NHPA Effect Determination Submittal: PR-RGRW-04098 – Keven A Camacho Ramos – Carr 135 Km 16.3, Adjuntas, 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 Keven A. Camacho Ramos at Carr 135 Km 16.3 in the municipality of Adjuntas. The proposed activities for Keven A Camacho Ramos consist of purchasing an approximately 25.8-acre parcel for agricultural purposes. Previously used for the cultivation of coffee approximately 25 years ago, the new proposed land use will change to cultivating banana, taro, yautia, and expanding some existing ranches of recao. Additional clearing of wooded areas within the parcel is planned, as the removal of several trees is required to plant the banana trees.

Please contact me by email at [lauren.poche@horne.com](mailto:lauren.poche@horne.com) or phone at 225-405-7676 with any questions or concerns.


Kindest regards,



**Lauren Bair Poche, M.A.**

Architectural Historian, Historic Preservation Senior Manager

Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b>		
<b>REGROW PUERTO RICO PROGRAM</b>		
<b>Section 106 NHPA Effect Determination</b>		
<b>Applicant:</b> Keven A Camacho Ramos		
<b>Case ID:</b> PR-RGRW-04098	<b>City:</b> Adjuntas	

<b>Project Location:</b> Carr 135 Km 16.3, Adjuntas, Puerto Rico, 00601	
<b>Project Coordinates:</b> 18.20018853, -66.80543446	
<b>TPID (Número de Catastro):</b> 239-000-006-52-001	
<b>Type of Undertaking:</b>	
<input checked="" type="checkbox"/> Substantial Repair/Improvements <input type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b> n/a	<b>Property Size (acres):</b> 25.8 acres


<b>SOI-Qualified Architect/Architectural Historian:</b> Lauren Bair Poche M.A.
<b>Date Reviewed:</b> 9/14/2023
<b>SOI-Qualified Archaeologist:</b> Jennifer Ort, M.S., RPA
<b>Date Reviewed:</b> 9/5/2023

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

### Project Description (Undertaking)

The proposed activities for Keven A Camacho Ramos consist of purchasing an approximately 25.8-acre parcel for agricultural purposes. Previously used for the cultivation of coffee approximately 25 years ago, the new proposed land use will change to cultivating banana, taro, yautia, and expanding some existing ranches of recao. Additional clearing of wooded areas within the parcel is planned, as the removal of several trees is required to plant the banana trees.

The project area is located at Carr 135 Km 16.3 within the Municipality of Adjuntas. Aerial imagery review finds evidence of clearing and agricultural cultivation in the southern/eastern portions of the property, but no evidence of clearing or agricultural activity in the northern or western portions. There was some clearing of vegetation along ridgetops and side slopes in the vicinity of the project area in 1940 (the earliest imagery available for the area), however, the project area remained wooded, with no visible evidence of cultivation. Consistent with Applicant's statement southern portions were cleared ca. 2000 for planting with additional clearing and expansion in 2021. However, aerial imagery review found that the north and west of the property remain consistently wooded from 1958 to the present day.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REgROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Applicant:</b> Keven A Camacho Ramos	
<b>Case ID:</b> PR-RGRW-04098	<b>City:</b> Adjuntas

### **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 entire 25.8-acre parcel, and the visual APE is the viewshed of the proposed project.


### **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 there are no reported archaeological materials or significant cultural properties within a half-mile (mi) radius of the project location.

The proposed project is located in a rural hilly area within the Mountainous Interior Physiographic Zone at an elevation of 1,968 feet (ft; 600.02 meters [m]) above modern sea level. Per the USGS/NRCS Web Soil Survey, the project area crosses two mapped soil series from west to east: Maricao clay, 20 to 60 percent slopes (MkF2) and Hunatas clay, 20 to 40 percent slopes (HmE2). The project area APE is located within a rural setting. The closest freshwater source is an unnamed tributary of the Río Blanco, located 0.15 miles (mi; 0.25 kilometers [km]) west of the project area. The southern coast is approximately 14 mi (22.6 km) from the project area.

### **Identification of Historic Properties - Architecture**

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 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.


<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGrow PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant:</b> Keven A Camacho Ramos	
<b>Case ID:</b> PR-RGRW-04098	<b>City:</b> Adjuntas

### Determination

The following historic properties have been identified within the APE:

- Direct Effect:
  - N/A
- Indirect Effect:
  - N/A

Based on the results of our historic property identification efforts, the Program has determined that 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. 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-04098 is located. The closest freshwater body is 0.15 mi (0.25 km) west of the project area. Therefore, no impact to cultural properties is anticipated for this project.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGrow PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant:</b> Keven A Camacho Ramos	
<b>Case ID:</b> PR-RGRW-04098	<b>City:</b> Adjuntas

**Recommendation**

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"/> <b>Concurs</b> with the information provided. <input type="checkbox"/> <b>Does not concur</b> with the information provided.	
<b>Comments:</b>   	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:



Applicant: Keven A Camacho Ramos

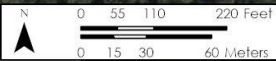
Case ID: PR-RGRW-04098

City: Adjuntas

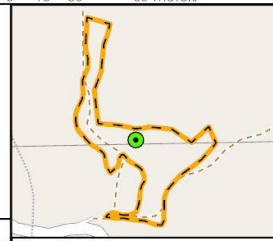
### Project (Parcel) Location – Area of Potential Effect Map (Aerial)



Carr 135 Km 16.3, Adjuntas, Puerto Rico



- Legend
- PR-RGRW-04098
  - ▭ CRIM Parcel Boundary/Area of Potential Effect
  - ▭ Half-Mile Buffer



Name: WGS 1984 Web Mercator Auxiliary Sphere

Scale: 1:2,225

Applicant: Keven A Camacho Ramos

Case ID: PR-RGRW-04098

City: Adjuntas

### Project (Parcel) Location - Aerial Map

#### Historic Properties - Aerial Base

Puerto Rico Department of Housing

Re-Grow Program

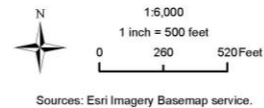
Application ID#: PR-RGRW-04098

Address: Carr 135 Km 16.3, Adjuntas, PR 00601

Latitude: 18.2002  
Longitude: -66.8055



- |   |  |
|---|--|
|  Applicant Parcel          |  Sitios Historicos JP     |
|  Parcels                   |  Zonas Historicas puntos  |
|  Historic Districts        |  Zonas Historicas Limites |
|  Historic Communities      |  |
|  Traditional Urban Centers |  |







Applicant: Keven A Camacho Ramos

Case ID: PR-RGRW-04098

City: Adjuntas

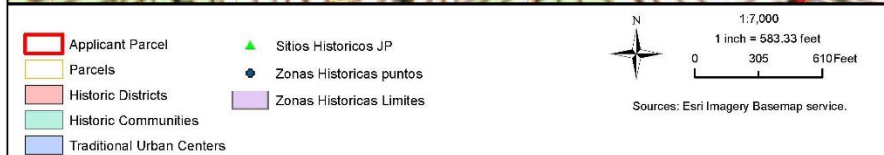
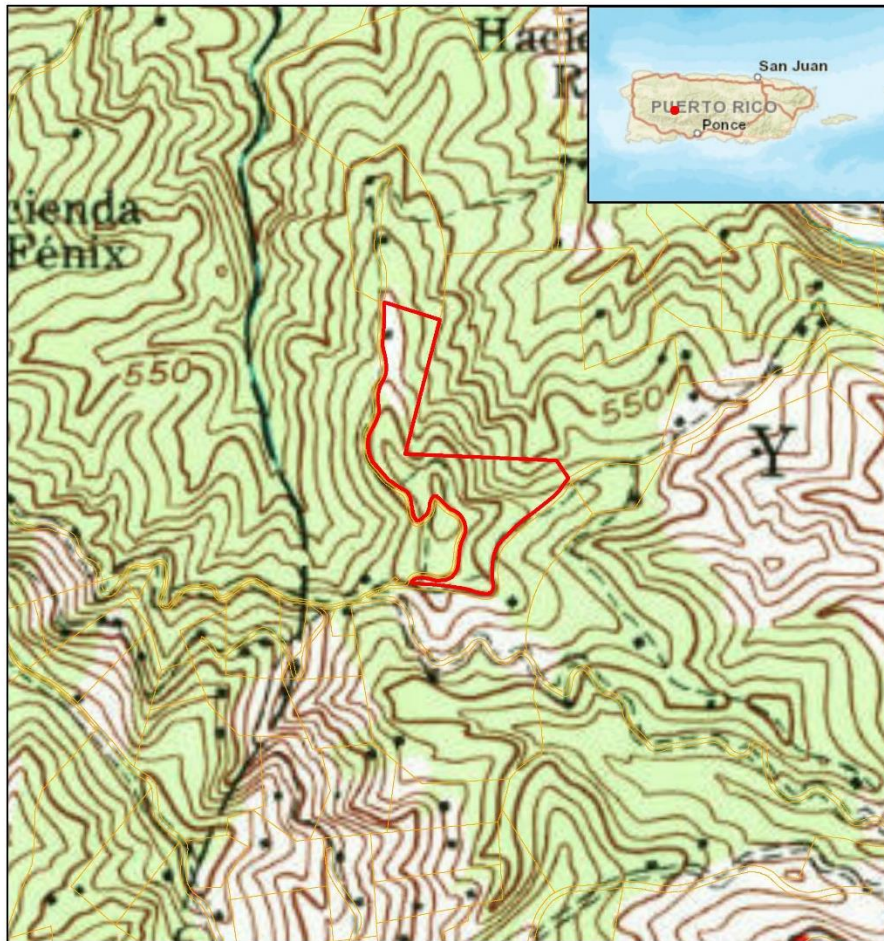
### Project (Parcel) Location - USGS Topographic Map

