

U.S. Department of Housing and Urban Development

451 Seventh Street, SW Washington, DC 20410 www.hud.gov espanol.hud.gov

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

Project Information

Project Name: PR-SBF-08372

HEROS Number: 900000010370563

State / Local Identifier:

Project Location: , Caguas, PR 00725

Additional Location Information:

The project is located at latitude 18.170276, longitude -66.042732 at the address given above. Tax ID Number: 277-044-939-01-000

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

This project (PR-SBF-08372) entails the award of a small business recovery grant to LA CURVITA COLMADO,BAR & RESTAURANTE, a restaurant business, at Carr. 765 KM 3.6, Barrio Borinquen, Caguas, PR 00725. Tax ID Number: 277-044-939-01-000. Coordinates (latitude 18.170276, longitude -66.042732). The specific scope of work for this project includes payment of utilities, and the purchase of equipment including: pre-rinse sink, sink, gas floor fryers, gas range 2 burners, charbroiler, griddle, countertop fryer, countertop hot display, combo refrigerator freezer, refrigerator 3 door glass, pizza prep refrigerator, refrigerated chef base, beer froster freezers, beer cooler, refrigerator 2 door, countertop refrigerator display, worktable back splashes, double overshelves, steam table 4 wells, sneeze guard 4wells. The gas equipment are replacement that will use existing gas supply and lines. The pre-rinse and sink are replacements that will utilize existing water connections. The year built of the structure is circa 1985. Project funding amount: \$50,000.00

Level of Environment Review Determination:

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

Funding Information

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

0002 Development (CPD)	(Disaster Recovery Assistance)	
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Estimated Total HUD Funded Amount: \$50,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$50,000.00

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	
Floodplain	N/A	N/A		
Management				

Determination:

	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because			
	it does not require any mitigation for compliance with any listed statutes or authorities, nor			
	requires any formal permit or license; Funds may be committed and drawn down after			
	certification of this part for this (now) EXEMPT project; OR			
X	This categorically excluded activity/project cannot convert to Exempt status because one or more			
	statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete			
	consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use			
	Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down			
	any funds; OR			
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to			
	a full Environmental Assessment according to Part 58 Subpart E due to extraordinary			
	circumstances (Section 58.35(c)).			
	. // 1: 0. / /			
Prepar	rer Signature:			
Name / Title/ Organization: Ianmario Heredia / / Department of Housing - Puerto Rico				
Respo	nsible Entity Agency Official Signature: Date: <u>January 11, 20</u> 24			
-				
Name/ Title: Mónica M. Machuca Ríos / Permits and Environmental Compliance Specialist				

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

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

Project Information

Project Name: PR-SBF-08372

HEROS Number: 900000010370563

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

Juan PR, 00928

State / Local Identifier:

RE Preparer: Ianmario Heredia

Certifying Office Monica M. Machuca Rios

r:

Grant Recipient (if different than Responsible Ent

ity):

Point of Contact:

Consultant (if applicabl HORNE LLP

e):

Point of Contact: Justin Neely

Project Location:, Caguas, PR 00725

Additional Location Information:

The project is located at latitude 18.170276, longitude -66.042732 at the address

given above. Tax ID Number: 277-044-939-01-000

Direct Comments to:

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

This project entails the award of a small business recovery grant to LA CURVITA COLMADO,BAR & RESTAURANTE, a restaurant business, at Carr. 765 KM 3.6, Barrio Borinquen, Caguas, PR 00725. Tax ID Number: 277-044-939-01-000. Coordinates (latitude 18.170276, longitude -66.042732). The specific scope of work for this project includes payment of utilities, and the purchase of equipment including: pre-rinse sink, sink, gas floor fryers, gas range 2 burners, charbroiler, griddle, countertop fryer, countertop hot display, combo refrigerator freezer, refrigerator 3 door glass, pizza prep refrigerator, refrigerated chef base, beer froster freezers, beer cooler, refrigerator 2 door, countertop refrigerator display, worktable back splashes, double overshelves, steam table 4 wells, sneeze guard 4wells. The gas equipment are replacement that will use existing gas supply and lines. The pre-rinse and sink are replacements that will utilize existing water connections. The year built of the structure is circa 1985. Project funding amount: \$50,000.00

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

Level of Environmental Review Determination:

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

Determination:

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

Approval Documents:

PR-SBF-08372 Sig Page.pdf 08372-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)	d Community Development Block Grants \$0.00 (Disaster Recovery Assistance)	
B-18-DP-72-0001	Community Planning and Development (CPD)	nd Community Development Block Grants \$0.0 (Disaster Recovery Assistance)	
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:

\$50,000.00

Estimated Total Project Cost: \$50,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORD	DERS, AND REGULATION	ONS LISTED AT 24 CFR §50.4 & § 58.6
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	□ Yes ☑ No	The nearest airport RPZ/CZ is approximately 94,744.1 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.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier	☐ Yes ☑ No	This project is not located in a CBRS Unit. It is 68,828.1 feet from a protected area. Therefore, this project has no

Improvement Act of 1990 [16 USC 3501] Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	□ Yes ☑ No	potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Flood Map Number 72000C1220J, effective on 11/18/2009:The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORD	DERS, AND REGULATION	ONS LISTED AT 24 CFR §50.4 & § 58.5
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	☐ Yes ☑ No	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.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	□ Yes ☑ No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 66,247.5 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	□ Yes ☑ No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The environmental field observation did not note any items of concern. See the attached environmental field observation report.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	□ Yes ☑ No	This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement,

		or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	☐ Yes ☑ No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	□ Yes ☑ No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	☑ Yes □ No	Flood Map Number 72000C1220J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	□ Yes ☑ No	(c. 1985) Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	□ Yes ☑ No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	□ Yes ☑ No	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	☐ Yes ☑ No	Based on the project description this project includes no activities that would require further evaluation under this

Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	☐ Yes ☑ No	section. The project is in compliance with Executive Order 11990. This project is not within proximity of a NWSRS river. The project is located 91,923.4 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic	
		Rivers Act.	
HUD HOUSING ENVIRONMENTAL STANDARDS			
	ENVIRONMENTAL J	USTICE	
Environmental Justice Executive Order 12898	□ Yes ☑ No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.	

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Floodplain	N/A	N/A		
Management				

Project Mitigation Plan

The structure is located in the ABFE Zone A (100 yr floodplain), but mitigation/minimization measures not required as the project activities are not substantial improvement, and the building footprint is not being increased.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The nearest airport RPZ/CZ is approximately 94,744.1 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-SBF-08372 Airports.pdf

Are formal compliance steps or mitigation required?

Yes

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

√ No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 68,828.1 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

PR-SBF-08372 CBRS.pdf

Are formal compliance steps or mitigation required?

Yes

Flood Insurance

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

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

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

✓ Yes

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

PR-SBF-08372 Flood Map.pdf

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

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

✓ No

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 72000C1220J, effective on 11/18/2009: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

Air Quality

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Coastal Zone Management Act

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 66,247.5 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

PR-SBF-08372 CZM.pdf

Are formal compliance steps or mitigation required?

Yes

√ No

Contamination and Toxic Substances

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

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

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

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

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



Explain:

There are no toxic sites within 3,000 feet of the applicant location.

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The

project is in compliance with contamination and toxic substances requirements. The environmental field observation did not note any items of concern. See the attached environmental field observation report.

Supporting documentation

PR-SBF-08372 Toxics.pdf PR-SBF-08372 EFOR.docx

Are formal compliance steps or mitigation required?

