

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-04102

Project Name: Luis A. Cintrón Ávila

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Utuado, PR

Preparer: Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officer:
Pedro A. de León Rodríguez,.

Consultant: Behar Ybarra & Associates LLC

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

Project Location:

Bo. Angeles Carr 111 Km 48, Utuado, PR 00641

Fence location: latitude 18.309776 longitude -66.775611

Parcel cadastral # 132-000-008-03-998

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

The proposed activities for PR-RGRW-04102 consist of installing a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment. Farm equipment includes: 820 ft of cowboy wire, 2,000 of 2.5" posts, 100 lbs. of staples, 20 of 2.0 *Grazon Next* pesticide and 100 lbs. of fertilizer. The fence will be anchored to the ground with metal posts so it will require ground disturbance. Each post will be installed 8 to 10 feet apart and driven approximately 2' below the ground surface to ensure the fence is secure. The fence could measure approximately 10,500 feet and depending on what state the fence is in at the time of starting, will know how much will

be repaired and how much will be replaced. The fence will be installed to keep livestock in specific areas. The project area is located at PR-111 km. 48 within the Municipality of Utuado. Based on a review of historical aerial imagery, the general area of the fence location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

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

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

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment (820 ft of cowboy wire, 2,000 of 2.5" posts, 100 lbs. of staples, 20 of 2.0 *Grazon Next* pesticide and 100 lbs. of fertilizer) is in keeping with the overall objectives of the Economic Development Program.

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

The topography of the project area is steep. Surface visibility is average. Most of the surface area is covered with vegetation, mostly pasture and some crops. Therefore, there is little to no change in land use associated with these placements.

Funding Information

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

Estimated Total HUD Funded Amount: \$24,584.14

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$24,584.14.

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment have no impact on any Airports. The site is located 128,538 feet from the nearest major civil airport (Mercedita International Airport in Ponce) and 267,504 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. The project is located 63,397 feet southwest of the nearest Coastal Barrier Resource System, PR-81. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the

		Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in Zone X, Panel 72000C0595H and Panel 72000C0585H, 4/19/2005 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4. This topic is in compliance with Flood Disaster Protection Act without further evaluation.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each county by year for all criteria pollutants in Appendix 2.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located 57,972 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural project. On-site or nearby toxic, hazardous, or radioactive</p>

		<p>substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There are no sites of environmental concern identified within 3,000 feet near where the proposed activities will be.</p> <p>The project is in compliance with contamination and toxic substances requirements. See attached Toxics Map, Figure 6.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project could involve any activity that has an adverse effect on protected species or critical habitats. After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the PR boa (<i>Chilabothrus inornatus</i>), PR Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>), PR Parrot (<i>Amazona vittata</i>), Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>) and <i>Cordia bellonis</i> could be found in the project area. The scope of work includes continued agricultural use of the property with no intention of cutting down trees or altering the general area where since it will only be the repair of parts of the fence or the construction a new fence in some parts on the farm.</p> <p>The Caribbean Determination Key (DKey) in the IPaC application was used to evaluate the potential impacts to federally listed species for this project. Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa and Puerto Rican broad-winged hawk, which determined that the proposed actions for this project would have "No Effect" (NE) for these</p>

		<p>species. For the Puerto Rican parrot, PRDOH made a NE determination based on the scope of work and project location.</p> <p>In a response from USFWS dated February 12, 2024, USFWS and PRDOH concurred with a finding of that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican harlequin butterfly and <i>Cordia bellinis</i>. In addition, the closer Final Critical Habitat is located 15,978 feet from the project location.</p> <p>For conservation measures guideline for Harlequin butterfly see USFWS Determination Letter in Appendix 4. If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p>https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</p> <p>This project is in compliance with the Endangered Species Act. See attached USFWS Determination Letter and Consultation Package in Appendix 4. See attached Endangered Species map, Figure 7.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with Explosive and</p>

		Flammable hazards without further evaluation.
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in a area designated as not prime farmland. The scope of work includes the installation of a fence, and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in a Zone X, Panel 72000C0595H and Panel 72000C0585H, 4/19/2005 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in compliance with Executive Order 11988. See attached Flood Map (Figure 9).</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The site was visited on September 10, 2023, by SOI-qualified archaeologist. Based on this definition and the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities of the installation of the fence. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated December 4, 2023, SHPO concurred with a finding of No Adverse effect within the project's Area of Potential Effects conditioned to archaeological monitoring (see attached Appendix 1). No ground disturbing activities shall be done without an archaeologist present. The property is not considered historic or contributing to an historic district (See attached Historic</p>

		map, Figure 10). Therefore, this activity is in compliance with National Historic Preservation Act.
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise abatement and Control Act without further evaluation.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with the Safe Drinking Water Act without further evaluation.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the maps, the Tanamá River at some point is visible near the proposed fence, in the northern part of the project. The area between where the fence is being repaired or replaced and the river is a steep slope, so it couldn't get a better angle for the photo since there is no access to the river in that area of the farm (see Field Report photo 20). The installation of the fence is not expected to affect the river, but standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (in any) around the areas of ground disturbance.</p> <p>The Area of Potential Effect is located outside of the river; therefore, no wetland will be affected by the project undertaking. The project is in compliance</p>

		with Executive Order 11990. See the attached Wetlands map, Figure 11. Refer to Site Inspection Report in Appendix 3.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of the NWSRS river. The project is located 342,051 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 12.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.

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

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

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation

(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed action is continued agricultural use of property which is compatible with a zoning code of C-R (Resource Conservation) and existing land use of SREP-EH (Specially Protected Rustic Land – Ecological and hydric). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>The soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Soller-Rock outcrop, Almirante clay and Soller clay. The project area APE is in SrF, AnC and SoD. The Tanamá River is located within the project area, on the northern boundary and adjacent to the western boundary.</p> <p>The landslide data indicates low to high landslide susceptibility. No erosion is expected to occur from this project. The work to be done consists of digging a small hole to place the new posts so the project will not affect the drainage in the area. There will be no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 13.</p>
Hazards and Nuisances including Site Safety and Noise	2	There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment on

		an existing agricultural farm and will not require any expansion to existing power facilities.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
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SOCIOECONOMIC

Employment and Income Patterns	2	The project will result in short-term benefit to employment when contractors are hired for the construction of the fence. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
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Demographic Character Changes, Displacement	2	The proposed project will not alter the demographic characteristics of Utuado, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
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Environmental Justice	2	<p>In the project area within a one-mile radius:</p> <ul style="list-style-type: none"> • The people of color are 98% compared to PR average of 96% • 93% of the people are low income compared to PR average of 70% • 18% of the people are unemployed compared to PR average of 15% <p>The proposed activities of the installation of the fence will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJSscreen Report in Appendix 3.</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
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COMMUNITY FACILITIES AND SERVICES

Educational and Cultural Facilities	2	The project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The proposed project may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The proposed project will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The installation and construction of the fence will not produce any wastewater. Based on the scope of work is not expected to result in any significant changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The proposed project will not require an additional water supply. No new connections will be provided for municipal potable water. The proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The proposed project will have no impact to Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.

Transportation and Accessibility	2	The project consists of the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site and will have no impact on transportation and accessibility.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the fence but no negative impact on wildlife.
Climate Change	2	The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production. On the other hand, a drought could affect agricultural activities related to the project.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): September 10, 2023, Jaqueline Lopez, SOI-Qualified Archaeologist. Site Inspection was performed by Egon Gonzalez on August 21, 2024.

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

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

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

National Park Service, National Registry of Natural Landmarks.

www.nature.nps.gov/nnl/docs/NNLRegistry.pdf

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

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

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

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

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

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

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

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

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

List of Permits Obtained: None.

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

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the installation of a new fence and repairing the existing fence in some areas with the purchase of fence materials and farm equipment for an agricultural site.

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

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

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

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

Summary of Findings and Conclusions: The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further

consultation with any agency. There are no environmental review topics addressed that result in the need for formal compliance steps or the requirement for mitigation.

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

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

Law, Authority, or Factor	Mitigation Measure
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p>Standard BMPs should be applied to mitigate impact on wetlands.</p>
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. DNER authorization may be required for any ground disturbance associated with the activities in the proposed project.</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p>Conservation measures were provided by the Service will be implemented prior to and during the project activities to avoid and minimize impacts to the Puerto Rican harlequin Butterfly and Puerto Rican parrot. For conservation measures guideline for Harlequin butterfly see USFWS Determination Letter in Appendix 4.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Archaeological monitoring should be conducted during all ground disturbing activities. An archaeological monitoring workplan should be prepared and submitted for our review and concurrence prior implementation.</p>

Determination:

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

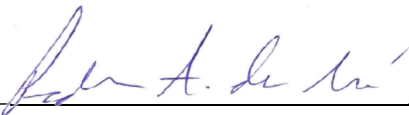
The project will not result in a significant impact on the quality of the human environment.

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

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

Preparer Signature:  Date: 2/20/2024

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

Certifying Officer Signature:  Date: 5/28/2024

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

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

Figures

LUIS A CINTRON AVILA

Bo. Angeles

Carr 111 Km 48

Utua, PR 00641

Catastro: 132-000-008-03



Lat: 18.309776, Lon: -66.775611

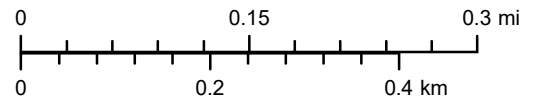
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

-  PR-RGRW-04102 Fencing
-  PR-RGRW-04102 Parcel
-  CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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