Historic Properties - Topographic Base  
Puerto Rico Department of Housing  
Re-Grow Program

Application ID#: PR-RGRW-04098

Address: Carr 135 Km 16.3, Adjuntas, PR 00601

Latitude: 18.2002  
Longitude: -66.8055



Applicant: Keven A Camacho Ramos

Case ID: PR-RGRW-04098

City: Adjuntas

### Project (Parcel) Location – Soils Map



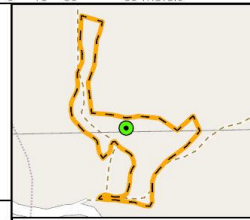
Carr 135 Km 16.3, Adjuntas, Puerto Rico



Legend

- PR-RGRW-04098
- ▭ CRIM Parcel Boundary/Area of Potential Effect
- ▭ Half-Mile Buffer
- ▭ NRCS Soil Units

Name: WGS 1984 Web Mercator Auxiliary Sphere      Scale: 1:2,225



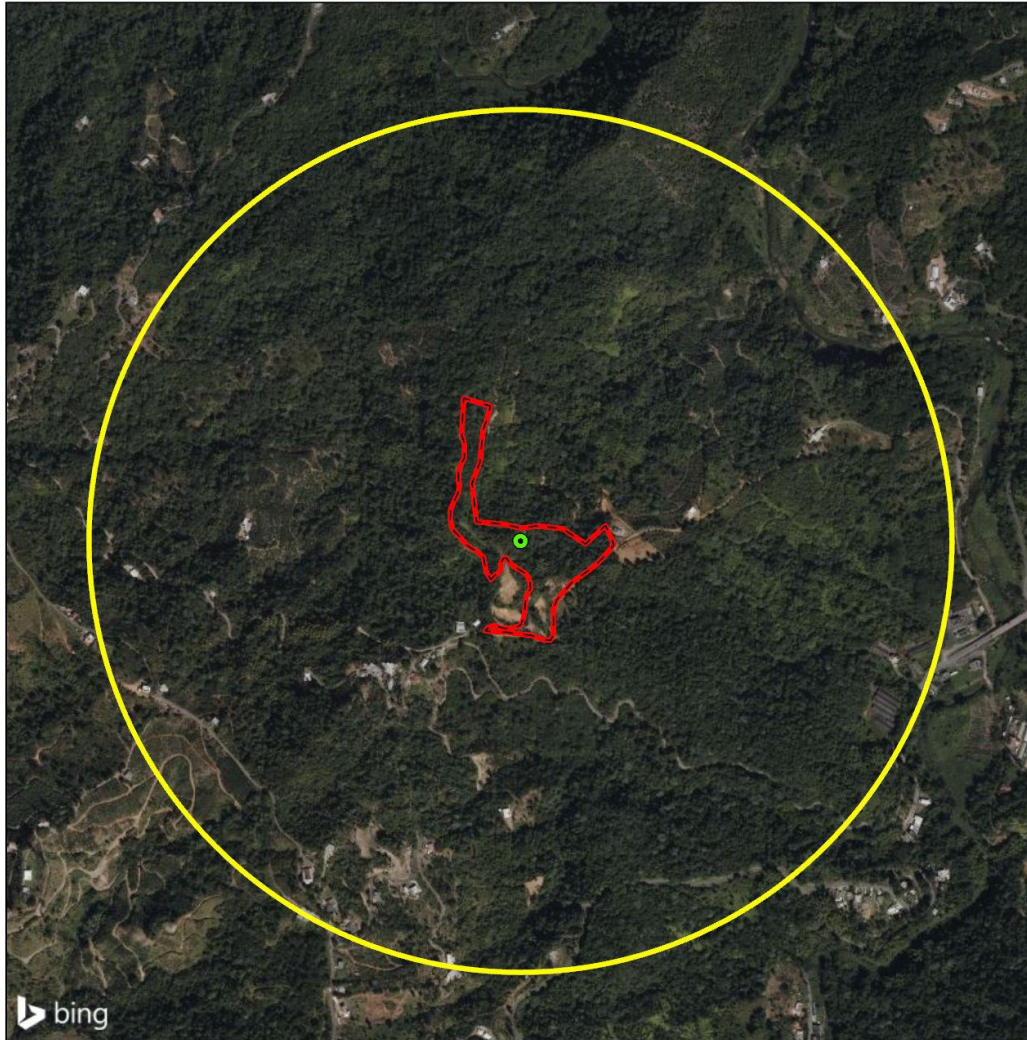


Applicant: Keven A Camacho Ramos

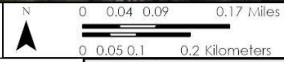
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City: Adjuntas

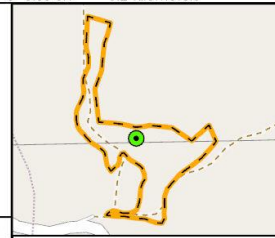
### Project (Parcel) Location with Previous Investigations - Aerial Map



Carr 135 Km 16.3, Adjuntas, Puerto Rico



- Legend
- PR-RGRW-04098
  - ▭ CRIM Parcel Boundary/Area of Potential Effect
  - ▭ Half-Mile Buffer



Name: WGS 1984 Web Mercator Auxiliary Sphere Scale: 1:9,000



Applicant: Keven A Camacho Ramos

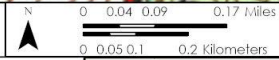
Case ID: PR-RGRW-04098

City: Adjuntas

### Project (Parcel) Location with Previously Recorded Cultural Resources USGS Topographic Map



Carr 135 Km 16.3, Adjuntas, Puerto Rico



- Legend
- PR-RGRW-04098
  - CRIM Parcel Boundary/Area of Potential Effect
  - Half-Mile Buffer



Name: WGS 1984 Web Mercator Auxiliary Sphere

Scale: 1:9,000

**Applicant:** Keven A Camacho Ramos

**Case ID:** PR-RGRW-04098

**City:** Adjuntas



**Photo #:** 1

**Description (include direction):** Overview of area that will be planted with plaintains.

**Date:**  
10/26/2022



**Photo #:** 2

**Description (include direction):** Existing greenhouse.

**Date:** 3/1/2023

**PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM**

**RE-grow PUERTO RICO PROGRAM**

**Section 106 NHPA Effect Determination**



**Applicant:** Keven A Camacho Ramos

**Case ID:** PR-RGRW-04098

**City:** Adjuntas



**Photo #:** 1

**Description (include direction):** Overview of the current farm conditions.

**Date:**

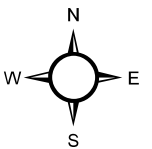
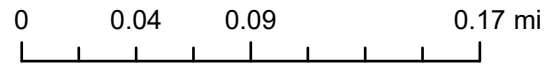
10/26/2022