Yes

Endangered Species

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

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

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

✓ 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

Explain your determination:

This project clears via the project criteria 4 of the USFWS Blanket Clearance Letter. See attached Endangered Species Act self-certification form.

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

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.

Supporting documentation

PR-SBF-08372 USFWS Self-Certification Form.pdf
PR-SBF-08372 Site Map.pdf
USFWS End Species Blanket Clearance Letter.pdf
PR-SBF-08372 Endangered Species.pdf

Are formal compliance steps or mitigation required?

Yes

Explosive and Flammable Hazards

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

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

✓	No
	Vρς

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

✓	No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Farmlands Protection

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

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

Yes



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

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

Screen Summary

Compliance Determination

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

Supporting documentation

PR-SBF-08372 Farmlands.pdf

Are formal compliance steps or mitigation required?

Yes



Floodplain Management

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

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

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

✓ None of the above

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

PR-SBF-08372 Flood Map.pdf

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

Does your project occur in a floodplain?

No

✓ Yes

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

Floodway

Coastal High Hazard Area (V Zone)

√ 100-year floodplain (A Zone)

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

8-Step Process

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

8-Step Process applies

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

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

55.12(a)(1)

55.12(a)(2)

55.12(a)(3)

✓ 55.12(a)(4)

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

Mitigation

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

environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

N/A

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

Permeable surfaces

Natural landscape enhancements that maintain or restore natural hydrology

Planting or restoring native plant species

Bioswales

Evapotranspiration

Stormwater capture and reuse

Green or vegetative roofs with drainage provisions

Natural Resources Conservation Service conservation easements or similar easements

Floodproofing of structures

Elevating structures including freeboarding above the required base flood elevations

✓ Other

Screen Summary

Compliance Determination

Flood Map Number 72000C1220J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.

Supporting documentation

PR-SBF-08372 5-Step Process.docx PR-SBF-08372 ABFE.pdf

Are formal compliance steps or mitigation required?

✓ Yes

No

Historic Preservation

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

Threshold Is Section 106 review required for your project?

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

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

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

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

This case clears on the following Programmatic Agreement allowances, applied by J. Evans, M.A. - Architecture: Appendix B, Tier I, B.1 (Repair, retrofit, and reconstruction of buildings, and structures less than forty-five (45) years old, unless located in or adjacent to a historic district). There is no ground disturbance in this scope of work.

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

<u>Screen Summary</u> Compliance Determination (c. 1985) Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

Supporting documentation

PR-SBF-08372 Historic.pdf

Are formal compliance steps or mitigation required?

Yes

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

✓ None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Sole Source Aquifers

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

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

\checkmark	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. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

√ No.

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

PR-SBF-08372 Wetlands.pdf

Are formal compliance steps or mitigation required?

Yes

√ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is located 91,923.4 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

PR-SBF-08372 Wild and Scenic.pdf

Are formal compliance steps or mitigation required?

Yes

Environmental Justice

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

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

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

Yes



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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes



CDBG-DR PROGRAM

Small Business Financing (SBF) Program

ENVIRONMENTAL FIELD OBSERVATION REPORT

APPLICATION GENERAL INFORMATION				
Application No.:	PR-SBF-08372		CURVITA COLMADO, BAR & STAURANTE	
PROPERTY INFORMATIO	N			
Property Address: Carr. 765 KM 3.6, Barrio Boi	rinquen, Caguas PR 00725			
Latitude:	18.17028	Longitude:	-66.04273	
Property Type:	Commercial	Year Built:	1985	
Number of Buildings:	1	Are Utilities Connected?	Yes	
Property Remarks: Second floor of the proper	ty is empty.			
Is there evidence of damage from a previous disaster?		No		
Damage Remarks: Click or tap here to enter t	ext.			
SIGNATURES OF INSPECT	TION REPORT			
			A.S.	
Environmental Inspector	Blas Guernica		12-05-23	
	Printed Name	Signature	Date	

ENVIRONMENTAL OBSERVATIONS		
Item	Observation	Remarks
Are there any signs of poor housekeeping on the site? (mounds of rubble, garbage, or solid waste or improperly stored household quantities of petroleum products, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged, abandoned, and/or dangerous vehicles or other motorized equipment; pits, pools, lagoons, or ponds of hazardous substances or petroleum products located on the site)	☐ Yes ⊠ No	
Are there any 55-gallon drums or containers visible on the site?	⊠ Yes □ No	There are 14 55-Gallon drums used for trash.
If drums located, are they leaking?	□ N/A □ Yes ☑ No	
Are there any signs of petroleum underground storage tanks (PUSTs) on the site?	☐ Yes ⊠ No	
Are there any UST locations visible from the site?	☐ Yes ⊠ No	
Are there any signs of above-ground storage tanks (ASTs) on the site, or immediate adjacent visible sites?	⊠ Yes □ No	There is a cistern, a propane tank, and approximately 40 small propane tanks in a cage for sale. (See photo rear of property outwards).
Are there any signs of surface staining?	☐ Yes ☑ No	
Are there any ground water monitoring or injection wells on the site?	⊠ Yes □ No	There is a septic tank behind the property.
Is there evidence of a faulty septic system on the site?	☐ Yes ⊠ No	
Is there any permanent standing water, such as a pond or stream, located on the site? (Do not include run-off or ponding from recent weather events.)	Yes □ No	There is a river behind the property.
Is there any distressed vegetation on the site?	☐ Yes ☑ No	
Does the subject lot have water frontage?	☐ Yes ☑ No	
Is there any visible apparent indication of other environmental conditions?	☐ Yes ⊠ No	
Is there any visible apparent evidence of lead-based paint or hazardous materials present in the structure?	☐ Yes ⊠ No	
Are there other unusual conditions on site? (Explain in attached supporting material. Please take photographs, if possible.)	☐ Yes ⊠ No	
Is the structure 45 years or older?	☐ Yes ⊠ No	
Is the applicant aware of any significant historical events or persons associated with the structure; or does the home have a historic marker?	☐ Yes ⊠ No	

REQUIRED PHOTOS





Front of Property

Rear of Property



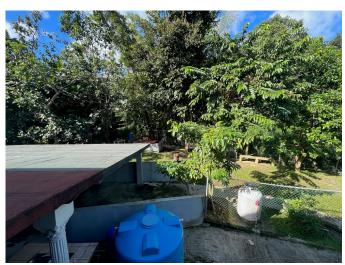


Left Side of Property

Right Side of Property

PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS (add additional pages as necessary)





Front of Property Outward

Rear of Property Outward





Left Side of Property Outward

Right Side of Property Outward

ADDITIONAL PHOTOS (add additional pages as necessary)



Streetscape Left



Streetscape Right





55-Gallon Drums ASTs





Septic Tank River



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Caribbean Ecological Services Field Office P.O. Box 491 Boqueron, PR 00622

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

JAN 1 4 2013

Mr. Efrain Maldonado
Field Office Director
U.S. Department of Housing and Urban Development
235 Federico Costa Street, Suite 200
San Juan. Puerto Rico 00918

Re: Blanket Clearance Letter for Federally sponsored projects, Housing and Urban Development

Dear Mr. Maldonado:

The U.S. Fish and Wildlife Service (USFWS) is one of two lead Federal Agencies responsible for the protection and conservation of Federal Trust Resources, including threatened or endangered species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (ESA). In the U.S. Caribbean, the USFWS has jurisdiction over terrestrial plants and animals, the Antillean manatee and sea turtles when nesting. The National Marine Fisheries Service has jurisdiction over marine species, except for the manatee. The ESA directs all Federal agencies to participate in conserving these species. Specially, section 7 of the ESA requires Federal agencies to consult with the USFWS to ensure that actions they fund authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitat. The USFWS issued regulations in 1986 detailing the consultation process. As part of this consultation process, the USFWS review development projects to assist Federal agencies on the compliance of the ESA.