LUIS A CINTRON AVILA
 Bo. Angeles

Carr 111 Km 48

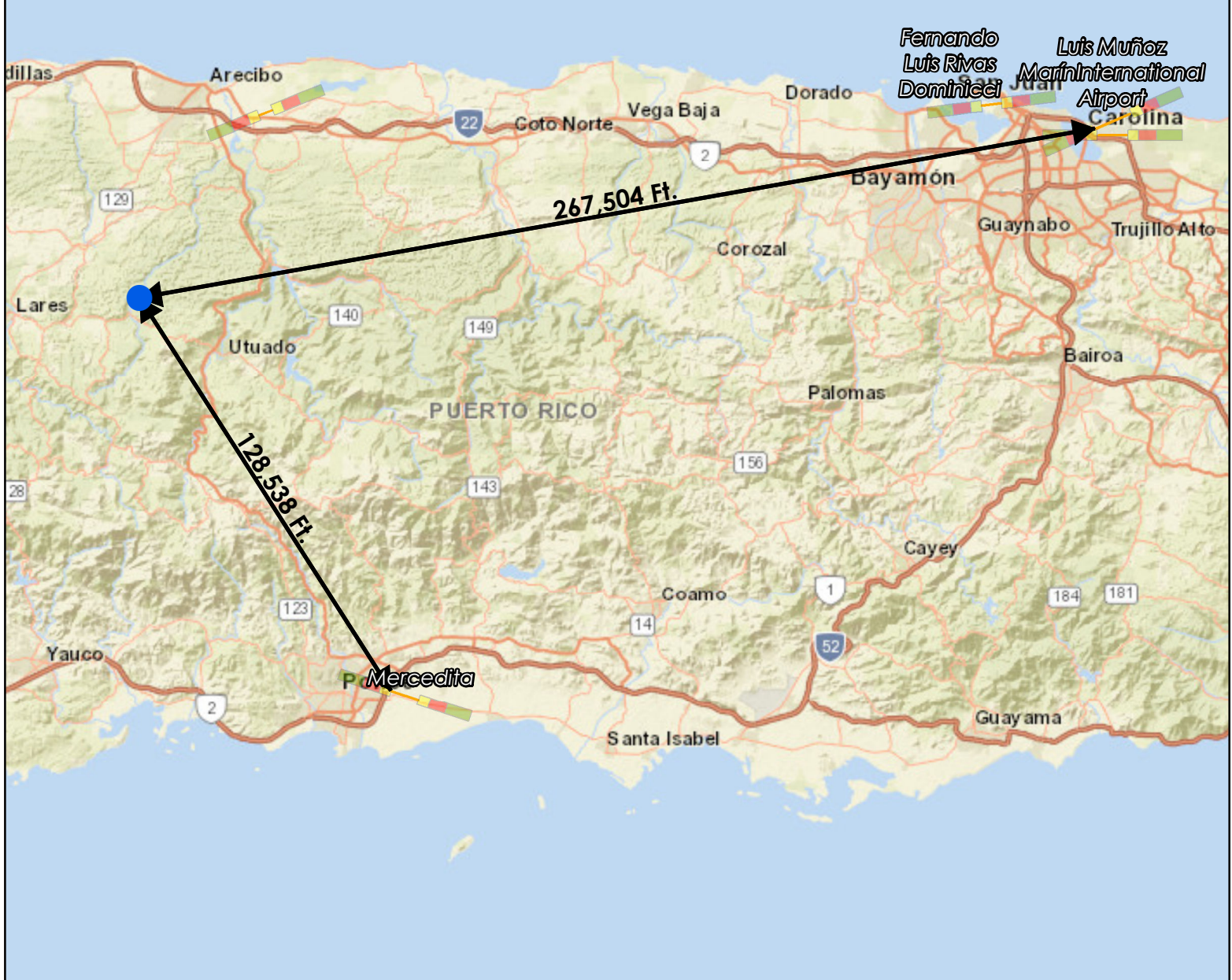
Utuado, PR 00641

Catastro: 132-000-008-03

Lat: 18.309776, Lon: -66.775611

Airports Map

Puerto Rico Department of Housing ReGrow

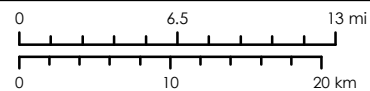


Legend:

● PR-RGRW-04102

Accident Potential Zone

- APZ 1
- APZ 2
- Clear Zone



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

Source

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



1:500,000

PR-RGRW-04102 CBRS

SANTRON AVILA
Carr 111 Km 48
PR 00641
2-000-000-00





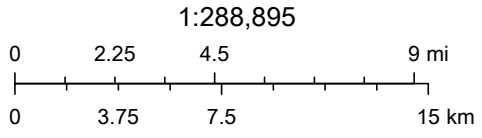
63,397 feet



8/24/2023, 9:28:32 AM

CBRS Units

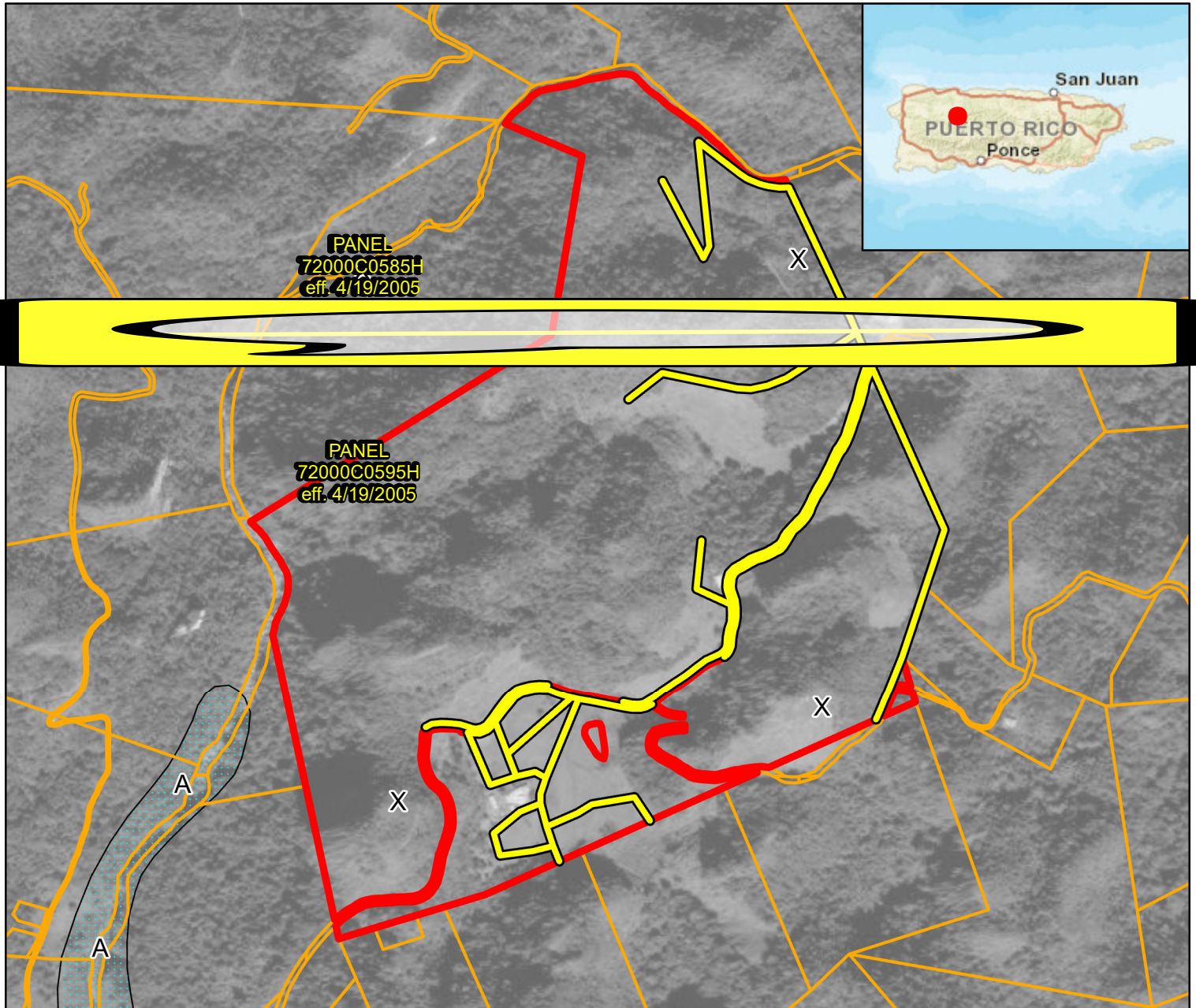
-  Otherwise Protected Area
-  System Unit



Fish and Wildlife Service (FWS):
www.fws.gov/programs/ceasat/

FEMA Flood Insurance Rate Map (FIRM)

Puerto Rico Department of Housing ReGrow



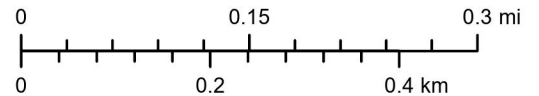
Legend

- PR-RGRW-04102 Fencing
- PR-RGRW-04102 Parcel
- CRIM Parcels
- Base Flood Elevation

Flood Hazard Areas

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

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

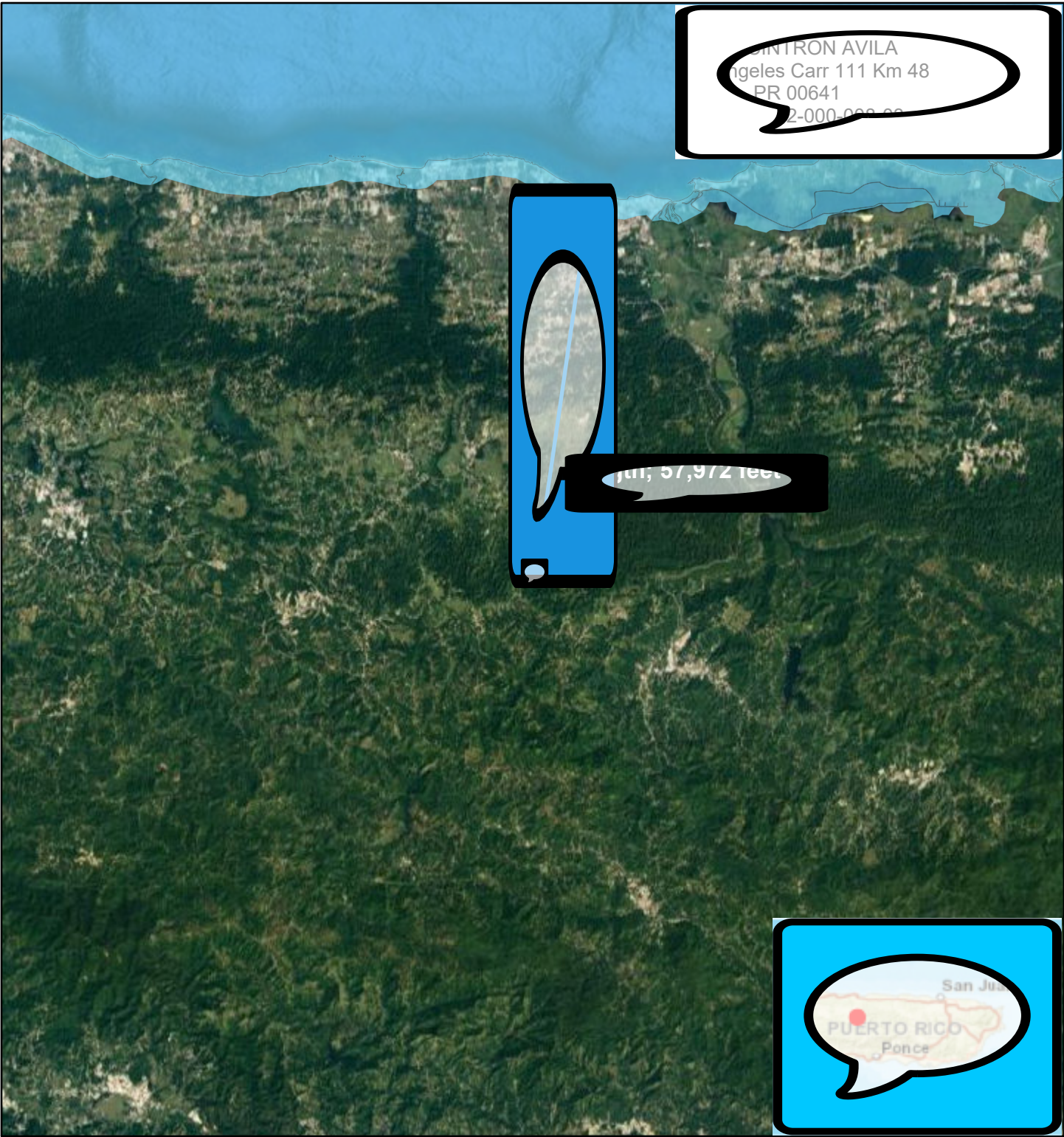


Service Layer Credits: World Imagery: Maxar
 World Street Map: Esri, HERE, Garmin, NGA, USGS
 and Google Earth