# PR-RGRW-04098 Site Map



Legend



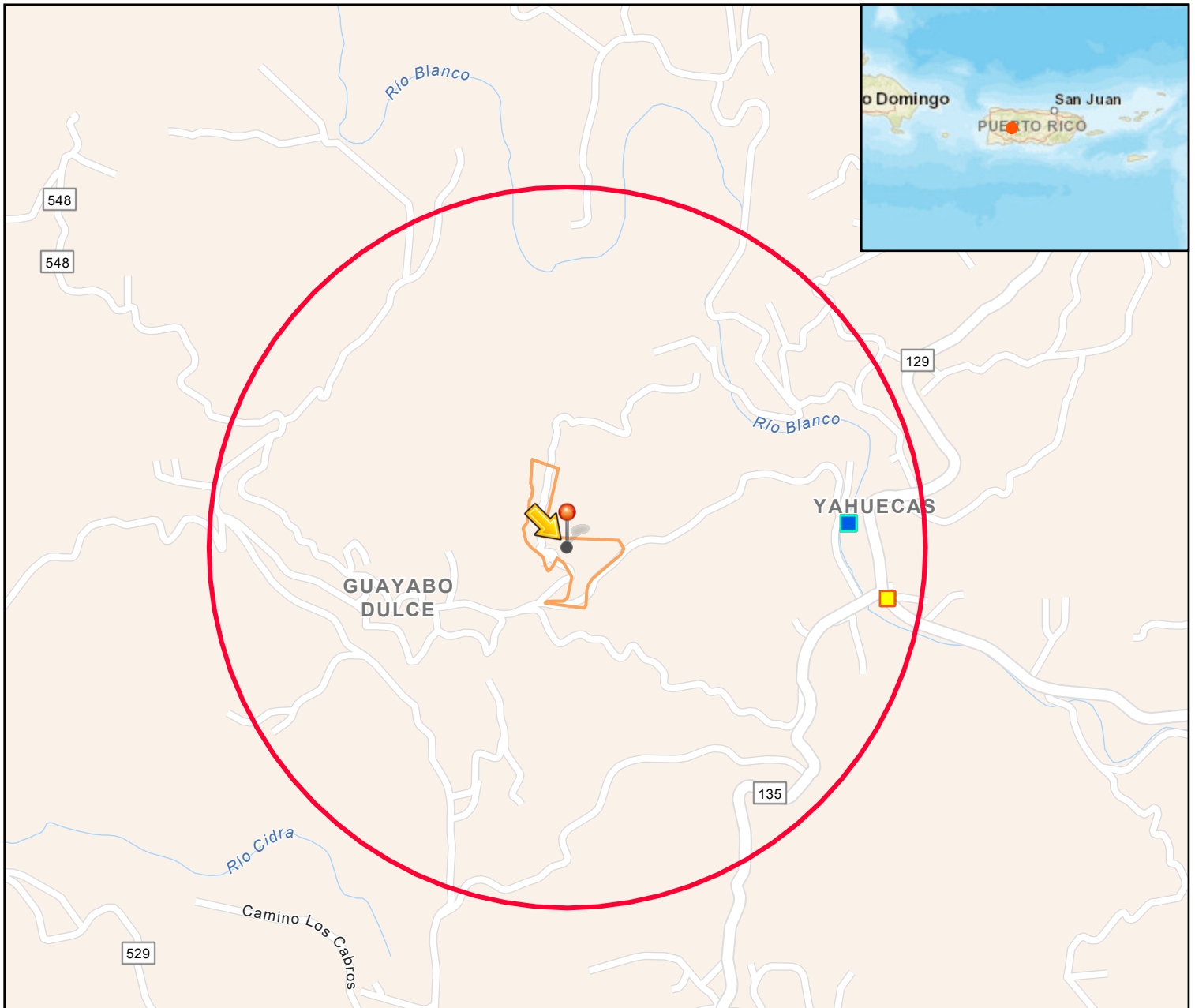
CaseID	Registry_ID	Name	Location
PR-RGRW-04098	110038453161	PRASA YAHUECAS WTP	INTERSECTION OF HIGHWAYS PR-129 AND PR-135, BARRIO
PR-RGRW-04098	110009437467	ESSO STANDARD OIL CO - PR DO-432	CARR 135 KM 75.9
PR-RGRW-04098	110004887793	DEPT OF ED - S U HECTOR RIVERA	CARR 135 KM 75.5



Municipio	Latitude	Longitude	Type	Report
ADJUNTAS	18.200806	-66.797778	NPDES	<a href="https://echo.epa.gov/detailed-facility-report?fid=110038453161&amp;ej_type=sup&amp;ej_compare=US">https://echo.epa.gov/detailed-facility-report?fid=110038453161&amp;ej_type=sup&amp;ej_compare=US</a>
ADJUNTAS	18.198866	-66.79672	RCRAINFO	<a href="https://echo.epa.gov/detailed-facility-report?fid=110009437467&amp;ej_type=sup&amp;ej_compare=US">https://echo.epa.gov/detailed-facility-report?fid=110009437467&amp;ej_type=sup&amp;ej_compare=US</a>
ADJUNTAS	18.198866	-66.79672	RCRAINFO	<a href="https://echo.epa.gov/detailed-facility-report?fid=110009437467&amp;ej_type=sup&amp;ej_compare=US">https://echo.epa.gov/detailed-facility-report?fid=110009437467&amp;ej_type=sup&amp;ej_compare=US</a>

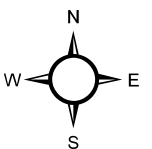
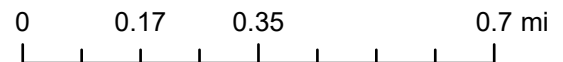
Distance	Impact
2,649.79	Cleared via Distance
3,056.87	NO
3,056.87	NO

# PR-RGRW-04098 Toxics



## Legend

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



Envirofacts Facility Locations

EPA

September 5, 2023

Edwin E Muñiz  
Field Supervisor  
U.S. Fish and Wildlife Service PO Box 491  
Boquerón, Puerto Rico 00622 Email: [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov)

Dear Mr. Muñiz:

Horne, on behalf of the Puerto Rican Department of Housing (PRDOH), is requesting 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 ReGrow PR-RGRW-04098, located on Carr 135 Km 16.3, Bo Yahuecas, Adjuntas, PR, 00601. The project coordinates are latitude 18.20018853, and longitude -66.80543446. A map of the project location can be found in Appendix A, Figure 1.

The proposed project in question, 04098, is requesting funding under the Re-Grow PR Urban-Rural Agriculture Program (Re-Grow). The goal of the Re-Grow is to build agricultural capacity and focus on promoting and increasing food security island-wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. The land was previously used for agricultural purposes. The proposed project consists of the participant who has selected a 22-acre plot of land for agricultural operation, which is suitable for agricultural use in its entirety. Before planting any crops, they are conducting a detailed analysis of the land's topography and soil through surveys to gain accurate insights into its potential can be found in Appendix C. The primary focus of the farm is hydroponic leaf production, utilizing a structure that measures 80 feet in length and 30 feet in width. The products are marketed through phone calls and social networks, with the participant personally handling distribution to customers. In addition to hydroponic leaf production, the participant plans to cultivate banana, taro, yautia, and expand existing recap ranches. As necessary, they intend to remove trees to accommodate the banana trees in their planting scheme.

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

<b>Name of the species</b>	<b>Threatened/Endangered/Candidate</b>
Puerto Rican boa ( <i>Epicrates inornatus</i> )	Endangered
Puerto Rican Broad-winged Hawk Buteo ( <i>Platypterus brunnescens</i> )	Endangered
Puerto Rican Parrot ( <i>Amazona vittata</i> )	Endangered
Puerto Rican Sharp-shinned Hawk ( <i>Accipiter striatus venator</i> )	Endangered

<b>Critical Habitat</b>
-------------------------

There are no critical habitats at this location.
--

Based on the nature of the project, scope of work, information available, and a careful analysis of the existing habitat, we have made the following effects determinations:

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa ( <i>Epicrates inornatus</i> )	No effect (NE)	N/A
Puerto Rican Broad-winged Hawk Buteo ( <i>Platypterus brunnescens</i> )	May affect, but not likely to adversely affect (NLAA)	Nationwide Standard Conservation Measures
Puerto Rican Parrot ( <i>Amazona vittata</i> )	May affect, but not likely to adversely affect (NLAA)	Nationwide Standard Conservation Measures
Puerto Rican Sharp-shinned Hawk ( <i>Accipiter striatus venator</i> )	May affect, but not likely to adversely affect (NLAA)	Nationwide Standard Conservation Measures

<b>Critical Habitats</b>
--------------------------

	There are no critical habitats at this location.	
--	--	--

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determinations included in this letter. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. If more information is required, please contact Steve Swick at [steve.swick@horne.com](mailto:steve.swick@horne.com)

## EXECUTIVE SUMMARY:

### Existing Habitat Conditions at Project Area:

The project area consists of an approximately 22-acre parcel located on Carr 135 Km 16.3, Bo Yahuecas, Adjuntas, PR, 00601. The project coordinates are latitude 18.20018853, and longitude -66.80543446. According to the U.S. Geological Survey National Land Cover Database (NLCD) (Appendix A, Figure 4), the majority of the project area consists of mostly herbaceous land with some evergreen forest to the north of the parcel. USDA Soil Maps (Appendix A Figure 5) indicate the soil in and around the property consists primarily of Bayamon Clay which can be found at a depth of up to 80 inches. A map of the project location can be found in Appendix A, Figure 1.