The U.S. Department of Housing and Urban Development (HUD) typically allocate grant funds for rural and urban development projects. Obligations under the ESA, as well as the National Environmental Policy Act (NEPA), require HUD to perform consultation and an environmental impact review prior to the project's authorization. Primarily, these projects involve repair or reconstruction of existing facilities associated with developed land.

In order to expedite the consultation process, the Caribbean Ecological Services Field Office has developed this Blanket Clearance Letter (BCL) to cover for activities and projects that typically result in no adverse effects to federally-listed species under our jurisdiction. If projects comply with the project criteria discussed below, no further consultation with the USFWS is needed.

Project Criteria

- 1. Street resurfacing.
- 2. Construction of gutters and sidewalks along existing roads.
- Reconstruction or emergency repairs of existing buildings, facilities and homes.
- 4. Rehabilitation of existing occupied single family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach.
- Demolition of dilapidated single family homes or buildings; provided that the demolition debris is disposed in certified receiving facilities; equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation.
- 6. Rebuilding of demolished single family homes or buildings, provided that the new construction is within the existing footprint of the previous structure and/or within pre-existing grassed or paved areas, and that the lighting associated to the new facilities are not visible directly or indirectly from a beach.
- 7. Activities within existing Right of Ways (ROWs) of roads, bridges and highways, when limited to actions that do not involve cutting native vegetation or mayor earth moving; and are not located within, or adjacent to, drainages, wetlands, or aquatic systems. These activities include the installation of potable water and sanitary pipelines.
- 8. Improvements to existing recreational facilities, including the installation of roofs to existing basketball courts, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
- Construction of electric underground systems in existing towns and communities, provided that the property is not a wetland area and the lighting associated to the facilities are not visible directly or indirectly from the beach.
- 10. Construction of facilities on vacant properties covered with grasses in urban areas, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
- 11. Construction of houses, buildings or acquiring lands in urban areas covered by grass for relocation of low income families and/or facilities that have been affected by weather conditions.

Determination:

Based on the nature of the projects described above and habitat characteristics described on project criteria, we have determined that the actions and type of projects described above may be conducted within this BCL without adversely affecting federally-listed

Mr. Maldonado

species under our jurisdiction. Thus, consultation under Section 7 of the Endangered Species Act is not required.

In all situations, HUD, and the municipalities are expected to implement Best Management Practices, where applicable, to ensure that impacts from erosion and stream sedimentation are appropriately minimized.

The Service encourages your agency to enhance the conservation of our trust resources (i.e.; listed species, wetlands, aquatic habitats, migratory birds and marine mammals). We therefore, provide the following recommendations that have proven to help in this way.

Water Crossing Structures:

- 1. Use of bottomless culverts or single span bridges instead of traditional box or RCP culverts or any other water crossing structure that impacts the stream bottom, particularly in streams which support native fish. The use of bottomless culverts or a short span bridge would provide a more stable crossing and would not alter the stream habitat. However, if bottomless structures or bridges are not feasible due to cost or engineering constraints, we recommend the following criteria be used to maintain good habitat in the streams:
 - a. The stream should not be widened to fit the bridge since this can lead to sedimentation during low flows and possible bank erosion during high flows. Rather, the bridge should be designed to fit the stream channel at the point of crossing. Culverts should be sized to carry natural bank full flow. Additional flow can be capture by culverts placed at a higher elevation so as not to impact bank full flows.
 - b. Bridge abutments, wing walls or any other structures should not intrude into the active stream channel.
 - c. All culvert footings must be countersunk into the stream channel at both the invert and outlet ends at a minimum of 10% of the culvert height. This will align the water crossing structure with the slope of the stream.
 - d. Waterways must not be blocked as to impede the free movement of water and fish. Materials moved during construction, such as grubbing, earth fills, and earth cut materials must not be piled where they can fall back into the stream and block the drainage courses.
 - e. Appropriate erosion and/or sedimentation controls measures are to be undertaken to protect water quality until riverbanks are re-vegetated. It has been our experience that appropriate erosion and/or sedimentation control measures are not implemented properly by project contractors. In order to function properly, silt fences need to be buried 6" (proper depth is marked by a line on the silt fence) and supported at regular intervals by wood stakes. For that reason we are recommending that

- the enclosed drawing of proper silt fence installation is included in all final project construction plans.
- f. Upon completion of a water crossing construction, any temporary fill, must be removed from the construction area and disposed in a landfill.

Limitations:

Actions that do not meet the above project criteria, such as actions requiring placement of fill, disturbance, or modification to land outside of an existing access road or ROW; actions that occur on vacant property harboring a wetland and/or forest vegetation; actions requiring excavation, clearing of native vegetation, or alteration of storm water drainage patterns; or actions that require lighting which can be directly or indirectly seen from a beach, must be individually coordinated through the Caribbean Ecological Services Field Office and will be evaluated on a case by case basis.

The Service reserves the right to revoke or modify this BCL if:

- New information reveals that the categories of work covered in this BCL may affect listed or designated critical habitat in a manner, or to an extent, not previously considered.
- 2. The categories of work included in this BCL are subsequently modified to include activities not considered in this review.
- 3. New species are listed or critical habitat designated that may be affected.

It is our mission to work with others, to conserve, protect and enhance fish wildlife and plants and their habitats for the continuing benefit of our people.

To obtain additional information on threatened and endangered species, you may visit our website http://www.fws.gov/caribbean/ES where you will also find the Map of the Species by Municipality and the Map of Critical Habitat. The USFWS has also developed a web based tool called IPac. Please visit http://www.ecos.fws.gov/ipac and familiarize yourself with the features we offer. We encourage you to begin your project planning process by requesting an **Official Species List** for your individual project that will include all species that may occur in the vicinity of the action area and includes a map of the action area. The site will also identify designated critical habitat, or other natural resources of concern that may be affected by your proposed project. At this time, best management practices or conservation measures are not available at the site but we expect the site to continue growing in its offering.

These maps provide information on the species/habitat relations within a municipality and could provide the applicants an insight if the proposed action is covered under this BCL or may affect a species, thus requiring individual review.

Mr. Maldonado 5

If you have any additional question regarding this BCL, please do not hesitate to contact Marelisa Rivera, Deputy Field Supervisor, at 787-851-7297 extension 206.

Sincerely yours,

Edwin E. Muñiz

Field Supervisor

Enclosures (Fact Sheets)

cc: OCAM, San Juan

Office of Federal Funds, 78 Municipalities of Puerto Rico

AAA

PRFAA

DNER



Ecological Services in the Caribbean

Caribbean Field Office

Project evaluation



Our mission is to conserve, protect and enhance fish and wildlife and their habitats through consultation, cooperation and communication for the continuing benefit of the American people.

Legal authorities:

- Endangered Species Act (ESA)
- Fish and Wildlife Coordination Act
- Migratory Bird Treaty Act
- Coastal Barriers Act

Roles and Responsibilities:

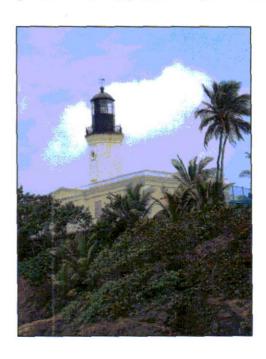
- Provide technical assistance to Federal and Commonwealth agencies to minimize possible impacts of land and water projects to our trust resources
 - *Wetlands and other aquatic habitats
 - *Endangered Species and their habitats
 - *Migratory Birds
 - *Critical Wildlife Areas
 - *Coastal Barriers
- Assist with ESA Section 7 compliance through informal and formal consultation processes

How do we assist others?