Source

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

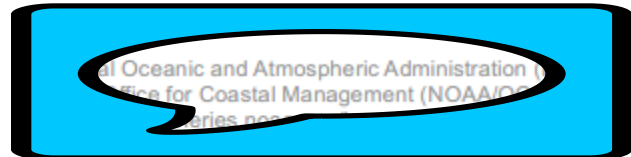
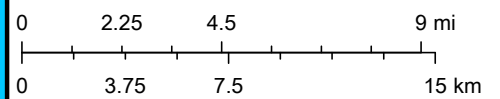


8/24/2023, 9:30:17 AM

Coastal Zone Management

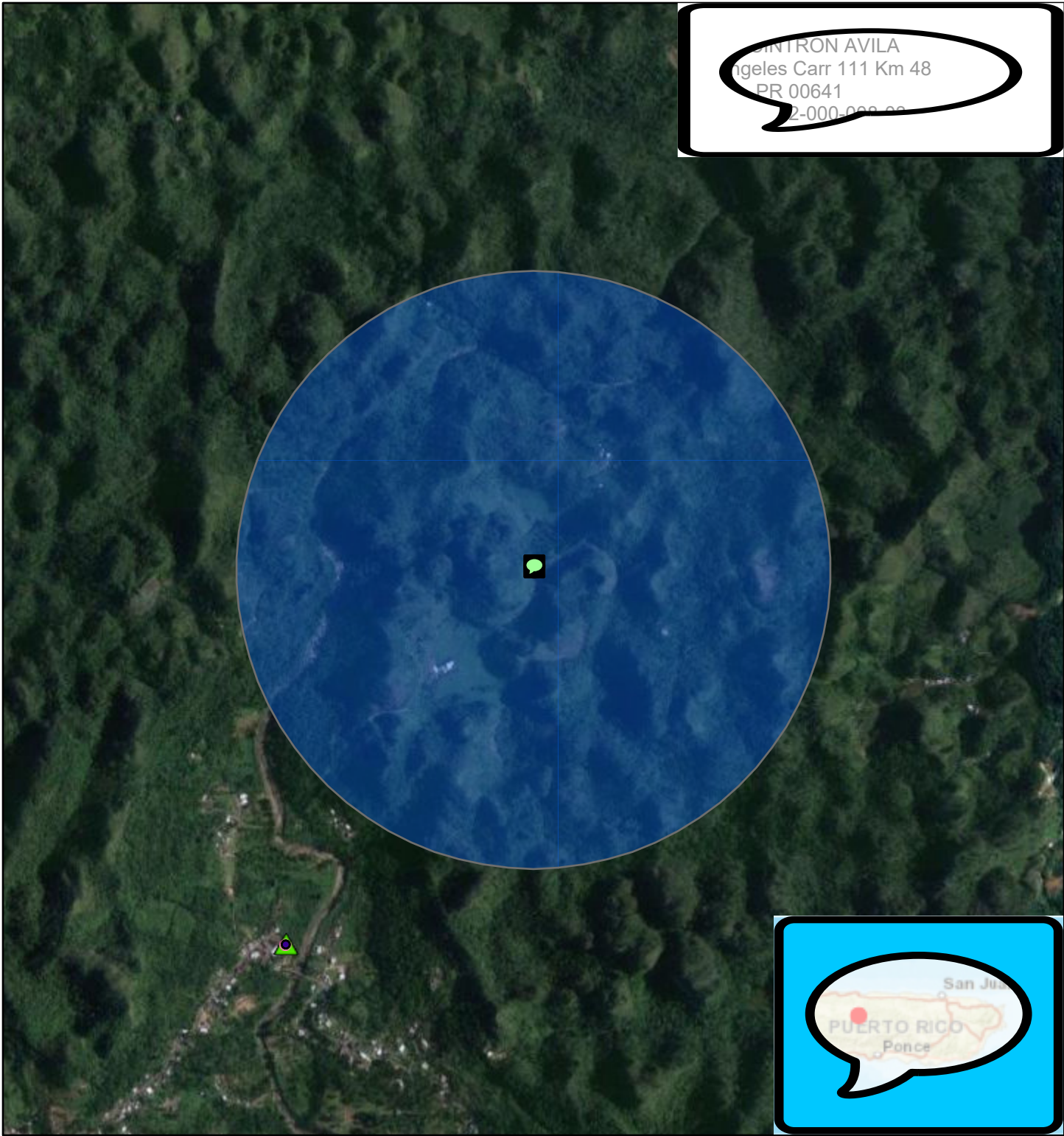


1:288,895



PR-RGRW-04102 Toxic

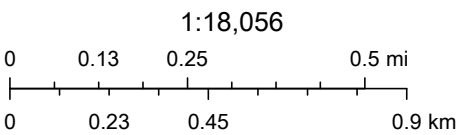
ANTHONY AVILA
Carr 111 Km 48
PR 00641
2-000-000-00



8/24/2023, 9:33:08 AM

3000ft Buffer

- ICIS
- ▲ RCRA
- FACILITY INTERESTS
- ▲ RCRA INACTIVE

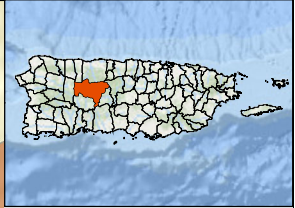
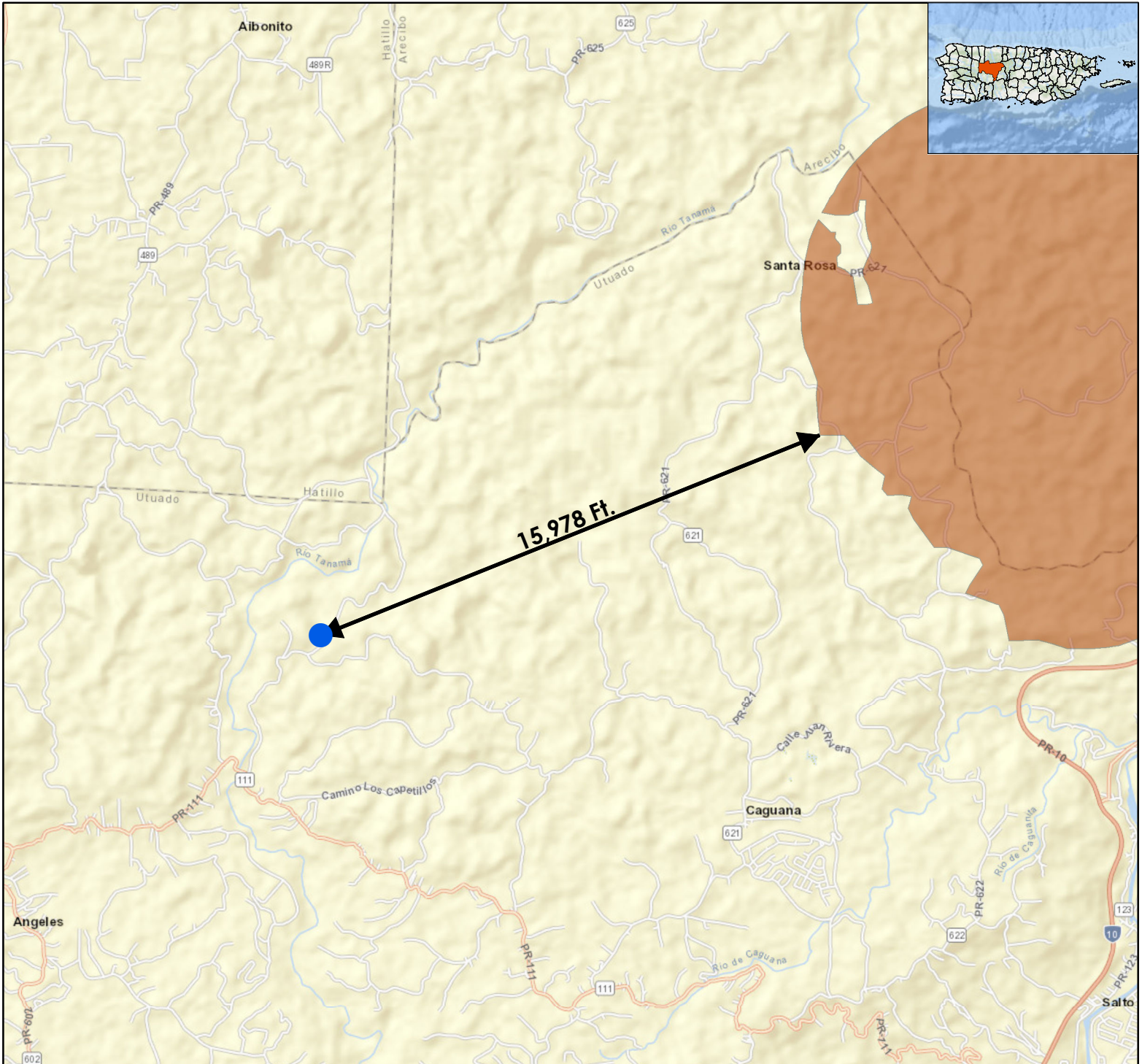


1:18,056

Environmental Protection Agency (EPA)
Registry Service (FRS)

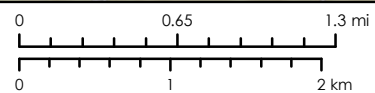
Threatened and Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04102
- Critical Habitat