### Species Effects Analysis:

A Species List of Caribbean Ecological Services can be found in Appendix B.

#### **Puerto Rican boa (*Epicrates inornatus*)**

The Puerto Rican boa is the largest snake found in Puerto Rico. An endemic species, it can grow up to seven feet (approx. 2 meters) in length, although some people claim to have seen even larger specimens. Their coloring varies; it can be light or dark brown, gray, or even black. They also have a blackish, spotted, or barred pattern along their dorsal areas, and their ventral area is blackish. The boa is not venomous and does not attack human beings. This boa is timid and, upon detecting human presence nearby, its first and natural reaction is to escape. Nearly half of Puerto Rico, 46.3%, is considered a potential habitat for the Puerto Rican boa. Of all this potential habitat, only 9% is protected. Although this species has been reported throughout every ecosystem in Puerto Rico. The Endangered Species Act of 1973, as amended, prohibits the killing, harassing, trapping, purchasing, or selling of any species, as well as parts and products derived from the species. Based on the nature of the project and the project scope, the Caribbean DKey, dated September 05, 2023, in the U.S. Fish and Wildlife Service's online IPaC application was used to evaluate the potential impacts to federally listed species from this project. Based on the answers inputted into the DKey, it was determined that the proposed action will have a “**No Effect**” determination on the Puerto Rican Boa.

#### **Puerto Rican Broad-winged Hawk (*Buteo platypterus brunnescens*)**

The Puerto Rican broad-winged hawk is dark brown and has a rufous-barred white ventral area. In adults, the tail is broadly banded with black and white, and the rufous (rust color) breast is characteristic. This species occurs in elfin woodland, sierra palm, caimitillo-granadillo, and tabonuco forest types of the Carite Commonwealth Forest, Toro Negro Forest, Los Tres Picachos Forest, and El Yunque National Forest, as well as within mature hardwood plantations, shade coffee plantations, and mature secondary forest of the north-central karst region of Puerto Rico within and adjacent to the Río Abajo Commonwealth Forest, and in the Río Encantado area (Florida – Ciales). Broad-winged hawk abundance and distribution is very limited. Any threat against the existing population and its habitat can be detrimental to the species. The Broad-winged Hawk has been included in the federal list of endangered species since 1994. The Endangered Species Act of 1973, as amended, prohibits the killing, harming, harassing, trapping, purchasing, or selling of any species, as well as parts and products derived from the species.

The Puerto Rican Broad-winged Hawk (*Buteo platypterus brunnescens*) is typically observed in its natural habitat, which includes the Carite Commonwealth Forest, Toro Negro Forest, Los Tres

Picachos Forest, and El Yunque National Forest. It's important to note that the project area under consideration does not constitute the species' native habitat. A species list was generated for the project area through the utilization of the Information for Planning and Consultation (IPAC) tool, revealing indications of the potential presence of the endangered species. Notably, the scope of the project entails tree cutting, a procedure with the inherent capacity to exert adverse effects on bird populations and their corresponding habitats. Consequently, it is recommended that nationwide standard conservation measures be instituted, with the overarching objective of mitigating adverse effects on birds and their associated ecosystems.

The US Fish and Wildlife Service has developed general conservation measures with the purpose of avoiding or minimizing adverse effects on the species. Supporting documents provide a comprehensive framework for understanding that ensures the protection of the Puerto Rican Broad-winged Hawk (*Buteo platypterus brunnescens*) (Appendix D).

Considering the project's characteristics and the fact that the Puerto Rican Broad-winged Hawk's natural habitat is not within the project area, it is reasonable to conclude that the project is unlikely to adversely affect the species. Therefore, a determination of "**May affect, but not likely to adversely affect**" can be concluded for the proposed project site in question.

### **Puerto Rican Parrot (*Amazona vittata*)**

The Puerto Rican Amazon is a bright green bird, with a red forehead and white rings around its eyes, as well as blue covert and primary flight feathers. This parrot feeds on plants such as Sierra palm, royal palm, Nance, Maria tree, guava, pacay, balsam apple, guarea, and trumpet tree, among others. The Puerto Rican Amazon, a native species, was once very abundant on the Island, including the nearby islands of Culebra, Vieques, and Mona. The Puerto Rican Amazon was classified as an endangered species in 1967 before the Endangered Species Act amendments went into effect in 1973. There is a Cooperative Agreement between the Fish and Wildlife Service, the Department of Natural Resources and the Environment, and the United States Forest Service, which work together to foster the Puerto Rican Amazon's recovery. The Endangered Species Act, amended in 1973, prohibits the killing, harassing, trapping, purchasing, or selling of any species, as well as parts and products derived from the species, that is listed as endangered.

A species list was generated for the project area through the utilization of the Information for Planning and Consultation (IPAC) tool, revealing indications of the potential presence of the endangered species. However, the project location does not meet the characteristics of the natural habitat of the species that is mostly concentrated in El Yunque National Forest, the eastern side of the island, and the Río Abajo National Forest, between the municipalities of Arecibo and Utuado. Furthermore, the assortment of fruits cultivated on the farm is not congruent with the dietary requirements of the Puerto Rican parrot and its survival depends on a specific dietary regimen consisting primarily of native fruits, leaves, flowers, and seeds found within its natural habitat. In contrast, the fruits grown on the farm may not align with the parrot's nutritional needs or dietary preferences. The scope of the project entails tree cutting a procedure with the inherent capacity to exert adverse effects on bird populations and their corresponding habitats. It is recommended that nationwide standard conservation measures be instituted, with the overarching objective of mitigating adverse effects on birds and their associated ecosystems.

The US Fish and Wildlife Service has developed general conservation measures with the purpose of avoiding or minimizing adverse effects on the species. Supporting documents provide a comprehensive framework for understanding that ensures the protection of the Puerto Rican Parrot (*Amazona vittata*) (Appendix E).

Based, on the project's characteristics and the fact that the Puerto Rican Parrot (*Amazona vittata*) natural habitat is not within the project area, it is reasonable to conclude that the project is unlikely to adversely affect the species. Therefore, a determination of "**May affect, but not likely to adversely affect**" can be concluded for the proposed project site in question.

### **Puerto Rican Sharp-shinned Hawk (*Accipiter striatus venator*)**

The Puerto Rican sharp-shinned hawk is an endemic species in Puerto Rico, and it is usually found in forested areas associated with the life zones known as subtropical montane rain forest and moist subtropical forests (e.g., cloud forests, Sierran palm, caimitillo-granadillo and tabonuco[candlewood]). This species primarily feeds on small birds such as: the Puerto Rican bullfinch (*Loxigilla portoricensis*), bananaquits (*Coereba flaveola*), and Puerto Rican tanagers (*Nesospingus speculiferus*). The only five existing populations of the Puerto Rican sharp-shinned hawk are found in the mountain forests of El Yunque National Forest and the State Forests in Maricao, Toro Negro, Guilarte and Carite. Widespread habitat destruction and modification are the main factors affecting the number and distribution of the Puerto Rican sharp-shinned hawk. The Puerto Rican sharp-shinned hawk is also highly susceptible to natural disturbances like strong tropical storms and hurricanes, as these events disturb and modify their environment. The Endangered Species Act of 1973, as amended, prohibits the killing, harassing, trapping, purchasing, or selling of any species, as well as parts and products derived from the species.

The research findings indicate that the Puerto Rican sharp-shinned hawk primarily nests in the subtropical moist forests and the subtropical/lower montane wet forests of Puerto Rico. Notably, available population survey data demonstrate a consistent decline in the species' numbers leading up to the occurrence of Hurricane María, which resulted in a significant and precipitous population decline. This hawk species is typically found in mountain forests, including El Yunque National Forest and the State Forests in Maricao, Toro Negro, Guilarte, and Carite. It is important to emphasize that the project area under consideration does not align with the species' natural habitat. During the project planning phase, a species list was generated for the project area using the Information for Planning and Consultation (IPAC) tool, revealing indications of the potential presence of this endangered species. It is noteworthy that the scope of the project involves tree cutting, a procedure inherently capable of exerting adverse effects on bird populations and their respective habitats. It is recommended that nationwide standard conservation measures be instituted, with the overarching objective of mitigating adverse effects on birds and their associated ecosystems.