- Determine presence / absence of wetland resources, threatened and endangered species habitat, coastal barriers, important wildlife areas within the action area
- Evaluate possible direct, indirect and cumulative impacts
- Provide conservation recommendations to avoid, minimize and/or mitigate impacts
- General recommendations for habitat enhancement

Minimum requirements for the evaluation of projects:

- An 8.5 by 11 inch copy of the specific site location on a USGS topographic map (1:20,000) marked with an arrow (
- Project description
- Aerial photo of the project site
- Latitude and Longitude (degrees, minutes and seconds or decimal degrees)
- Environmental Documents (EA and EIS)
- Specific studies (by qualified personnel)



For more information:
US Fish and Wildlife Service
Caribbean Field Office
Raod 301, Km. 5.1
Bo. Corozo
Boquerón, PR 00622
http://www.fws.gov/caribbean/es



Caribbean Ecological Services Field Office

Endangered Species Lists Using Web-based Tools

The U.S. Fish and Wildlife Service's Caribbean Ecological Services Field Office (CESFO) provides technical assistance to private individuals and organizations, as well as Federal, state, and local agencies pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). To assist project sponsors or applicants with the process of determining whether a Federally-listed species and/or "critical habitat" may occur within their proposed project area, we have developed Web-based tools. These tools were developed primarily to assist Federal agencies that are consulting with us under Section 7(a)(2) of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

IPaC. The US Fish& Wildlife Service (USFWS) has a tool named IPaC. IPaC stands for Information, Planning. and Conservation. This system is designed for easy. public access to the natural resources information for which the USFWS has trust or regulatory responsibility. Examples include Threatened and Endangered species, migratory birds, National Refuge lands, Coastal Barrier Resource Units, and the management of invasive species. One of the primary goals of the IPaC system is to provide information in a manner that assists individuals in planning their activities within the context of natural resource conservation. The IPaC system also assists people through the various regulatory consultation, permitting and approval processes administered by the USFWS, helping achieve more effective and efficient results for both the project proponents and natural resources. Through IPaC, you can get a preliminary USFWS species list in addition to links to species life history information, the USFWS Migratory Bird program, and more. You can access **IPaC** http://ecos.fws.gov/ipac

CESFO List of Threatened & Endangered Species and Critical Habitat Designations: CESFO has developed another tool (Species Map) that can be used as a quick reference to find out where the Federally-listed species





are known to occur, as well as those likely to occur, in any given municipality in Puerto Rico and island in the

U.S. Virgin islands. It identifies general areas where the species may be located. However, it does not represent the absolute distribution of the species and does not constitute a recommendation or comment issued by our agency in reference to a proposed project. This list represents the best available information regarding known or likely occurrences of Federally-listed species and is subject to change as new information becomes available. You can access this database at http://www.fws.gov/caribbean/es/PDF/Map/pdf



Be aware that Section 9 of the ESA prohibits unauthorized taking of listed species and applies to Federal and non-Federal activities. Under the Act, it is illegal for any person subject to the jurisdiction of the United States to take (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect; or to attempt any of these), import or export, ship in interstate or foreign commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any endangered fish or wildlife species and most threatened fish and wildlife species. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. "Harm" includes any act which actually kills or injures fish or wildlife, and case law has clarified that such acts may include significant habitat modification or degradation that significantly impairs

essential behavioral patterns of fish or wildlife. For projects not authorized, funded, or carried out by a Federal agency, consultation with the Service pursuant to Section 7(a)(2) of the ESA is not required. However, no person is authorized to "take¹" any listed species without appropriate authorizations from the Service. Therefore, we provide technical assistance to individuals and agencies to assist with project planning to avoid the potential for "take," or when appropriate, to provide assistance with their application for an incidental take permit pursuant to Section 10(a)(1)(B) of the ESA.

If the project is within the distribution of the species, additional information may be needed to determine the presence of habitat. In some cases, specialized surveys may be needed to determine the presence or absence of the species in a particular area.

For additional information on fish and wildlife resources or State-listed species, we suggest contacting the Puerto Rico Department of Natural and Environmental Resources and the U.S. Virgin Islands Department of Planning and Natural Resources.

For further assistance, please feel free to contact us at (787) 851-7297 or visit our Web page at www.fws.gov/caribbean/es if you need further assistance.

For further information visit our national websites at:

http://www.fws.gov http://ecos.fws.gov







Consultations with Federal Agencies

Section 7 of the Endangered Species Act

The purposes of the Endangered Species Act are to provide a means for conserving the ecosystems upon which endangered and threatened species depend and a program for the conservation of such species. The ESA directs all Federal agencies to participate in conserving these species. Specifically, section 7 (a)(1) of the ESA charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies to ensure that their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats.

How does the consultation process support the recovery of species and their ecosystems?

The Endangered Species Program of the U.S. Fish and Wildlife Service uses section 7 tools in partnership with other Service programs and other Federal agencies to collaboratively solve conservation challenges, as well as create opportunities, using section 7 consultations, to recover the ecosystems of listed species. Consultations also provide ways to implement recovery tasks by addressing threats to listed species that may result from Federal agency programs and activities.

What is the consultation process that occurs under section 7(a)(2)?

The provision under section 7 that is most often associated with the Service and other Federal agencies is section 7(a)(2). It requires Federal agencies to consult with the Service to ensure that actions they fund, authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitats. The



In response to requests for consultations from the U. S. Coast Guard with regard to manatees and sea turtles, the South Florida Office of the U. S. Fish and Wildlife Service has provided guidance about events such as firework displays, regattas, boat parades and races, and fishing tournaments.

Service issued regulations in 1986 detailing the consultation process, and we have since completed a handbook describing the process in detail. The handbook is available on our web site at http://www.fws.gov/endangered/esa-library/pdf/esa section7 handbook.pdf.

What is the Service doing to facilitate the consultation process?

Designing projects in ways that are compatible with the conservation needs of listed species and their ecosystems is among the most effective methods of ensuring a more rapid and efficient section 7 consultation process, as well as species' recovery. The Information, Planning, and Conservation System is an emerging tool for action agencies, their applicants, and other project proponents to use

during the initial phases of project development and assessment. The system will allow for more effective integration of listed resource conservation needs and the eventual streamlining of section 7(a)(2) consultation.

How does a consultation get started?

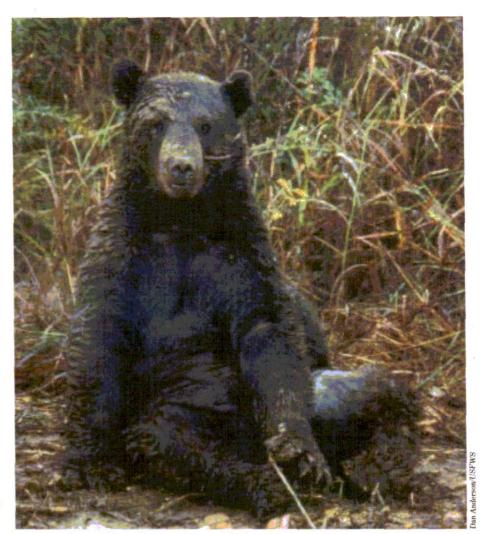
Early coordination is one of the most effective methods of (1) streamlining section 7 consultation, (2) reducing the need to make project modifications during the consultation process, and (3) improving the ability of section 7 to fulfill its role as a recovery tool. Federal agencies, applicants, and the Service engage in early coordination to develop methods of integrating proposed activities with the conservation needs of listed resources before the proposed actions are fully designed.