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

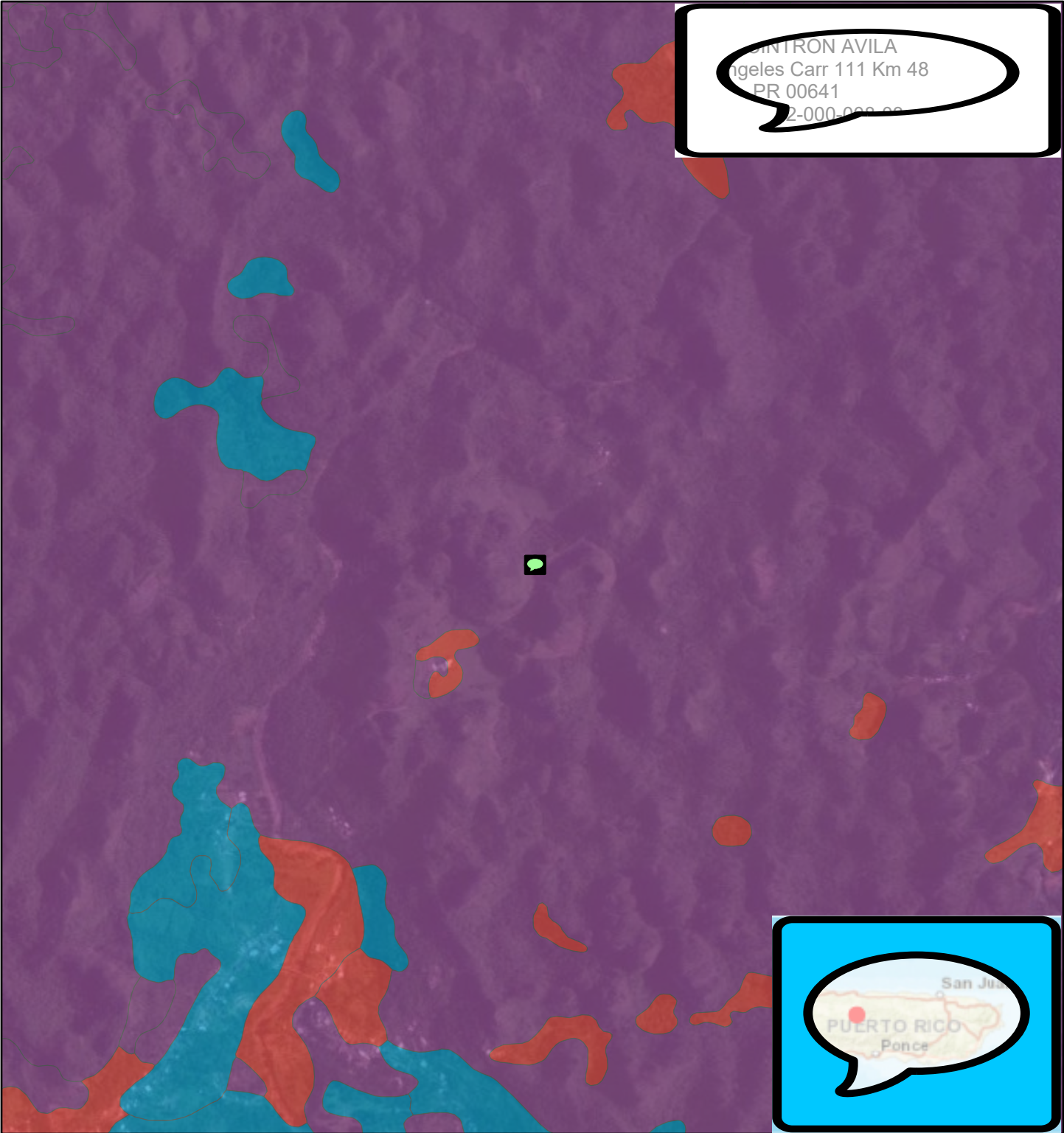
Source

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



1:50,000

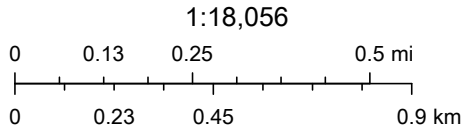
SANTRON AVILA
Carr 111 Km 48
PR 00641
2-000-000-00



8/24/2023, 11:18:00 AM

Farmland Protection

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Prime farmland if drained



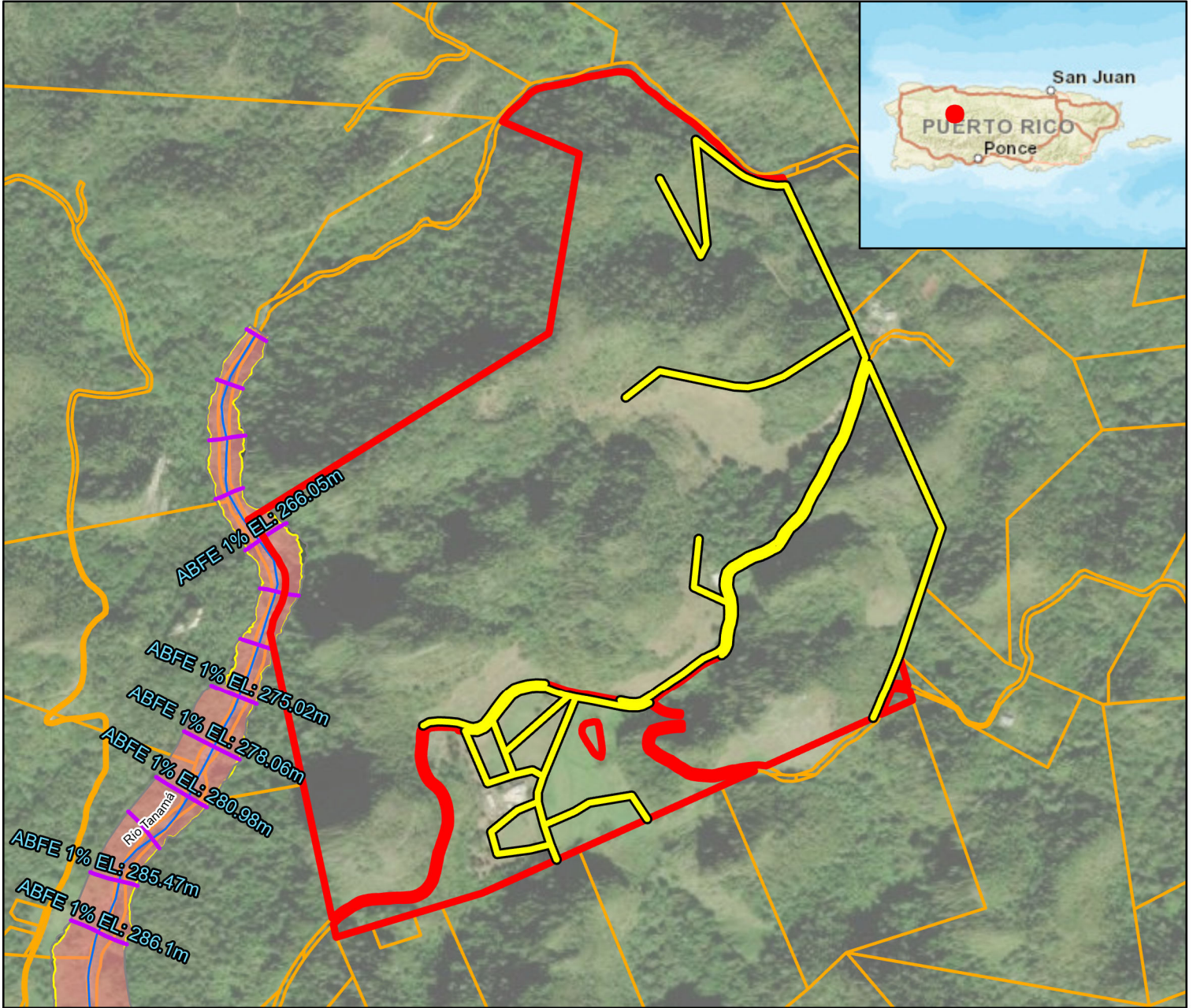
Resources Conservation Service (NRCS)
Survey Geographic Database (gSSURGO)



LUIS A CINTRON AVILA
 Bo. Angeles
 Carr 111 Km 48
 Utuado, PR 00641
 Catastro: 132-000-008-03
 Lat: 18.309776, Lon: -66.775611

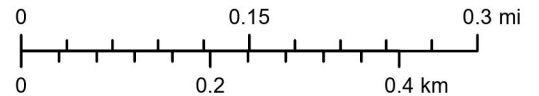
Advisory Base Flood Elevation (ABFE)

Puerto Rico Department of Housing ReGrow



Legend

- | | |
|---------------------------------------|--------------------------|
| PR-RGRW-04102 Fencing | Flood Zone A |
| PR-RGRW-04102 Parcel | Flood Zone AE |
| CRIM Parcels | Flood Zone Coastal A |
| Advisory Base Flood Elevations (ABFE) | Flood Zone AO |
| Hydrography | Flood Zone VE |
| 0.2-percent annual chance flood | 0.2% Annual Chance Flood |
| 1-percent annual chance flood | Floodway |