The US Fish and Wildlife Service has developed general conservation measures with the purpose of avoiding or minimizing adverse effects on the species. Supporting documents provide a comprehensive framework for understanding that ensures the protection of Puerto Rican Sharp-shinned Hawk (*Accipiter striatus venator*) (Appendix F).

Based, on the project's characteristics and the fact that the Puerto Rican Sharp-shinned Hawk (*Accipiter striatus venator*) natural habitat is not within the project area, it is reasonable to conclude that the project is unlikely to adversely affect the species. Therefore, a determination of "**May affect, but not likely to adversely affect**" can be concluded for the proposed project site in question.



List of Appendixes:

Appendix A:

Figure 1: Location Site Map

Figure 2: Topographic Map

Figure 3: Land Cover Map

Figure 4: Endangered Species Map

Figure 5: Consistency Letter

Appendix B: Species List Caribbean Ecological Services

Appendix C: Agronomist Report

Appendix D: Conservation Measures for the Broad-winged hawk (*Buteo platypterus brunnescens*)

Appendix E: Conservation Measures for the Puerto Rican Amazon Parrot (*Amazona vittata*)

Appendix F: Conservation Measures for the Rican Sharp-shinned Hawk (*Accipiter striatus venator*)

Literature Cited:

Maps: Data basin. Maps | Data Basin. (n.d.).

<https://databasin.org/maps/new/#datasets=e95aa06e05624f3087559eca884db034>

2023a. Information for Planning and Consultation System (IPaC). Available at:

<http://ecos.fws.gov/ipac/>. Accessed September 2023.

U.S. Fish and Wildlife Service. (n.d.). Fact Sheets. Caribbean Endangered and Threatened Animals.

Sea Grant Puerto

Rico

Appendix A  
Maps

Figure 1  
Location Site Map

# PR-RGRW-04098 Site Map



Legend

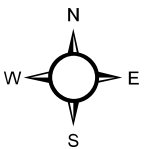
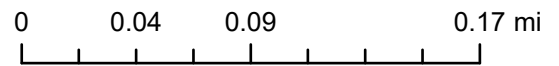


Figure 2  
Topographic Map



**USGS - Topographic Base**  
**Puerto Rico Department of Housing**  
**Re-Grow Program**

Latitude: 18.200182°N  
Longitude: 66.805477°W






DEPARTAMENTO DE LA  
**VIVIENDA**



Application ID#: PR-RGRW-04098

Address: Carr 135 Km 16.3, Adjuntas, PR 00601



-  Applicant Structure
-  Applicant Parcel
-  Parcels



1:20,000  
1 inch equals 1,667 feet  
0 500 1,000 Feet

Sources: Esri Imagery Basemap service.



Figure 3  
Land Cover Map

### National Land Cover Database, land cover - Puerto Rico

- Barren Land
- Cultivated Crops
- Developed, High Intensity
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed, Open Space
- Emergent Herbaceous Wetlands
- Evergreen Forest
- Hay/Pasture
- Herbaceous
- Open Water
- Shrub/Scrub
- Woody Wetlands

Parcel



## Map Details

### Datasets



**National Land Cover Database, land cover - Puerto Rico**  
<https://datbasin.org/datasets/e95aa06e05624f3087559eca884db034/>

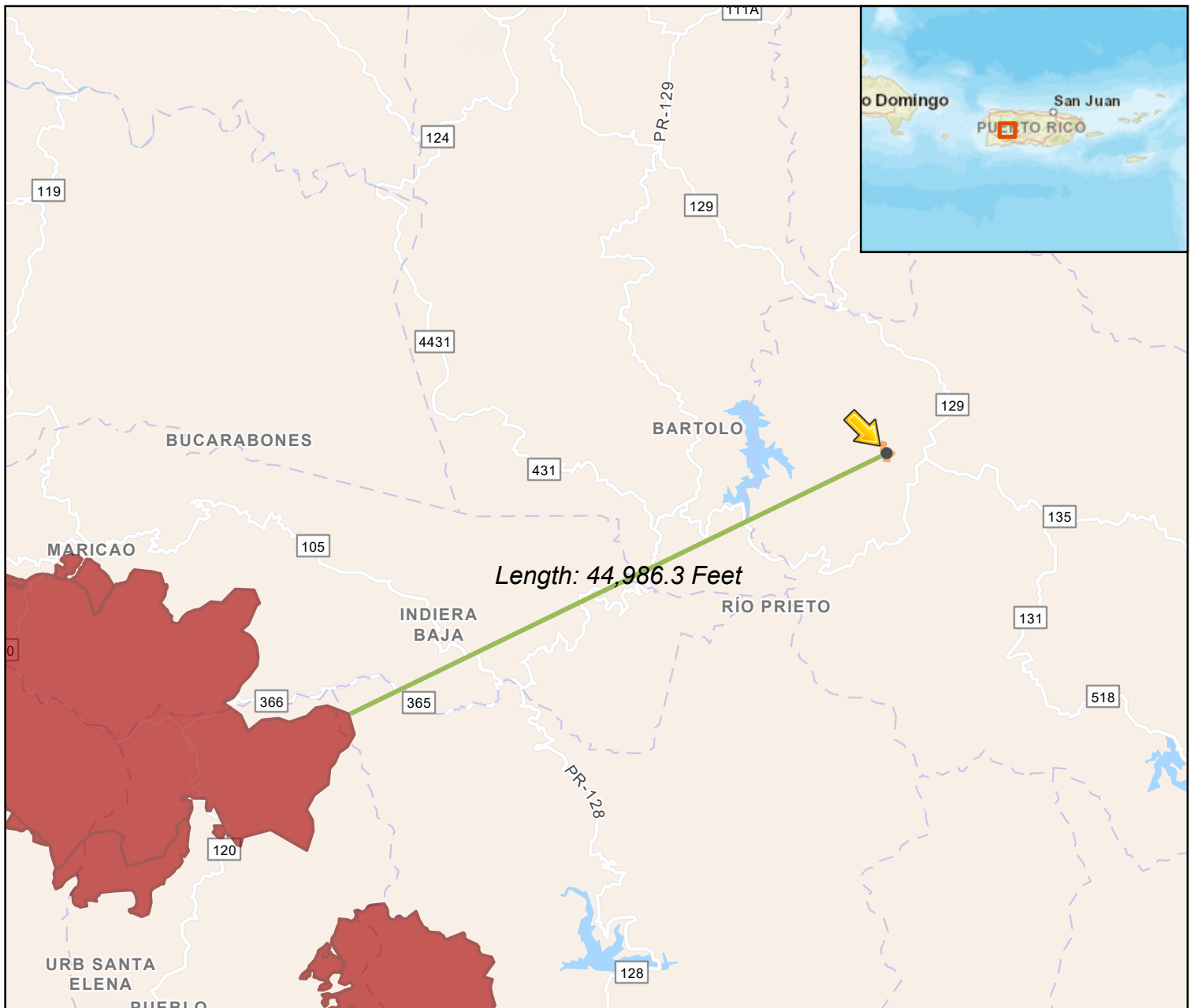
**Credits:** USGS National Land Cover Database 2001

**Layers:** layer 1

Keven A Camacho Ramos  
 Carr 135 Km 16.3  
 Adjuntas, PR 00601  
 18.20018853, -66.80543446

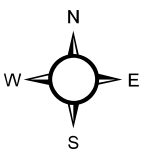
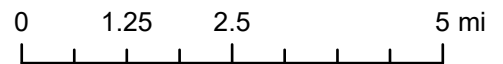
Figure 4  
Endangered Species Map

# PR-RGRW-04098 Endangered Species



### Legend

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



NOAA

U.S. Fish and Wildlife Service

8/24/2023 5:51 PM

Figure 5  
Consistency Letter





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
Post Office Box 491  
Boqueron, PR 00622-0491  
Phone: (787) 834-1600 Fax: (787) 851-7440  
Email Address: [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

In Reply Refer To:  
Project code: 2023-0125302  
Project Name: PR-RGRW-04098

September 08, 2023

Subject: Consistency letter for the project named 'PR-RGRW-04098' 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 September 08, 2023, Michelle Pastor Davila used the Caribbean DKey; dated February 08, 2023, 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-04098'. The project is located in Adjuntas County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.19989865,-66.80485037146273,14z>



The following description was provided for the project 'PR-RGRW-04098':

The proposed project will be funded under the Re-Grow PR Urban-Rural Agriculture program and the project includes the purchase of agricultural land. The participant has selected a 22-acre plot of land for their agricultural operation, which is suitable for agricultural use in its entirety. Before planting any crops, they are conducting a detailed analysis of the land's topography and soil through surveys to gain accurate insights into its potential. The primary focus of the farm is hydroponic leaf production, utilizing a structure that measures 80 feet in length and 30 feet in width. The products are marketed through phone calls and social networks, with the participant personally handling distribution to customers. In addition to hydroponic leaf production, the participant plans to cultivate banana, taro, yautia, and expand existing recao ranches. As necessary, they intend to remove trees to accommodate the banana trees in their planting scheme.