Before initiating an action, the Federal agency or its non-Federal permit applicant should coordinate with the Service as to the species that may be within their action area. If a listed species is present, the Federal agency must determine whether the project may affect it. If so, consultation may be required. If the action agency determines (and the Service agrees) that the project is not likely to adversely affect a listed species or designated critical habitat, and the Service concurs in writing, then the consultation (informal to this point) is concluded.

What happens if a Federal project may adversely affect a listed species?

If the Federal agency determines that a project is likely to adversely affect a listed species or designated critical habitat, the agency initiates formal consultation by providing information with regard to the nature of the anticipated effects. The ESA requires that consultation be completed within 90 days, and the regulations allow an additional 45 days for the Service to prepare a biological opinion. The analysis of whether or not the proposed action is likely to jeopardize the continued existence of the species or adversely modify designated critical habitat is contained in a biological opinion. If a jeopardy or adverse modification determination is made, the biological opinion must identify any reasonable and prudent alternatives that could allow the project to move forward.

The Service must anticipate any incidental take that may result from the proposed project and, provided that such take will not jeopardize the continued existence of the listed species, authorize that take in an incidental take statement. The latter contains clear terms and conditions designed to reduce the impact of the anticipated take to the species involved. The authorization of incidental take is contingent upon the Federal agency carrying out the terms and conditions. If the Service issues either a non-jeopardy opinion or a jeopardy opinion that contains reasonable and prudent alternatives, it may include an incidental take statement.



This Louisiana black bear was one of the largest ever captured on Tensas River National Wildlife Refuge, weighing in at over 400 pounds. The bear was trapped using a leg-hold cable snare that does not injure the animal. The biological information obtained, including weight, sex, a tooth for aging, and other measurements, is part of the Service's ongoing research efforts to aid in the recovery of this threatened subspecies. Afterwards, the bear was released on site.

What is the consultation workload?

In Fiscal Year 2010, the Service assisted Federal agencies in carrying out their responsibilities under section 7 on more than 30,000 occasions. The vast majority of the workload was technical assistance to Federal agencies and informal consultations on actions that were not likely to adversely affect listed species or their designated critical habitat. A large percentage of projects, as initially planned, would have had adverse impacts to listed species, but were dealt with through informal consultation. In these situations, the Federal agency made changes to the project design so that adverse impacts to listed species were avoided.

What type of guidance is available for other Federal agencies?

Guidance is available on our section 7 web site at http://www.fws.gov/endangered/what-we-do/consultations-overview.html. Please call us at 703-358-2171 if you have any questions, or see our Endangered Species Program Contacts at http://www.fws.gov/endangered/regions/index.html to locate a Service office in your area.

U. S. Fish and Wildlife Service Endangered Species Program 4401 N. Fairfax Drive, Room 420 Arlington, VA 22203 703-358-2171 http://www.fws.gov/endangered/

April 2011



PROGRAMA DE FINANCIAMIENTO PARA PEQUEÑAS EMPRESAS FORMULARIO SOBRE USO PREVISTO DE LOS FONDOS

Yo, Neida Virginia Baez Diaz, representante autorizado/a para el negocio LA CURVITA COLMADO, BAR & RESTAURANTE INC., con el Caso Número PR-SBF-08372 para el Programa de Financiamiento para Pequeñas Empresas (Programa SBF, por sus siglas en inglés, o Programa), por la presente reconozco que fondos de subvención por la suma de \$50,000.00 se usarán de conformidad con el uso de fondos descrito a continuación.

Además, reconozco que el Formulario sobre Uso Previsto de los Fondos se utilizará durante el proceso de revisión de recibos para verificar el cumplimiento mediante una comparación entre dicho formulario y los recibios recibidos durante el proceso de revisión.

Respuesta		Capital de Trabajo Solicitado Cantidad mensual	Promedio Mensual para el Negocio	Total de meses solicitados (6 meses máx.)	Total \$	Iniciales
Sí 🗗	No	Inventario	\$8,929.17			NBO
Sí 🗆	No Ø	Alquiler o Hipoteca para las instalaciones de negocio	\$0.00			NED
Sí 🗆	No 🗸	Salario para los empleados del negocio	\$0.00			NBO
Si 🔽	No D	Servicios Públicos	\$887.75			NBO

Muebles o Equipos					
Respuesta (Si/No)	Item	Num de Unidades		Costo por Unidad	Unmet Need
SI	fryer gas floor	2	2	\$1,055.17	\$2,110.34
Si	gas range 2 burners	1	1	\$3,071.83	\$3,071.83
si	combo nevera freezer	+	1	\$6,397.50	\$6,397.50
si	refrigerator 3 door glass	1	1	\$6,404.93	\$6,404.93
Si	pizza prep refrigerator	1	1	\$5,074.00	\$5,074.00
SI	refrigerated chef base	1	1	\$4,926.45	\$4,926.45
Si	freezer beer froster	2	2	\$2,402.83	\$4,805.66
- 1	beer cooler	1	1	\$3,413.76	\$3,413.76
S1 S1	charbroiler	1	1	\$1,011.29	\$1,011.29
SI	griddle	1	1	\$767.47	\$767.47
51	countertop fryer	i	1	\$571.23	\$571.23
SI	refrigerator 2 door	1	1	\$3,715.93	\$3,715.93
51	countertop hot display	1	1	\$1,101.25	\$1,101.25
51	countertop refrige displa	1	1	\$1,488.90	\$1,488.90
51	work table back splash	3	3	\$267.23	\$801.69
SI SI SI	double overshelf	3	3	\$219.47	\$658.41
SI	fregadero	1	1	\$564.91	\$564.91
5.1	pre rinse	1	1	\$343.40	\$343.40
51	steam table 4 wells	1	1	\$1,703.72	\$1,703.72
51	sneeze guard 4welss	1	1	\$850.38	\$850.38

\$ 214.95	\$ 49,783.05	\$ 50,000.00
Capital de Trabajo Total	Equipo Mueble Total	Total

Además, reconozco y entiendo que:

- La falta de cumplimiento con el uso previsto de los fondos descrito en este Formulario podría requerir el pago de los fondos al Banco de Desarrollo Económico para Puerto Rico.
- El propósito del uso solicitado de los fondos de SBF es solo para actividades elegibles y el uso permitido de los fondos, según se establece en las Guías del Programa SBF.
- El Formulario sobre Uso Previsto de los Fondos será revisado por el equipo del Programa SBF y, si es aprobado, será el formulario oficial que se utilizará durante el proceso de revisión de los recibos.

Neida Virginia Baez Diaz Neida V. Baez Diaz	Wida Bos Dos	DW-MOV-2023
Nombre	Flima	Fecha

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

Puerto Rico Department of Housing (PRDOH)
Small Business Financing (SBF) Program Project No. PR-SBF-08372
LA CURVITA COLMADO,BAR & RESTAURANTE

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

The proposed project is intended to renovate the building as part of the Economic Development portion of the CDBG-DR grant. The specific scope of work for this project includes the purchase and installation of replacement pre-rinse sink and sink, and replacement gas equipment with existing gas supply and lines (range/stove, floor fryer, griddle, table steamer, table fryer, hot display). Other non-affixed equipment to be purchased includes: combo refrigerator freezer, refrigerator 3 door glass, pizza prep refrigerator, refrigerated chef base, beer froster freezers, beer cooler, refrigerator 2 door, countertop refrigerator display, worktable back splashes, double overshelves, steam table 4 wells, sneeze guard 4wells. The project is located at Carr. 765 KM 3.6, Barrio Borinquen, Caguas, PR 00725, latitude 18.170276, longitude -66.042732, Tax ID Number: 277-044-939-01-000. The project site occupies 3,229.8 square feet of the floodplain. The property is shown as being within Zone A on the Advisory Base Flood Elevation (ABFE) Map.

Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the 100-year floodplain and for this reason, EO 11988 applies. The project site occupies 3,229.8 square feet of the floodplain. An evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the floodplain is required.

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

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

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

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

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

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

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

• Option A (Proposed Action) – This option would involve renovation of the non-residential building. The building is not undergoing substantial improvement and the footprint is not being increased; therefore, elevation is not required. The proposal does include a minor renovation of installation of replacement pre-rinse sink and sink, and replacement gas equipment with existing gas supply and lines (range/stove, floor fryer, griddle, table steamer, table fryer, hot display) with no ground disturbance.

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

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

Step 6: Reevaluate the Proposed Action.

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

Step 7: Determination of No Practicable Alternative.

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

Step 8: Implement the Proposed Action

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



Self-Certification

http://www.fws.gov/caribbean/ES/Index.html

Endangered Species Act Certification

The U.S. Fish and Wildlife Service, Caribbean Ecological Services Field Office developed a Blanket Clearance Letter in compliance with Endangered Species Act of 1973, as amended, and the Fish and Wildlife Coordination Act for federally funded projects.

The Service determined that projects in compliance with the following criteria are not likely to adversely affect federally-listed species.

Puerto Rico Department of Housing (PRDOH) certifies that the following project LA CURVITA COLMADO, BAR & RESTAURANTE, PR-SBF-08372 consisting of installation of replacement pre-rinse sink and sink, and replacement gas equipment with existing gas supply and lines (range/stove, floor fryer, griddle, table steamer, table fryer, hot display) located at Carr. 765 KM 3.6, Barrio Borinquen, Caguas, PR 00725 complies with:

Check	Project Criteria	
	1. Street resurfacing.	
	2. Construction of gutters and sidewalks along existing roads.	
	3. Reconstruction or emergency repairs of existing buildings, facilities and homes.	
	4. Rehabilitation of existing occupied single-family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach.	
	5. Demolition of dilapidated single-family homes or buildings; provided that the demolition debris is disposed in certified receiving facilities; equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation.	
	6. Rebuilding of demolished single-family homes or buildings, provided	

that the new construction is within the existing footprint of the previous structure and/or within pre- existing grassed or paved areas, and that the lighting associated to the new facilities are not visible directly or indirectly from a beach.
7. Activities within existing Right of Ways (ROWs) of roads, bridges and highways, when limited to actions that do not involve cutting native vegetation or mayor earth moving; and are not located within, or adjacent to, drainages, wetlands, or aquatic systems. These activities include the installation of potable water and sanitary pipelines.
8. Improvements to existing recreational facilities, including the installation of roofs to existing basketball courts, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
9. Construction of electric underground systems in existing towns and communities, provided that the property is not a wetland area and the lighting associated to the facilities are not visible directly or indirectly from the beach.
10. Construction of facilities on vacant properties covered with grasses in urban areas, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
11. Construction of houses, buildings or acquiring lands in urban areas covered by grass for relocation of low-income families and/or facilities that have been affected by weather conditions.

Ángel G. López-Guzmán Deputy Director

Permits and Environmental Compliance Division

Office of Disaster Recovery

Address: P.O. Box 21365 San Juan, PR 00928 Telephone and Ext: 787-274-2527 ext. 4320 Email: environmentcdbg@vivienda.pr.gov 01/03/2024