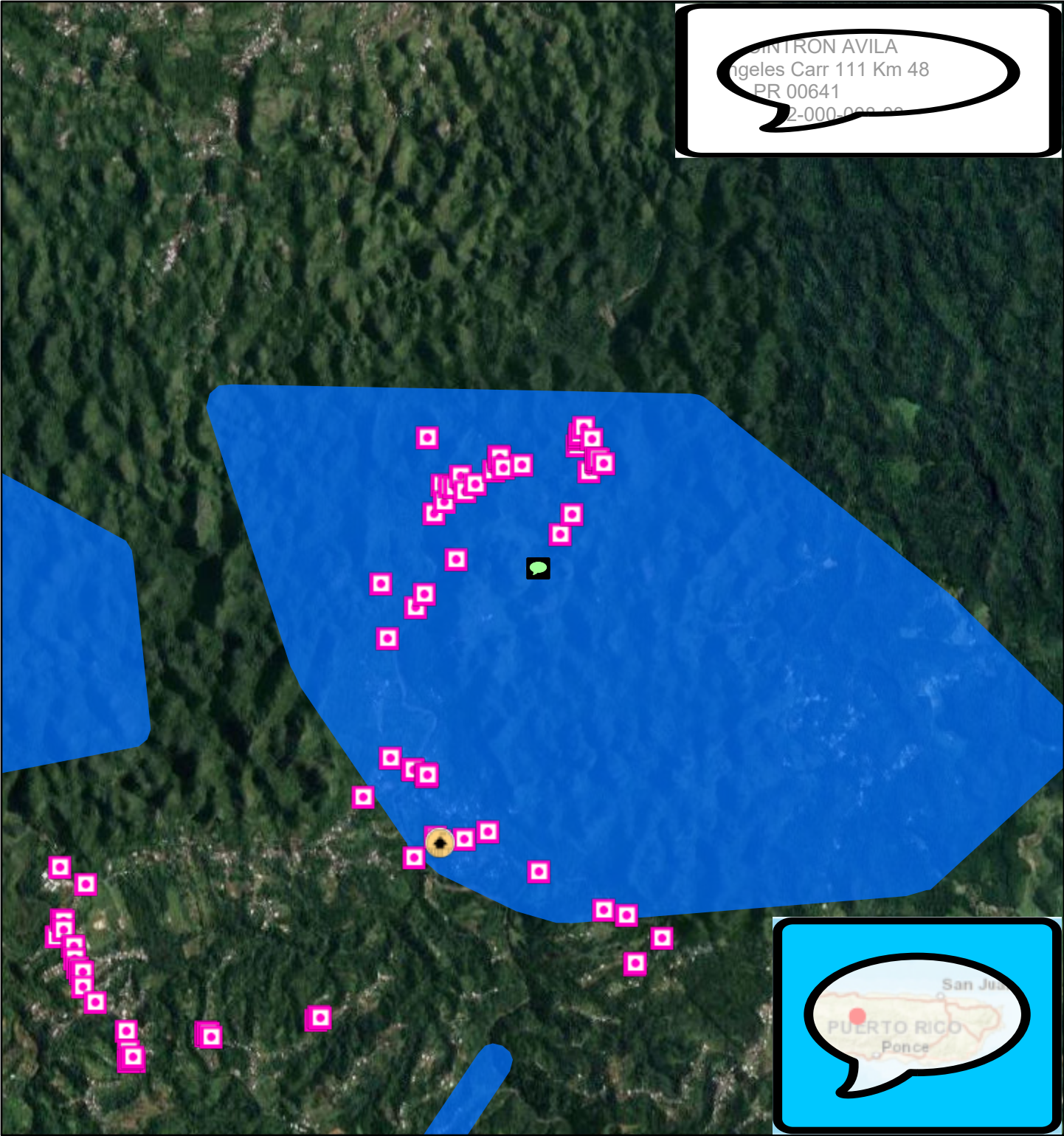
Service Layer Credits: World Imagery: Maxar
 World Street Map: Esri, HERE, Garmin, NGA, USGS
 and Google Earth








Source

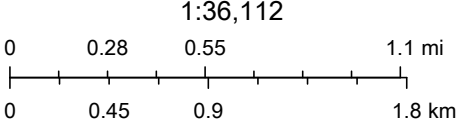
Puerto Rico Planning Board (PRPB)
<https://jp.pr.gov/>

SANTRON AVILA
Calle Angeles Carr 111 Km 48
PR 00641
2-000-000-0000



8/24/2023, 10:20:08 AM

-  Cultural_Resourses - Historic Places JP
-  Cultural_Resourses - Cultural Value Places
-  Cultural_Resourses - Archeological Resources
-  



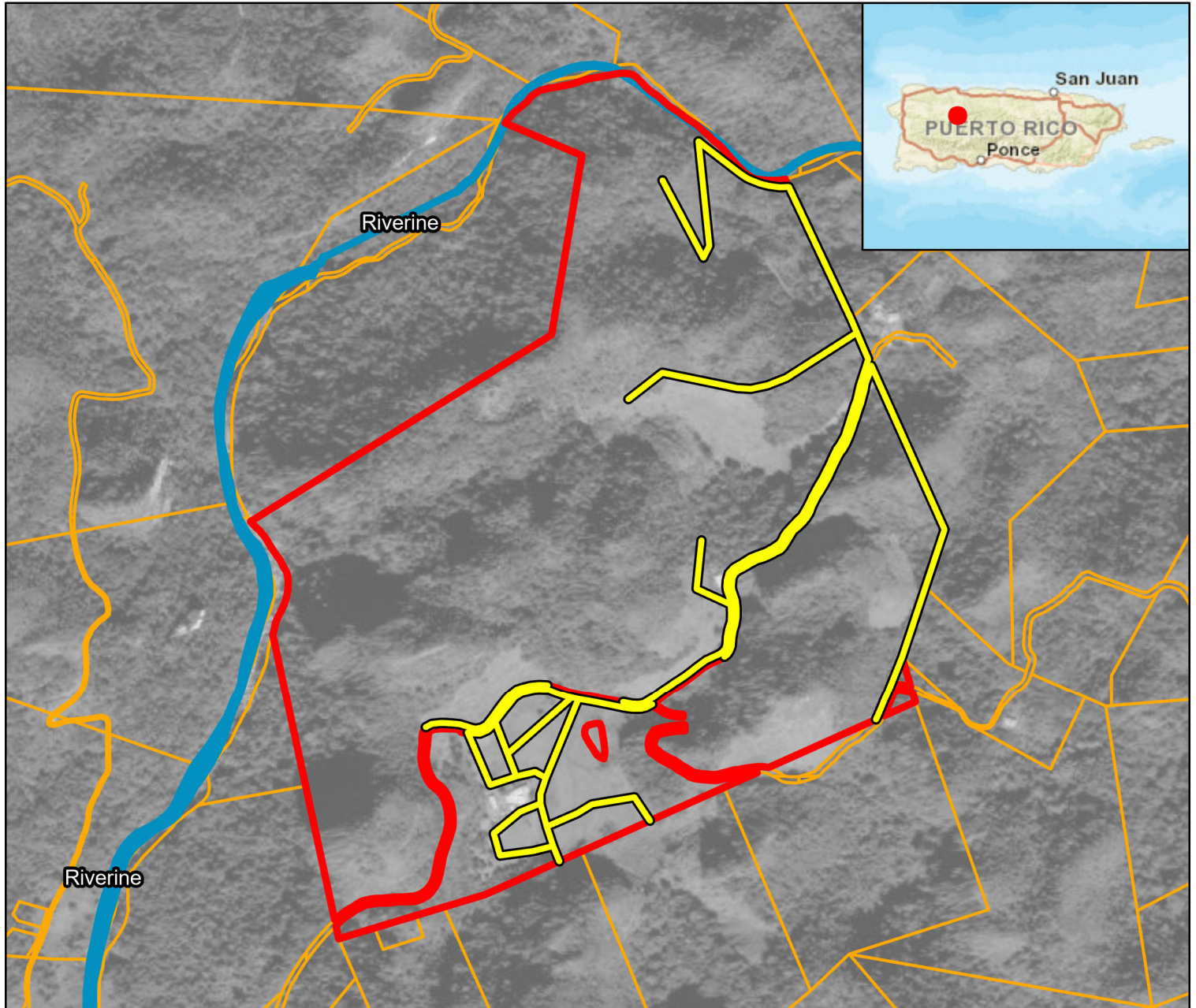
National Park Service (NPS) - National Register of Historic Places
<https://www.nps.gov/subjects/nationalregister/index.htm>
Information Office: 202-512-2111



S A CINTRON AVILA
 Bo. Angeles
 Carr 111 Km 48
 Utuado, PR 00641
 Catastro: 132-000-008-03
 Lat: 18.309776, Lon: -66.775611

USACE Jurisdictional Areas

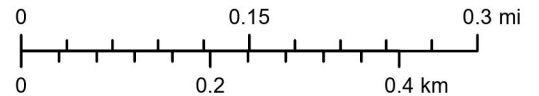
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04102 Fencing
- PR-RGRW-04102 Parcel
- CRIM Parcels

- National Wetlands Inventory**
- Estuarine and Marine Deepwater
 - Estuarine and Marine Wetland
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Riverine



Service Layer Credits: World Imagery: Maxar
 World Street Map: Esri, HERE, Garmin, NGA, USGS
 and Google Earth