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

Species	Listing Status	Determination
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered	No effect

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

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

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

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

Virgin Islands. Otherwise, contact the Caribbean Ecological Services Field Office (caribbean\_es@fws.gov) to determine whether the consultation needs to be reinitiated.

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

- Puerto Rican Broad-winged Hawk *Buteo platypterus brunnescens* Endangered
- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened
- Puerto Rican Parrot *Amazona vittata* Endangered
- Puerto Rican Sharp-shinned Hawk *Accipiter striatus venator* Endangered

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

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

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## Action Description

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

### 1. Name

PR-RGRW-04098

### 2. Description

The following description was provided for the project 'PR-RGRW-04098':

The proposed project will be funded under the Re-Grow PR Urban-Rural Agriculture program and the project includes the purchase of agricultural land. The participant has selected a 22-acre plot of land for their agricultural operation, which is suitable for agricultural use in its entirety. Before planting any crops, they are conducting a detailed analysis of the land's topography and soil through surveys to gain accurate insights into its potential. The primary focus of the farm is hydroponic leaf production, utilizing a structure that measures 80 feet in length and 30 feet in width. The products are marketed through phone calls and social networks, with the participant personally handling distribution to customers. In addition to hydroponic leaf production, the participant plans to cultivate banana, taro, yautia, and expand existing recao ranches. As necessary, they intend to remove trees to accommodate the banana trees in their planting scheme.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.19989865,-66.80485037146273,14z>



## 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, etc.)

*No*

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

*No*

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

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

*Yes*

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

**Automatically answered**

*Yes*

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## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Michelle Pastor Davila  
Address: 40 Cond. Caguas Tower Apt 506  
City: Caguas  
State: PR  
Zip: 00725  
Email: mpastor@ecorecpr.com  
Phone: 7876481567

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development

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Appendix B  
Species List Caribbean Ecological Services



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
Post Office Box 491  
Boqueron, PR 00622-0491  
Phone: (787) 834-1600 Fax: (787) 851-7440  
Email Address: [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

In Reply Refer To:  
Project Code: 2023-0125302  
Project Name: PR-RGRW-04098

September 08, 2023

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

To Whom It May Concern:

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

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

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

Once a species list is obtained for the proposed project, an effect determination for endangered and threatened species should be made. The applicant could make an effect determination by using available keys on IPaC for specific species. For species with no determination keys, the applicant should request concurrence from the Service by sending a project package

to [caribbean\\_es@fws.gov](mailto: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:

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Caribbean Ecological Services Field Office

[caribbean\\_es@fws.gov](mailto: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
- Migratory Birds
- Wetlands

## OFFICIAL SPECIES LIST

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

This species list is provided by:

**Caribbean Ecological Services Field Office**

Post Office Box 491

Boqueron, PR 00622-0491

(787) 834-1600

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## PROJECT SUMMARY

Project Code: 2023-0125302

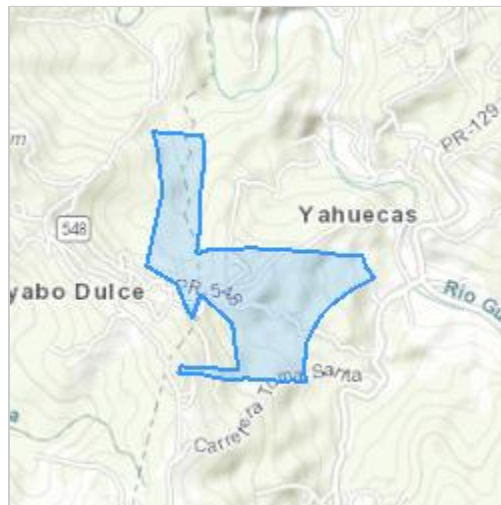
Project Name: PR-RGRW-04098

Project Type: Acquisition of Lands

Project Description: The proposed project will be funded under the Re-Grow PR Urban-Rural Agriculture program and the project includes the purchase of agricultural land. The participant has selected a 22-acre plot of land for their agricultural operation, which is suitable for agricultural use in its entirety. Before planting any crops, they are conducting a detailed analysis of the land's topography and soil through surveys to gain accurate insights into its potential. The primary focus of the farm is hydroponic leaf production, utilizing a structure that measures 80 feet in length and 30 feet in width. The products are marketed through phone calls and social networks, with the participant personally handling distribution to customers. In addition to hydroponic leaf production, the participant plans to cultivate banana, taro, yautia, and expand existing recao ranches. As necessary, they intend to remove trees to accommodate the banana trees in their planting scheme.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.19989865,-66.80485037146273,14z>



Counties: Adjuntas County, Puerto Rico

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

### BIRDS

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5512">https://ecos.fws.gov/ecp/species/5512</a>	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3067">https://ecos.fws.gov/ecp/species/3067</a>	Endangered
Puerto Rican Sharp-shinned Hawk <i>Accipiter striatus venator</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/604">https://ecos.fws.gov/ecp/species/604</a>	Endangered

### REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/NS37QWDZP5HZFF3S5EQ5OWM4UU/documents/generated/6941.pdf">https://ipac.ecosphere.fws.gov/project/NS37QWDZP5HZFF3S5EQ5OWM4UU/documents/generated/6941.pdf</a>	Endangered

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## INSECTS

NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a>	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.

## MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
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.

## MIGRATORY BIRDS FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very

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helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### **What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

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Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of

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certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## 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](#)
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## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Michelle Pastor Davila  
Address: 40 Cond. Caguas Tower Apt 506  
City: Caguas  
State: PR  
Zip: 00725  
Email: mpastor@ecorecpr.com  
Phone: 7876481567

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development

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## United States Department of the Interior

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



In Reply Refer to:  
FWS/R4/CESFO/72001-Gen

Submitted Via Electronic Mail: [jcperez@vivienda.pr.gov](mailto: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-04098 Keven  
Camacho Ramos, Adjuntas, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated November 29, 2023, requesting comments on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing a 22- acre land acquisition for hydroponic leaf production (80 feet (FT) long x 30 FT wide) and production of banana, dasheen, yam, among others. The proposed project location is on State Road PR-135, Km 16.3, Yahuecas Ward (18°12'00.1"N 66°48'19.6"W) in the municipality of Adjuntas, Puerto Rico.

Using the Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican parrot (*Amazona vittata*), Puerto Rican sharp-shinned hawk (*Accipiter striatus venator*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

The Caribbean Determination Key (DKey) in the U.S. Fish and Wildlife Service's (Service) online IPaC application was used to evaluate the potential impacts to federally listed species for this project (Project code: 2023-0125302). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa which determined that the proposed actions for this project would have "No Effect" (NE) for this specie.



Since the land was previously used for agricultural purposes, the PRDOH has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican broad-winged hawk, Puerto Rican parrot, Puerto Rican sharp-shinned hawk and Puerto Rican harlequin butterfly. Conservation measures previously provided by the Service will be implemented prior to and during the project activities to avoid and minimize impacts to these species.

We have reviewed the information provided in your letter and our files and concur with your determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican broad-winged hawk, Puerto Rican parrot, Puerto Rican sharp-shinned hawk and Puerto Rican harlequin butterfly with the implementation of the conservation measures. Also, the Service acknowledge receipt of the NE DKey consistency letter for the Puerto Rican boa.

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

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

6. Once the Puerto Rican harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of any eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov) after the 36-hour search is concluded.
7. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions:
  - Clearly mark the host plant with flagging tape.
  - Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
  - Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
  - Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.
8. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office at [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov).
9. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are:
  - José Cruz-Burgos, Endangered Species Coordinator:
    - Mobile: 305-304-1386
    - Office phone: 786-244-0081
    - Office Direct Line: 939-320-3120
    - Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)
  - Carlos Pacheco, Fish and Wildlife Biologist:
    - Mobile: 786-847-5951
    - Office Direct Line: 939-320-3113
    - Email: [carlos\\_pacheco@fws.gov](mailto:carlos_pacheco@fws.gov)

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.