Date



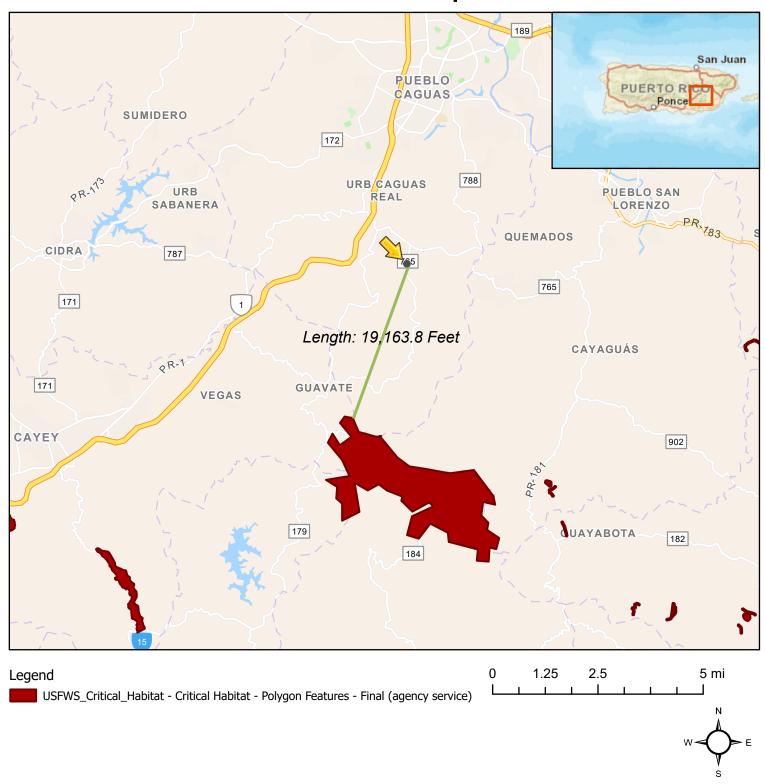
PR-SBF-08372 Site Map



Legend 0 0.01 0.02 0.04 mi



PR-SBF-08372 End. Species



U.S. Fish and Wildlife Service

Endangered Species Habitat

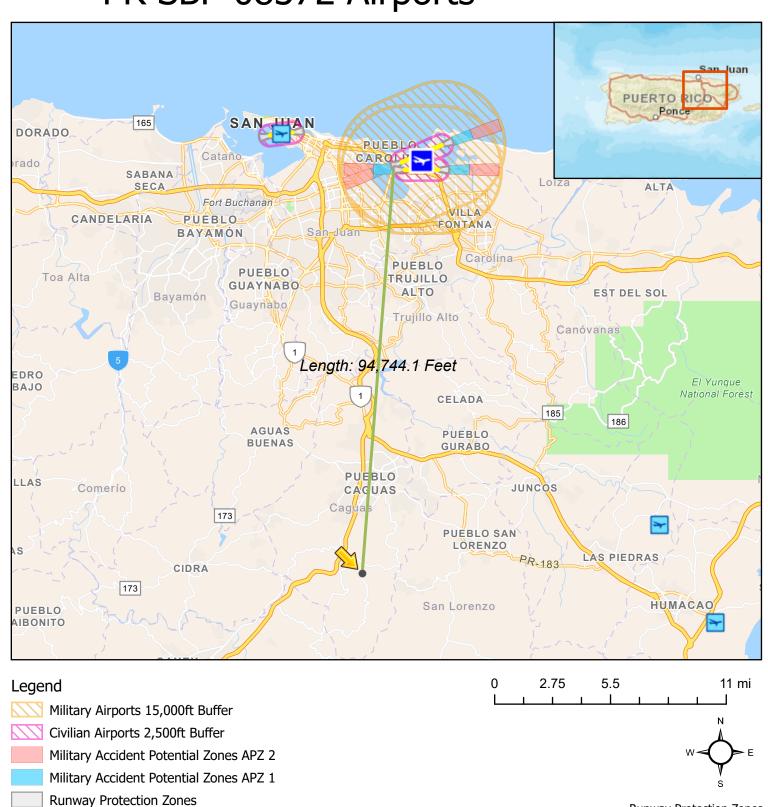


Runway Protection Zones

Major Civil and Military Airports

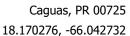


PR-SBF-08372 Airports



Major

Airport Runways





PR-SBF-08372 Wild and Scenic



National Wild and Scenic River System

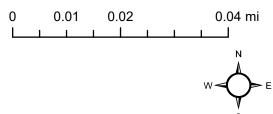
National Park Service



PR-SBF-08372 Wetlands

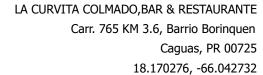


Legend Riverine



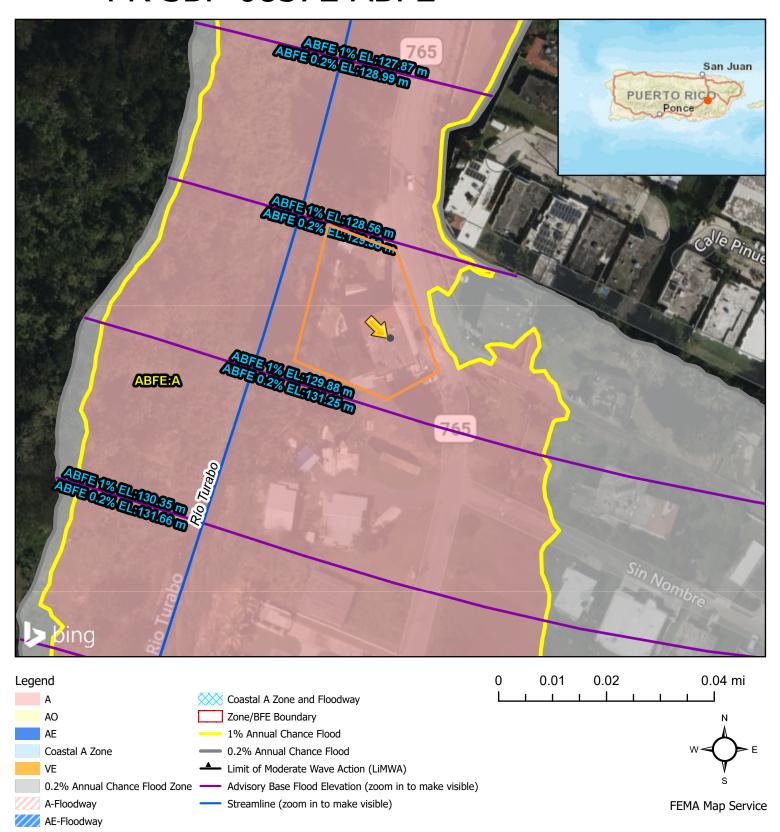
National Wetlands Inventory

U.S. Fish and Wildlife Service





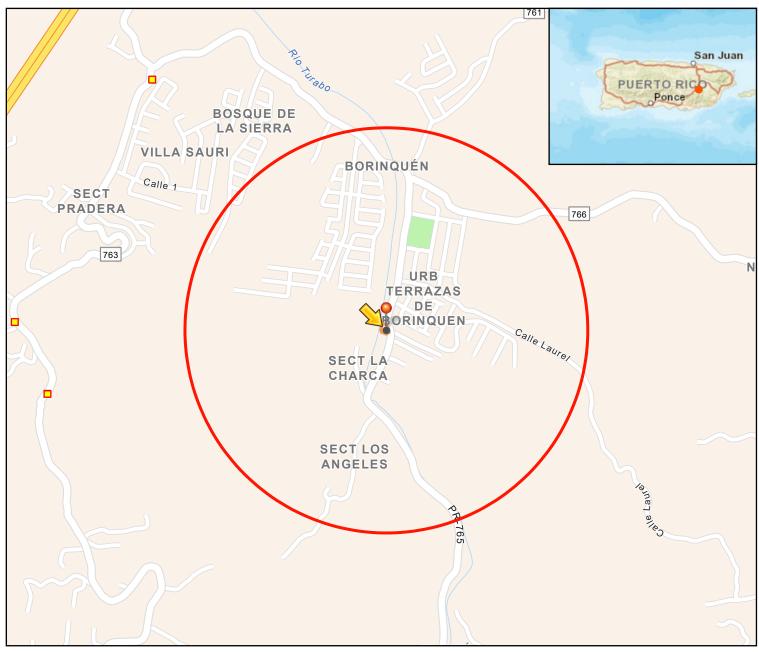
PR-SBF-08372 ABFE



ABFE 1PCT

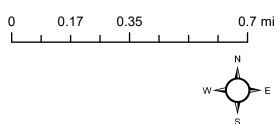


PR-SBF-08372 Toxics



Legend

- Hazardous waste
- Water dischargers

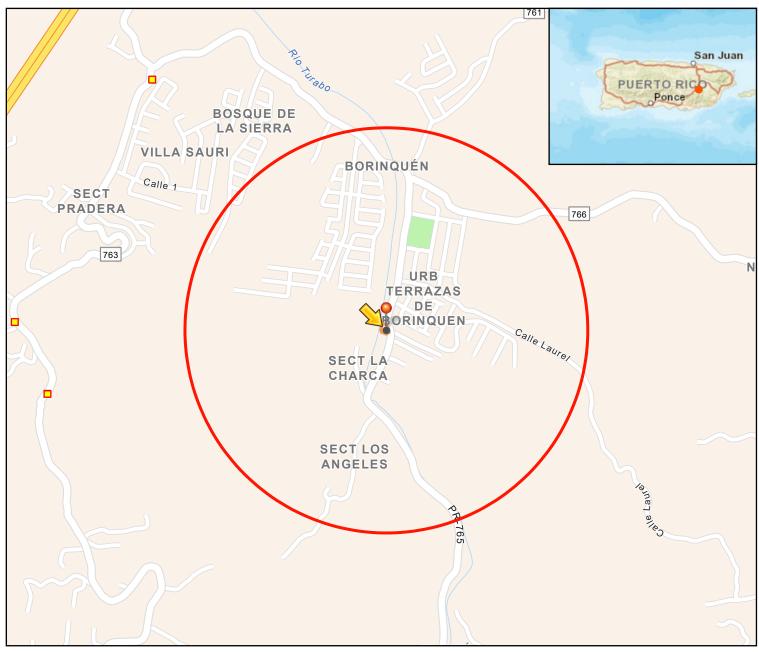


Envirofacts Facility Locations

EPA