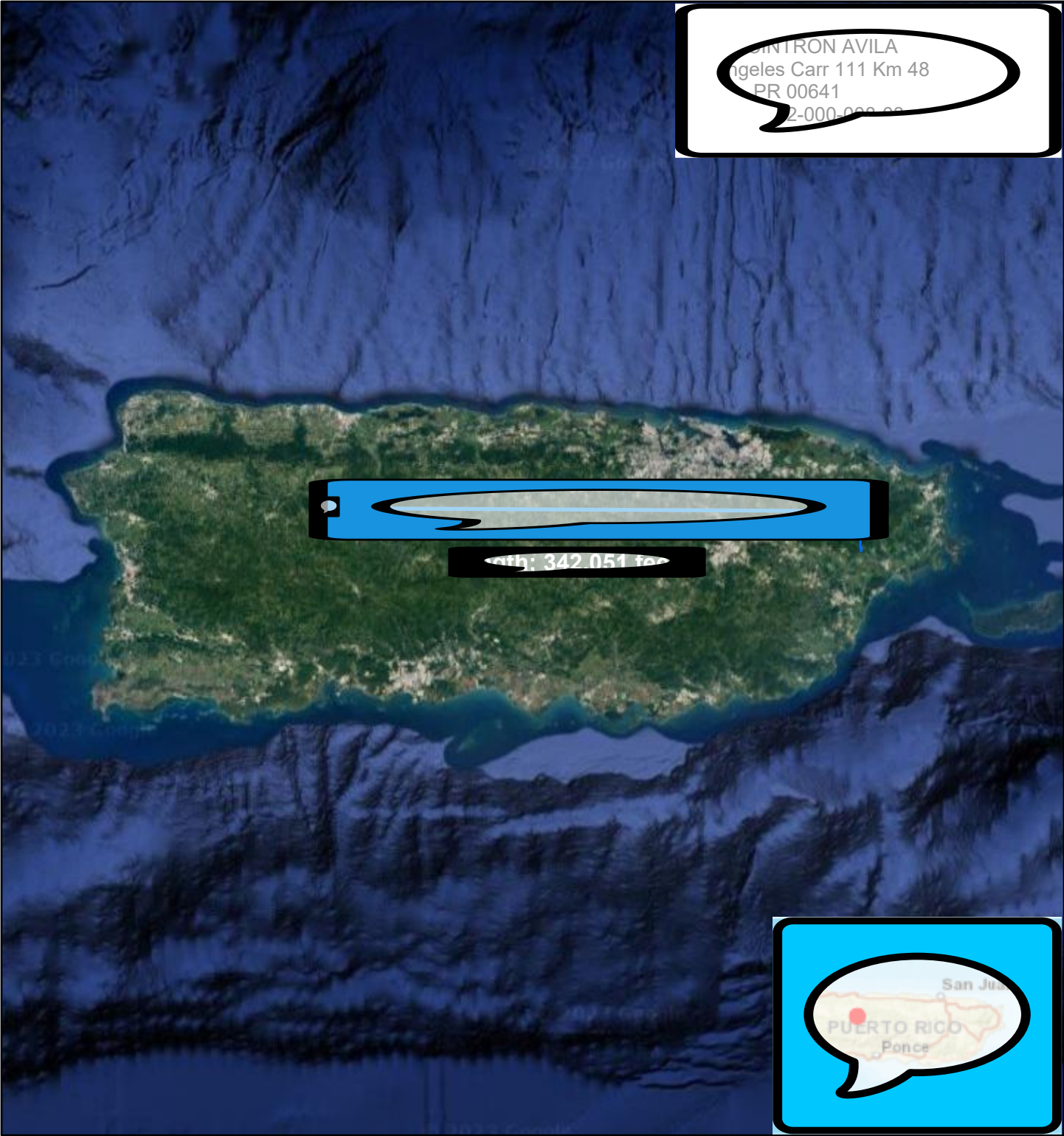


Source

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

PR-RGRW-04102 Wild and Scenic River

SANTIRON AVILA
Carr 111 Km 48
PR 00641
2-000-000-00

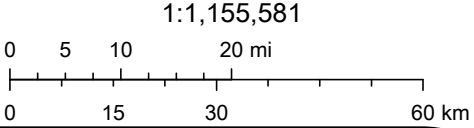


Length: 342,051 feet



8/24/2023, 10:23:49 AM

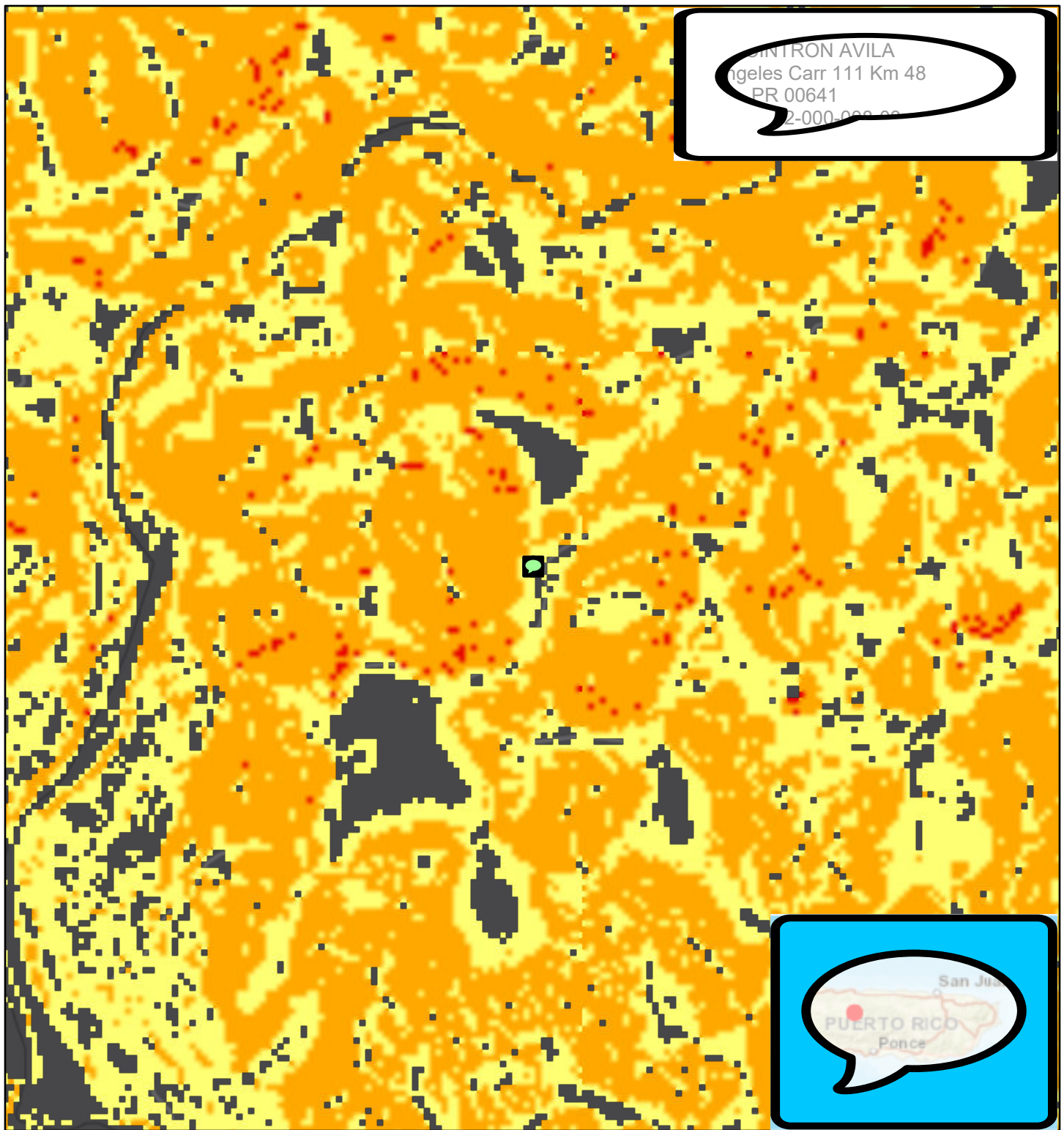
— National Wild and Scenic River Line



Fish and Wildlife Service (FWS)
National Wild and Scenic Rivers System

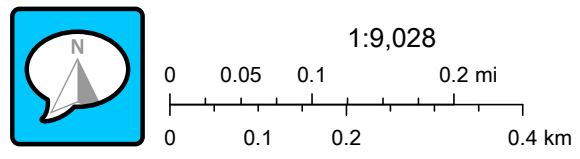
PR-RGRW-04102 Landslide

SANTRON AVILA
Calle Angeles Carr 111 Km 48
PR 00641
2-000-000-00



24/8/2023, 10:25:40

- Landslide Susceptibility
- High
 - Very High
 - Extremely High
 - Low
 - Moderate



RGRW-04102

agery Basemap service.

Appendix 1



GOVERNMENT OF PUERTO RICO
STATE HISTORIC PRESERVATION OFFICE

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

December 4, 2023

Lauren Bair Poche

EHP Senior Manager
Horne Puerto Rico
10000 Perkins Rowe, Suite 610 Bldg G
Baton Rouge, LA 70810

SHPO: 12-01-23-12 PR-RGRW-04102 LUIS A. CINTRON AVILA, BO. ANGELES
CARR. 111 KM. 48, UTUADO, PUERTO RICO

Dear Ms. Poche,

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

Our records support your finding of **no adverse effect** for the proposed undertaking pursuant that the following conditions proposed by the Agency are met:

1. Archaeological monitoring should be conducted during all ground disturbing activities. An archeological monitoring workplan should be prepared and submitted for our review and concurrence prior to implementation.

If you have any questions or comments regarding this matter or require our further assistance, do not hesitate to contact our Office.

Sincerely,

Carlos A. Rubio-Cancela
State Historic Preservation Officer

CARC/GMO/OEDJR





GOVERNMENT OF PUERTO RICO
STATE HISTORIC PRESERVATION OFFICE

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

December 5, 2023

Lauren Bair Poche

HORNE- Architectural Historian Manager
10000 Perkins Rowe, Suite 610 Bldg G
Baton Rouge, LA 70810

SHPO: 12-01-23-12 PR-RGRW-04102 LUIS A. CINTRON AVILA, BO. ANGELES CARR.
111 KM. 48, UTUADO, PUERTO RICO

Dear Ms. Poche,

We acknowledge receipt of the archaeological monitoring work plan submitted on December 1, 2023, for the case mentioned above. The plan is deemed acceptable, and we concur with its implementation.

If you have any questions concerning our comments, do not hesitate to contact our Office.

Sincerely,

Carlos A. Rubio-Cancela
State Historic Preservation Officer

CARC/GMO/OEDJR



December 1, 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-04102 – Luis A Cintron Avila – Bo. Ángeles Carr. 111 Km. 48, Utuado, Puerto Rico –*No Adverse Effect, Conditioned*

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 Luis A Cintron Avila located at Bo. Ángeles Carr. 111 Km. 48, in the municipality of Utuado. The undertaking for this project includes the installation of new fencing and repairing or replacement of the existing fence in some areas. The fence will be anchored to the ground with metal posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. Fencing will be installed to keep livestock in specific areas.

Based on the submitted documentation, the Program requests a concurrence that a finding of no adverse effect, conditioned to archaeological monitoring as outlined in the attached monitoring work plan is appropriate for the proposed undertaking.

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


Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Luis A. Cintrón Ávila		
Case ID: PR-RGRW-04102	City: Utuado	

Project Location: Bo. Ángeles Carr. 111 Km. 48 Utuado, PR 00641	
Project Coordinates: 18.309776 -66.775611	
TPID (Número de Catastro): 132-000-008-03-998	
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): n/a	Property Size (acres): 150

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: September 10, 2023

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

Project Description (Undertaking)


The proposed activities for PR-RGRW-04102 consist of installing a new fence and repairing the existing fence in some areas. The fence will be anchored to the ground with metal posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The project also consists of the purchase of farm equipment and a UTV. The project area is located at PR-111 km. 48 within the Municipality of Utuado. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

Area of Potential Effects

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

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


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM		
REGROW PUERTO RICO PROGRAM		
Section 106 NHPA Effect Determination		
Applicant: Luis A. Cintrón Ávila		
Case ID: PR-RGRW-04102	City: Utuado	

of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are twenty (20) reported archaeological sites within a half-mile radius of the project location, eight (8) of them within the PR-RGRW-04102 parcel (see table). Of the twenty sites reported, five (5) have differences in location in SHPO and ICP. In the site location figure the location of both offices is marked. Within the project area we have 8 sites reported. These are: Utuado #54 (SHPO: UA0100054) located according to SHPO within the project area and according to ICP at 0.41 miles northeast; U-23 (SHPO: UA0100023); U-20 (UA0100020); U-22 (UA0100022); Cueva Juan Miguel (ICP: UT-87); Batey Moisés Cintrón (ICP: UT-19); U-29 (SHPO: UA0100029) and Otoao #22 (ICP: UT-22). According to the forms, sites UA0100054 and UA0100023 were destroyed. The forms for sites UA0100020, UA0100022 and UA0100029 do not contain any type of archaeological site description. Just mention that the site is marked in GIS. Of the eight sites reported within the parcel only three sites remain: UT-87 which is a cave with petroglyphs and human burials; UT-19 which consists of a batey and residuary and site UT-22 which consists of a residuary. Within the 0.50 miles radius we also have the following sites reported: Otoao #50 (ICP: UT-50) located 0.26 miles northeast; Cueva Antonio 2 (SHPO: UA0100014), located 0.36 miles east; Otoao # 53 (UA0100053), located 0.21 miles (ICP) or 0.11 miles west (SHPO); Rouse 507 (ICP: UT-23) located 0.03 miles northeast; Otoao # 39 (SHPO: 0100039), located 0.04 miles northwest (SHPO) or 0.33 miles northeast (ICP); Otoao # 43 (SHPO: UA0100043) located 0.12 miles southwest (SHPO) or 0.22 miles northwest (ICP); U-52 (SHPO: UA0100052), located 0.14 miles west; P-31 (UA0100088) located 0.12 miles southeast; Utuado # 27 (SHPO: UA0100027) located 0.43 miles southeast; Rouse 510 (ICP: UT-27) located 0.30 miles southeast; Utuado 44 (UA0100044) located 0.14 miles northwest (SHPO) or 0.24 miles northwest (ICP); Otoao #43 (ICP: UT-43) located 0.22 miles northwest and Rouse 508 (ICP: UT-20) located 0.11 miles north (see table).