Mr. Pérez-Bofill

4

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

Sincerely,

Lourdes Mena  
Acting Field Supervisor

drr

Appendix C  
Agronomist Report



PROGRAMA RE-GROW

HOJA DE VISITA AGRONOMO

Nombre Solicitante: Keven Camacho Ramos \_\_\_\_\_

Nombre de Representante: N/A \_\_\_\_\_

Número de Solicitud: PR-RGRW-04098 \_\_\_\_\_

Teléfonos: (939)403-7333 \_\_\_\_\_

Correo electrónico: kevenkym93@gmail.com \_\_\_\_\_

Dirección Física de la Finca: Carr 135 Km 16.3, Bo Yahuecas, Adjuntas, PR, 00601 \_\_\_\_\_

Estatus del negocio:  Proyecto nuevo  Reiniciado  Expansión; tiempo establecido \_\_\_\_\_

Condición de la finca:  Buena  Aceptable  Pobre

Disponibilidad de Agua:  No  Si, indicar origen:  Acueducto  Sistema de recolección agua de Lluvia

Pozo  Cuerpo de agua superficial

Disponibilidad Energía Eléctrica:  Si  No

Cuerdas o terreno disponible: 22 cuerdas de terreno. \_\_\_\_\_

Arrendamiento  Propia

Producción Principal y cuerdas: Plátano, yautía, malanga

Animales (tipo y cantidad): N/A

Otra Producción o actividad complementaria: Producción de hojas en hidropónico

Mercadeo y/o distribución del producto: Se mercadea por llamadas telefónicas y redes sociales. Distribuye personalmente a los clientes que le compren su producto.

Infraestructura y/o Equipos Existentes: Estructura para producción hidropónica con medidas de 80 pies de largo y 30 pies de ancho.

Empleos nuevos proyectados luego de inversión 2 empleados a tiempo parcial.

Licencias, permisos, certificaciones o adiestramientos: Experiencia agrícola demostrada mediante documentación sometida que incluye horas trabajadas bajo varios patrones.

Participa de algún programa estatal o federal:  No  Si, indicar:

**DESCRIPCION DE LA SOLICITUD:**

Subvención solicitada: \$150,000 para la compra de un terreno, semillas y químicos par el inicio de producción.

Infraestructura Agrícola: (incluir propósito y dimensiones) N/A

Equipos: N / A

Suministros de producción:

Semillas de plátano- Serán para establecer las siembras propuestas.

Químicos- Para el mantenimiento y protección de los cultivos.

Animales: N/A

Tierra:  Compra  Arrendamiento Costo: \$100,000

Cabida: 22 cuerdas de terreno

Vehículos: N/A

**Fotografías de la Operación (mínimo de tres imágenes):**



Vista de una de las áreas a ser dedicadas a plátanos.






Estructura existente en los terrenos.





Caminos y estado de la finca actualmente.



Ubicación	
Catastro	239-000-006-52
Coordenadas Nad83	x: 160837.6014, y: 240643.8511 (Lat: 18.20018853, Lon: -66.80543446) Ver: <a href="#">Google</a>   <a href="#">Google Earth</a>   <a href="#">OpenStreet</a>   <a href="#">Tamblores USGS</a> <a href="#">Waze</a>
Area Aprox. (m.c.)	33047.3609
Municipio	Adjuntas
Barrio	Yahuecas
Características Ambientales	
Zona Inundabilidad	<input checked="" type="checkbox"/>
Zona Inund. Advisory	<input checked="" type="checkbox"/>
Panel Inundabilidad	72000C1060H
Floodway	
Suelo (NRCS)	MkF2 (92.7%)   HmF2 (7.3%)
Calificación y Clasificación de Suelo	
Calificación	ZDA-1 (Zona de Desarrollo Agrícola Uno)
Clasificación PT	SREP-A (Suelo Rústico Especialmente Protegido - Agrícola)
Clasificación PUT	SREP-A (Suelo Rústico Especialmente Protegido Agrícola)
Mapas de Calificación	Hoja: 003 de Adjuntas   Otros Mapas Otros Mapas   Mapa PUT
Distrito Sobrepuesto	
Zona Histórica	
Sitio Histórico	
Reglamento Aplicable	<ul style="list-style-type: none"> <li>Plan de Uso de Terrenos</li> <li>Plan Especial para el Desarrollo de Castañer</li> <li>Plan Especial para el Desarrollo de Castañer</li> </ul>
Vigencia de Clasificación PUT	30-nov-2015
Vigencia de GeoDato de Calificación	10-MAY-2011
Status POT	Municipio Autónomo

Vista del terreno solicitado. Como se observa, toda la zona se puede considerar para operaciones agrícolas.



Appendix D  
Conservation Measures for the Broad-winged hawk (*Buteo platypterus brunnescens*)



### **Conservation Measures for the Broad-winged hawk (*Buteo platypterus brunnescens*)**

Section 7 (a)(1) of the Endangered Species Act (ESA) charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect listed species, such as Federal approval of private activities through the issuance of Federal funding, permits, licenses, or other actions. Any person that injures, captures, or kills a Puerto Rico broad-winged hawk is subject to penalties under the ESA. If Federal funds or permits are needed, the funding or permitting agency should initiate Section 7 consultation with the Service. To initiate a consultation under the Section 7 of the ESA, you must submit a project package with the established minimum requirements. These conservation measures should be incorporated into the project plans to minimize possible impacts to the species.

The Puerto Rican broad-winged hawk is a small hawk with dark chocolate-brown upperparts, heavily streaked rufous breast, and a broadly banded black and white tail. Adult male and female are similar in appearance, but the female is slightly larger. This species occurs in elfin woodland, sierra palm, caimitillo-granadillo, and tabonuco forest types of the Río Abajo Commonwealth Forest, Carite Commonwealth Forest, and El Yunque National Forest as well as within hardwood plantations, shade coffee plantations, and mature secondary forests. The Puerto Rican broad-winged hawk population is estimated at about 125 individuals island-wide.



The broad-winged hawk was federally listed in 1994. The broad-wing prefers to hunt from a perch under the forest canopy for a better view of potential prey in a forest clearing, trail or river below. Each hunting pair requires a range of 40 hectares (98 acres). The Broad-wing builds a nest of sticks in February and March, laying 2 to 4 white/brown-spotted eggs. The female incubates the eggs for almost a month while the male searches for food. The young fledge around April or May about 1 month after hatching and can fly about 6 weeks after hatching. The parents feed the young for a few weeks after they leave the nest. The voice is a high-pitched whistle.

The hawk is an uncommon and local resident in the El Yunque National Forest, the Río Abajo State Forest, and the Toro Negro State Forest.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk and its habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional conservation measures can be implemented besides the ones presented here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures

to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.

2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this hawk (February and March), if the hawk is determined to be present.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the USFWS and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a broad-winged hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.
7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.
8. Projects must comply with all state laws and regulations. Please contact PRDNER for further guidance.



If you have any questions regarding the above conservation measures, please contact the Service:

- Marelisa Rivera, Deputy Field Supervisor  
Email: [marelisa\\_rivera@fws.gov](mailto:marelisa_rivera@fws.gov)  
Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator  
Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)  
Office phone (786) 244-0081 or mobile (305) 304-1386

Appendix E  
Conservation Measures for the Puerto Rican Amazon (Parrot) (*Amazona vittata*)

### **Conservation Measures for the Puerto Rican Amazon (Parrot) (*Amazona vittata*)**

Section 7 (a)(1) of the Endangered Species Act (ESA) charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect listed species, such as Federal approval of private activities through the issuance of Federal funding, permits, licenses, or other actions. Any person that injures, captures, or kills a Puerto Rican Parrot is subject to penalties under the ESA. If Federal funds or permits are needed, the funding or permitting agency should initiate Section 7 consultation with the Service. To initiate a consultation under the Section 7 of the ESA, you must submit a project package with the established minimum requirements. These conservation measures should be incorporated into the project plans to minimize possible impacts to the species.

The Puerto Rican amazon (*Amazona vittata*), also known as the Puerto Rican parrot (Puerto Rican Spanish: cotorra puertorriqueña) or iguaca, is the only extant parrot endemic to the archipelago of Puerto Rico and belongs to the Neotropical genus *Amazona*. Measuring 28–30 cm (11.0–11.8 in), the bird is a predominantly green parrot with a red forehead and white rings around the eyes.



The parrot was federally listed as endangered in 1967. The parrot reaches sexual maturity at between three and four years of age. It reproduces once a year (between the months of February to June) and is a cavity nester. Once the female lays eggs, she will remain in the nest and continuously incubate them until hatching (about 24 to 28 days). The chicks are fed by both parents and will fledge 60 to 65 days after hatching. This parrot's diet is varied and consists of flowers, fruits, leaves, bark and nectar obtained from the forest canopy.