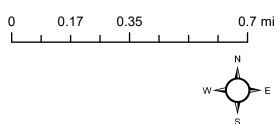


PR-SBF-08372 Toxics



Legend

- Hazardous waste
- Water dischargers



Envirofacts Facility Locations

EPA



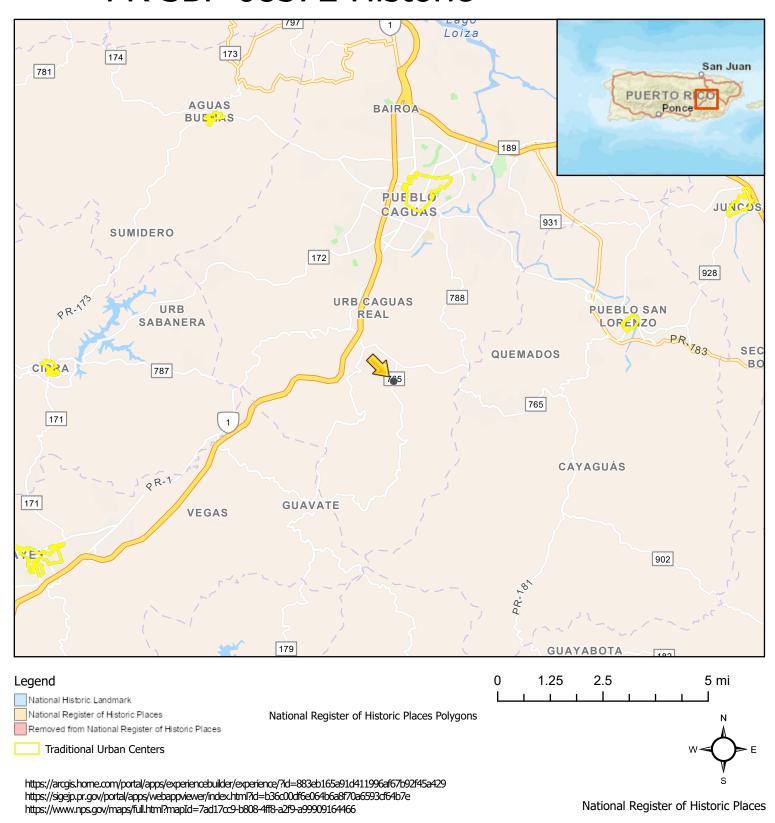
PR-SBF-08372 Site Map



Legend 0 0.01 0.02 0.04 mi



PR-SBF-08372 Historic



Local Historic Areas digitized by Horne



LA CURVITA COLMADO,BAR & RESTAURANTE

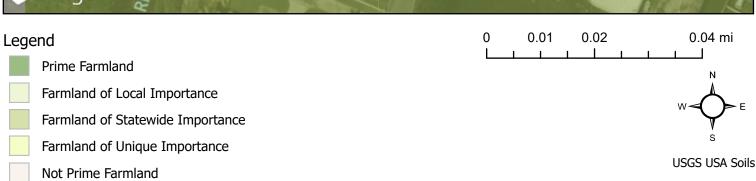
Carr. 765 KM 3.6, Barrio Borinquen

Caguas, PR 00725

18.170276, -66.042732

PR-SBF-08372 Farmlands





Farmland dataset



LA CURVITA COLMADO,BAR & RESTAURANTE

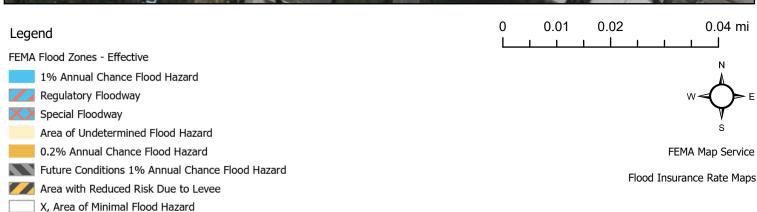
Carr. 765 KM 3.6, Barrio Borinquen

Caguas, PR 00725

18.170276, -66.042732

PR-SBF-08372 Flood Map

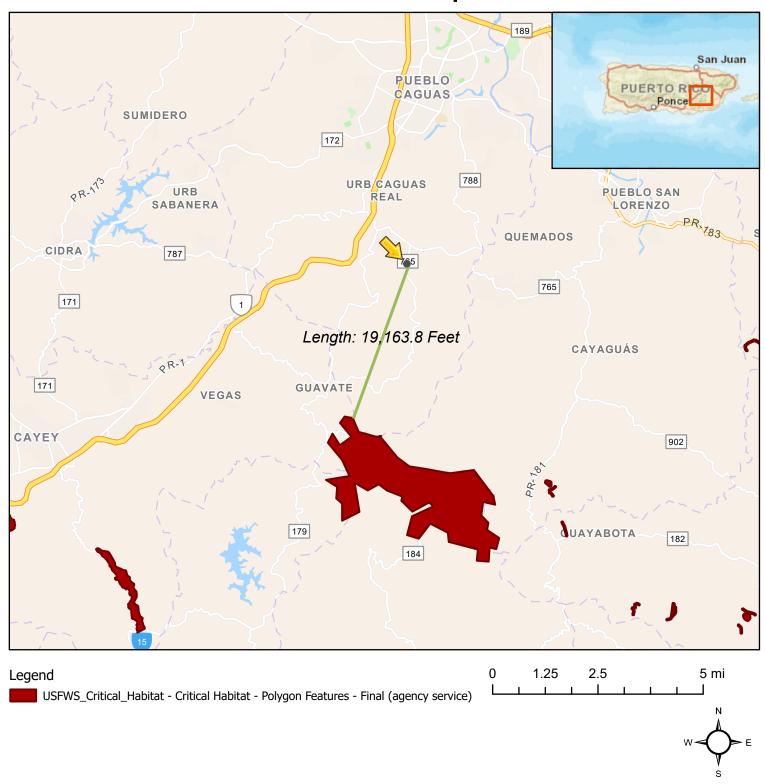




FEMA Flood Zone Panel



PR-SBF-08372 End. Species



U.S. Fish and Wildlife Service

Endangered Species Habitat

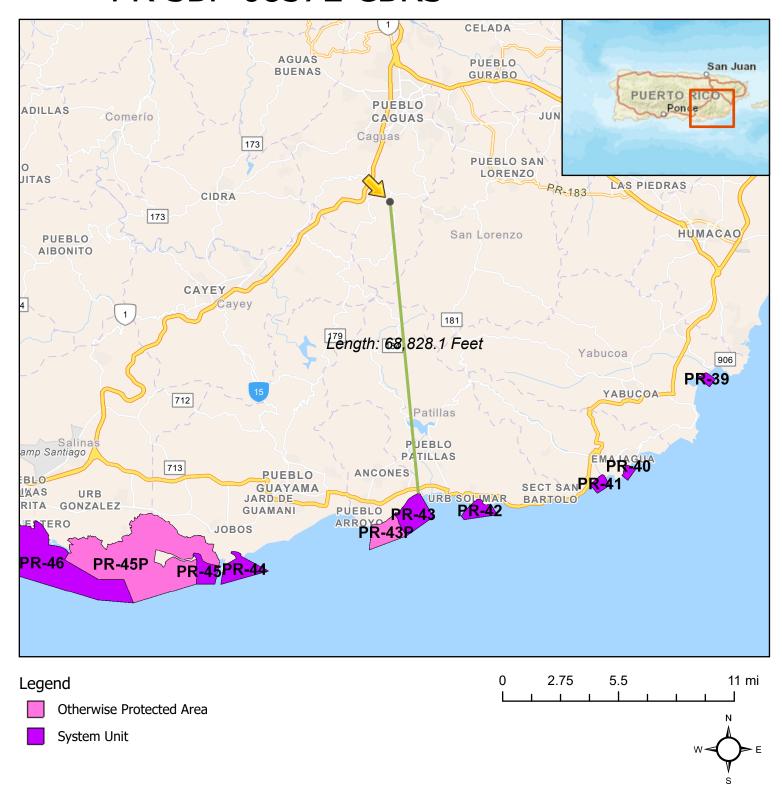


PR-SBF-08372 CZM





PR-SBF-08372 CBRS



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program