The species is the only remaining native parrot to Puerto Rico and has been listed as critically endangered by the World Conservation Union since 1994. Once widespread and abundant, the population declined drastically in the 19th and early 20th centuries with the removal of most of its native habitat; the species has completely vanished from Vieques and Mona Island. Conservation efforts commenced in 1968 to save the bird from extinction. The habitat of the parrot is generally identified as

the Palo Colorado, Palma de Sierra, and Tabonuco forests types of the upper zones of the Luquillo Mountains within the El Yunque National Forest.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk and its habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional conservation measures can be implemented besides the ones presented here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.
2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this parrot (January to July), if the parrot is determined to be present. The parrot selects a large, deep tree cavity, usually in a Palo Colorado tree. The parrot normally does not build its own nest but, many times, parrot biologists do build artificial cavities that are accepted by the parrot. A check with DNER should occur if large Palo Colorado trees are in the general construction area.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the DNER and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a parrot is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these

areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.

7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.
8. Projects must comply with all state laws and regulations. Please contact PRDNER for further guidance.

If you have any questions regarding the above conservation measures, please contact the Service:

- Marelisa Rivera, Deputy Field Supervisor  
Email: [marelisa\\_rivera@fws.gov](mailto:marelisa_rivera@fws.gov)  
Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator  
Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)  
Office phone (786) 244-0081 or mobile (305) 304-1386

Appendix F

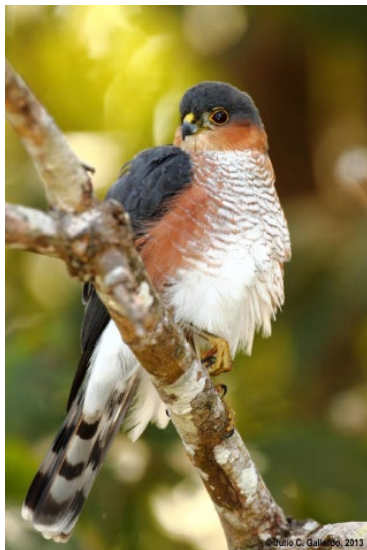
Conservation Measures for the Puerto Rican Sharp-shinned Hawk (*Accipiter striatus venator*)



### **Conservation Measures for the sharp-shinned hawk (*Accipiter striatus venator*)**

Section 7 (a)(1) of the Endangered Species Act (ESA) charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect listed species, such as Federal approval of private activities through the issuance of Federal funding, permits, licenses, or other actions. Any person that injures, captures, or kills a Puerto Rico sharp-shinned hawk is subject to penalties under the ESA. If Federal funds or permits are needed, the funding or permitting agency should initiate Section 7 consultation with the Service. To initiate a consultation under the Section 7 of the ESA, you must submit a project package with the established minimum requirements. These conservation measures should be incorporated into the project plans to minimize possible impacts to the species.

The Puerto Rican sharp-shinned hawk is a small hawk measuring approximately 28 to 33 centimeters (11 to 13 inches). The dark slate gray upper parts and heavily barred rufous underparts of the adults are distinctive. Immatures are brown above and heavily streaked below. It has short, squared tail, often appearing notched when folded, and small head and neck. In flight, the short, rounded wings and long, narrow tail is characteristic. Adult males and females are similar in appearance, but the female is larger. The SSHA in Puerto Rico exhibits insular population traits, including small clutches, low productivity, and extended breeding periods. Historic information described this species as rare, uncommon, and occurring in restricted habitats in small numbers.



The sharp-shinned hawk was federally listed as endangered in 1994. The results of comprehensive population surveys suggest a decline of the island-wide population from 150 individuals in 1992 to about 100 individuals in 2016. In addition, a significant decline of this species have been reported in the Toro Negro Commonwealth Forest (TNCF) and Maricao Commonwealth Forest (MCF), which were previously considered the center of distribution of this species in Puerto Rico. Studies estimated the population of MCF as just 8 individuals and the population in TNCF as 26 individuals indicating a population decline of 53% and 86% in TNCF and MCF, respectively.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk and its habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional conservation measures can be implemented besides the ones presented here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.
2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this hawk (March and April), if the hawk is determined to be present.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the USFWS and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a sharp-shinned hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.
7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable

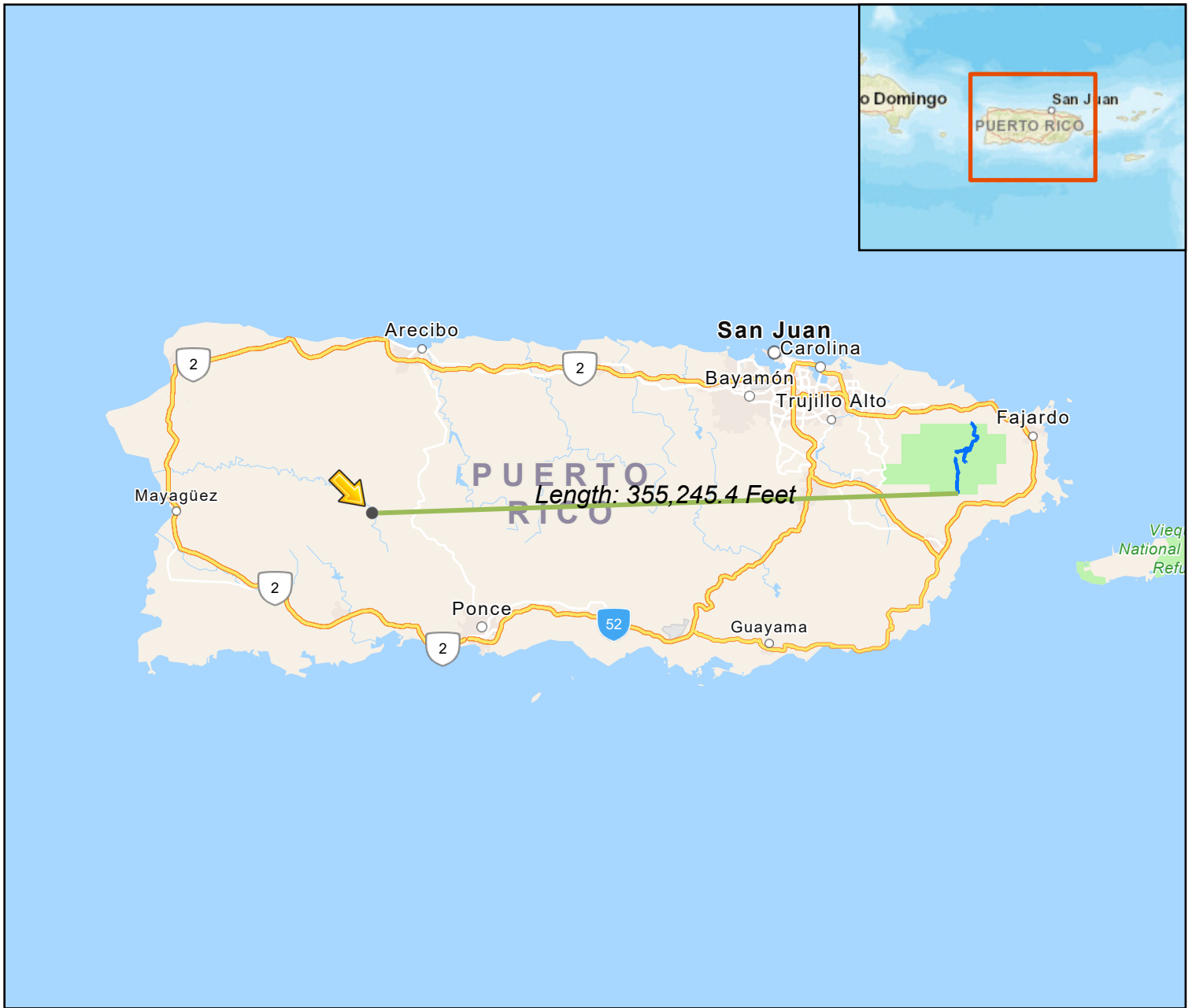
environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.

8. Projects must comply with all state laws and regulations. Please contact PRDNER for further guidance.

If you have any questions regarding the above conservation measures, please contact the Service:

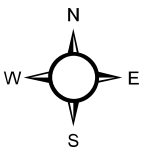
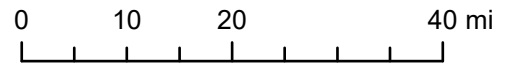
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Email: [marelisa\\_rivera@fws.gov](mailto:marelisa_rivera@fws.gov)  
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- José Cruz-Burgos, Endangered Species Coordinator  
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Office phone (786) 244-0081 or mobile (305) 304-1386

# PR-RGRW-04098 Wild and Scenic Rivers



## Legend

— Wild and Scenic Rivers



National Wild and Scenic River System

National Park Service