The proposed project is located in Utuado, at an altitude of 0 to 1,181 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Soller-Rock outcrop, Almirante clay and Soller clay. The project area APE is in SrF, AnC and SoD. The Tanamá River is located within the project area, on the northern boundary and adjacent to the western boundary. The north coast is approximately 12.15 miles north from the project area.

There are no archaeological surveys conducted within 0.50 miles of the project area.

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On September 4, 2023, we visually inspected the project area. The property is located in the mountainous area of Utuado. The topography of the project area is steep. Surface visibility is average. The vast majority of the surface area is covered with vegetation, mostly pasture and some crops. No cultural remains can be observed on the surface of the parcel.


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGrow PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Luis A. Cintrón Ávila	
Case ID: PR-RGRW-04102	City: Utuado

Three types of soils predominate in the project area. These are Soller-Rock outcrop complex, 50 to 60 percent slopes (SrF); Almirante clay 5 to 12 percent slopes (AnC) and Soller clay 12 to 20 percent slopes (SoD).

The SrF soil complex consists of sloping to very steep, well drained soils and areas of exposed limestone bedrock. The complex is on ridgetops and side slopes. This complex has moderate permeability and low available water capacity. Runoff is moderate to very rapid. Natural fertility is medium to high. The soil AnC is deep, sloping, and well drained. It is in small valleys between limestone hills and on the coastal plains. The permeability is moderate, and the available water capacity is moderate. Runoff is medium. The soil SoD is moderately deep, moderately steep, and well drained. The permeability of this soil is moderate, and the available water capacity is low. Runoff is rapid. Natural fertility is moderate to high.

Determination

The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. Within the 0.50 miles radius there are twenty reported Pre-Columbian archaeological sites, eight of which are within the PR-RGRW-04102 project parcel. Of the eight sites reported within the parcel, two have been destroyed (UA0100054, UA0100023). There are three marked in the GIS however the forms are empty, they do not have any information. These are: U-29 (UA0100029), U-22 (UA0100022) and U-20 (UA0100020). Only three sites remain in the project parcel. These are Cueva Juan Miguel (ICP: UT-87); Batey Moisés Cintrón (ICP: UT-19) and Otoao Residuary # 22 (ICP: UT-22). The archaeological site forms do not give us more information about the sites. The vertical and horizontal limits of the sites are unknown. The project consists of replacing the damaged posts in the existing fence and constructing new fence in other areas. Although the work to be done consists of digging a small hole to place the new posts, the probability of adversely impacting any of these sites is high, so we recommend that an archaeologist monitor the excavation of these sites.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGrow PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Luis A. Cintrón Ávila		
Case ID: PR-RGRW-04102		City: Utuado

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

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

No Historic Properties Affected

No Adverse Effect

Condition: An archaeologist should carry out archaeological monitoring during the excavation to be carried out for the installation of the fence posts. A monitoring work plan is attached for review and comment.

Adverse Effect

Proposed Resolution (if applicable)

This Section is to be Completed by SHPO Staff Only

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


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGRW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination			
Applicant: Luis A. Cintrón Ávila			
Case ID: PR-RGRW-04102		City: Utuado	

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

Site location number	Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
1-ICP 8-SHPO	U-54, Utuado #54, Otoa # 54	UA0100054	UT-54	ICP: 0.41 mi NE SHPO: Within	Pre-Columbian, Ball court, Batey, Plaza, Petroglyph, the site was destroyed	No data
2	Otoa #50, Cueva del Arco		UT-50	0.26 mi NE	Pre-Columbian, petroglyph	No data
4	Cueva Antonio 2	UA0100014		0.36 mi E	Pre-Columbian, cave, Petroglyph, residuary, human bones, shell, lithic	No data
5-ICP 12-SHPO	Otoa #53	UA0100053	UT-53	ICP: 0.21 mi E SHPO: 0.11 mi W	Pre-Columbian, Residuary, batey, the site was destroyed	No data
6	Rouse 507		UT-23	0.03 mi NE	Pre-Columbian, Batey, the site was destroyed	No data
3-ICP 7-SHPO	U-39, Otoa #39	UA0100039	UT-39	ICP: 0.33 mi NE SHPO: 0.04 mi NW	Pre-Columbian, Residuary, Petroglyph	No data
9	U-23	UA0100023		within	Pre-Columbian, Batey ball court, the site was destroyed	No data
10-SHPO 23-ICP	Otoa # 43, Cueva Montalvo	UA0100043	UT-43	SHPO: 0.12 mi SW ICP: 0.22 mi NW	Pre-Columbian, Residuary	No data
11	U-52 residuario	UA0100052	UT-52	0.14 mi W	Pre-Columbian, Residuary deteriorated by natural deterioration and vandalism	No data



Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

Site location number	Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
13	U-20	UA0100020		within	Marked in GIS. The site form has no information	No data
14	U-22	UA0100022		within	Marked in GIS. The site form has no information	No data
15	Cueva Juan Miguel		UT-87	within	Marked in GIS. Pre-Columbian, cave with petroglyph and human bones	No data
16	Batey Moisés Cintrón Rouse		UT-19	within	Pre-Columbian, Batey Residuary	No data
17	U-29	UA0100029		within	Marked in GIS. The site form has no information	No data
18	P-31, (Daubón), Batey	UA0100088		0.12 mi SE	Pre-Columbian, Ballcourt	No data
19	Utuado #27, (Otoao), Rouse 510, Utuado #18	UA0100027		0.43 mi SE	Pre-Columbian, residuary, Pre-Columbian ceramic	No data
20	Rouse 510 Otoao 27		UT-27	0.30 mi SE	Residuary	No data
21-SHPO 22-ICP	Utuado 44, U-44, Otoao # 44	UA0100044	UT-44	SHPO: 0.14 mi NW ICP:0.24 mi NW	Pre-Columbian, cave, petroglyph	No data
23	Otoao 43 Cueva Montalvo		UT-43	0.22 mi NW	Pre-Columbian, ceramic,	No data
24	Otoao #22		UT-22	within	Residuary	No data

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

REGROW PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

Site location number	Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
25	Rouse 508		UT-20	0.11 mi N	Pre-Columbian, Batey	No data



Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

Project (PR-RGRW-04102) Location – Area of Potential Effect Map (Aerial)

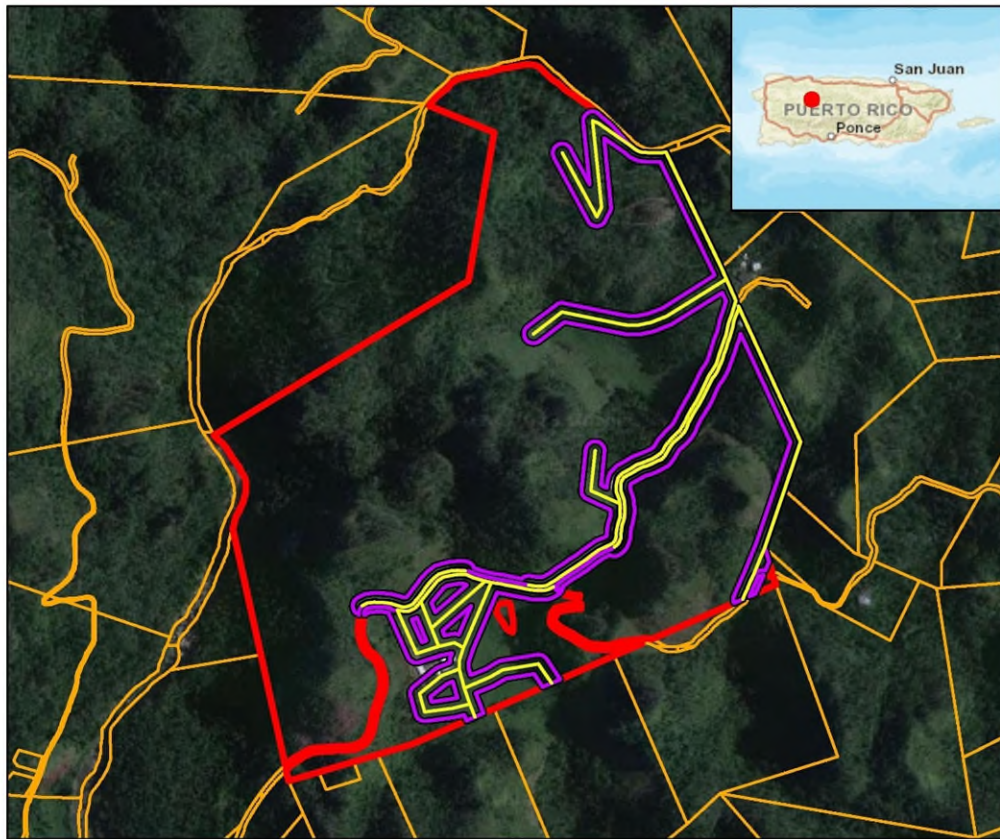
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. Street 1 Suite #3, Calle Pinar 854, Arroya, San Juan, PR, 00920 Tel: (787) 793-4200

Application ID: PR-RGRW-04102




LUIS A CINTRON AVILA
Bo. Angeles
Carr 111 Km 48
Utuado, PR 00641
Catastro: 132-000-008-03
Lat: 18.309776, Lon: -66.775611

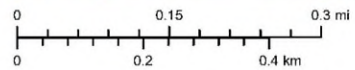
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend

-  Area of Potential Effect
-  PR-RGRW-04102 Parcel
-  CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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



Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

Project (PR-RGRW-04102) Location - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Correos: (San Juan) 1 Suite 2-5, Calle Príncipe 554, Atarés, San Juan, PR, 00909 Tel: (787) 763-6290

Application ID: PR-RGRW-04102

LUIS A CINTRON AVILA

Bo. Angeles

Carr 111 Km 48

Utuado, PR 00641

Catastro: 132-000-008-03

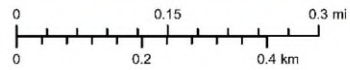
Lat: 18.309776, Lon: -66.775611

Location: Aerial Map
Puerto Rico Department of Housing ReGrow



Legend

-  PR-RGRW-04102 Fencing
-  PR-RGRW-04102 Parcel
-  CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, Incentiv P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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

Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

Project (PR-RGRW-04102) Location - USGS Topographic Map

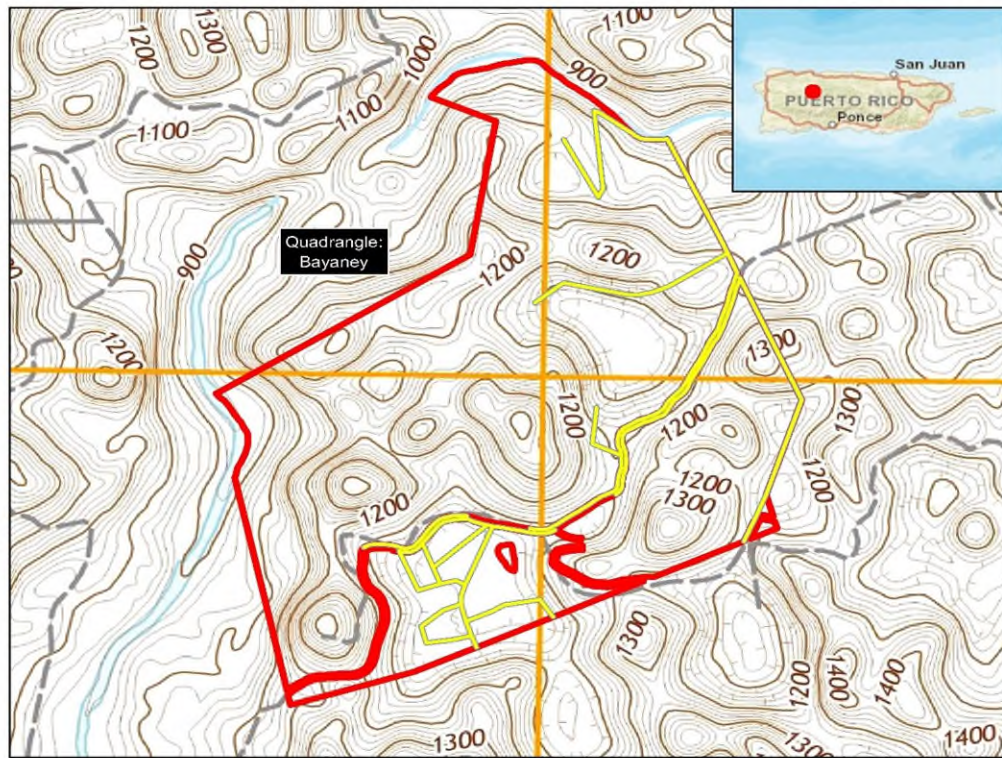
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corporación 1 Suite 205, Calle Ponce 554, Arroyo, San Juan, P.R. 00925 Tel: (787) 763-6000

Application ID: PR-RGRW-04102

LUIS A CINTRON AVILA
Bo. Angeles
Carr 111 Km 48
Utuado, PR 00641
Catastro: 132-000-008-03
Lat: 18.309776, Lon: -66.775611

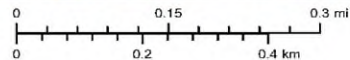
Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow



- Legend**
- PR-RGRW-04102 Fencing
 - PR-RGRW-04102 Parcel

Contour Interval 20 Feet



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Inmap, Incontinent P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



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

Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

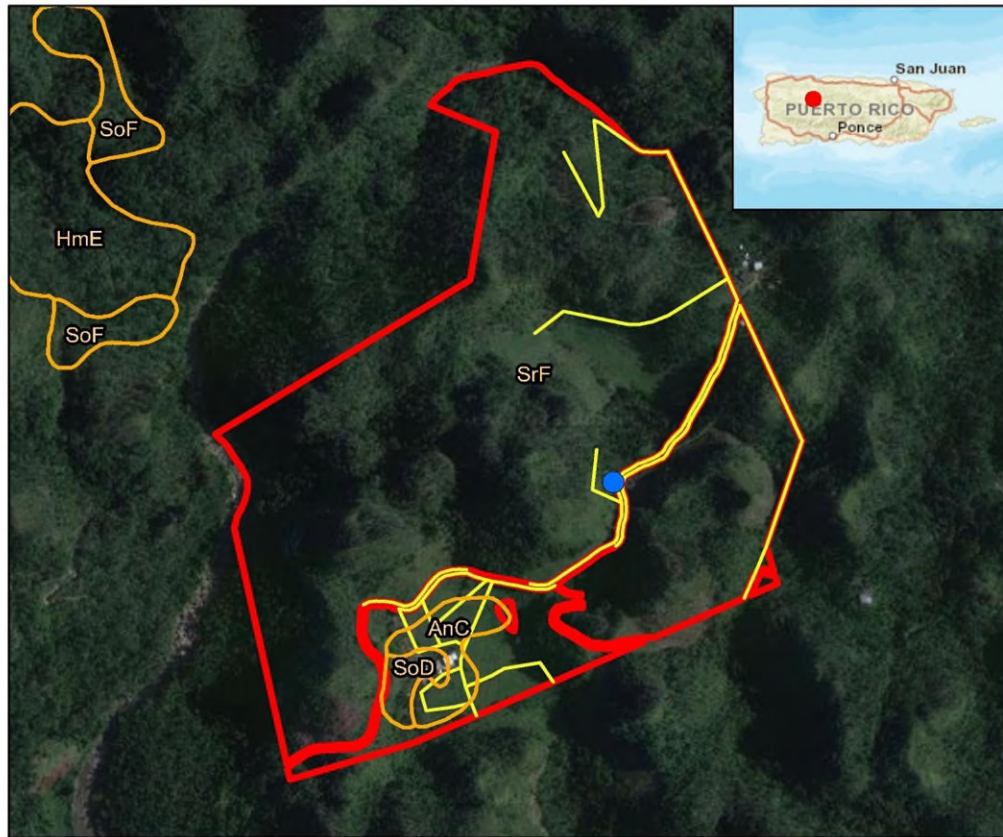
Project (PR-RGRW-04102) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corol. Serv. 1 Suite 203, Calle Ponce 654, Anáhuca, San Juan, PR, 00920 Tel:78771763-6290

Application ID: PR-RGRW-04102

LUIS A CINTRON AVILA
Bo. Angeles
Carr 111 Km 48
Utuado, PR 00641
Catastro: 132-000-008-03
Lat: 18.309776, Lon: -66.775611

Soils Map
Puerto Rico Department of Housing ReGrow

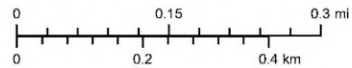


Legend

- PR-RGRW-04102 Fencing
- PR-RGRW-04102 Parcel
- Soil Map Unit Symbol

Soil Map Unit Symbol

- * AnC - Almirante clay, 5 to 12 percent slopes
- * HmE - Humatas clay, 20 to 40 percent slopes
- * SoD - Soller clay, 12 to 20 percent slopes
- * SoF - Soller clay, 20 to 60 percent slopes
- * SrF - Soller-Rock outcrop complex, 5 to 60 percent slopes



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth

Source

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

Project (PR-RGRW-04102) Location with Previous Investigations - Aerial Map

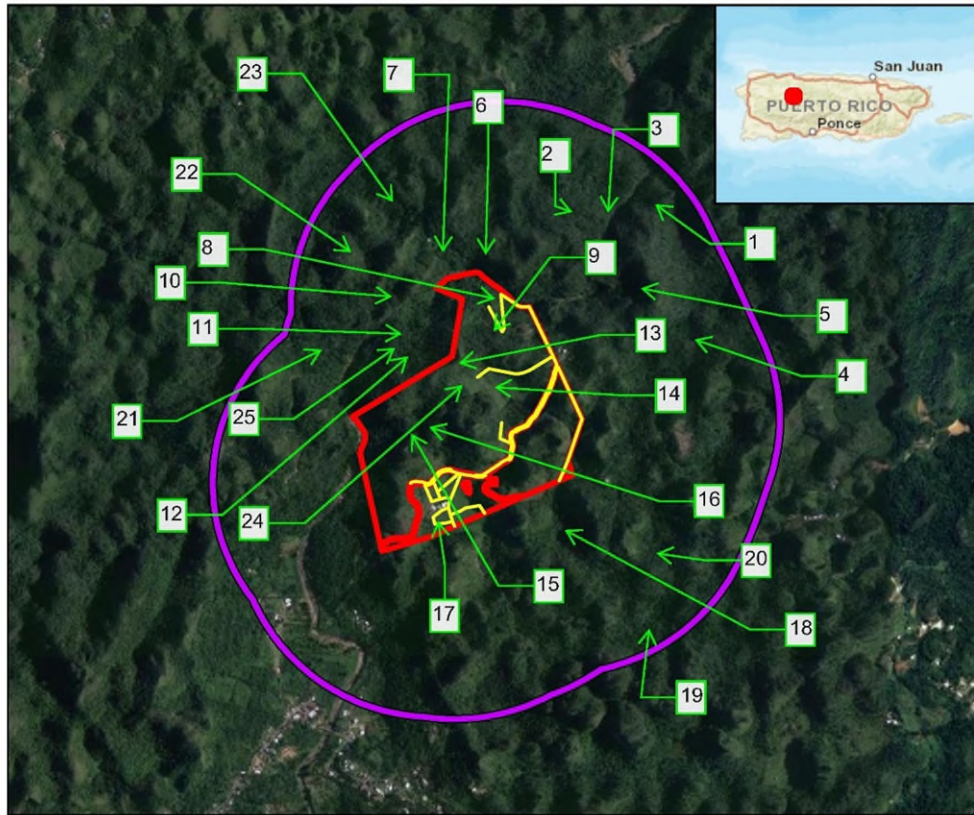
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corral, Barria 1, Suite 213, Calle Ponce 50-A, Arroyo, San Juan, PR, 00920 Tel: (787) 763-0250

Application ID: PR-RGRW-04102

LUIS A CINTRON AVILA
Bo. Angeles
Carr 111 Km 48
Utuado, PR 00641
Catastro: 132-000-008-03
Lat: 18.309776, Lon: -66.775611

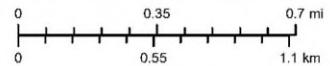
Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04102 Fencing
- PR-RGRW-04102 Parcel
- 0.50 Mile (0.80 km) Buffer



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

Project (PR-RGRW-04102) Location with Previous Investigations - Topographic Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Clark, Evans & Butler, P.C., Calle Ferreol 20-5, 6ta planta, San Juan, PR, 00906 TEL:787-768-5200

Application ID: PR-RGRW-04102

LUIS A CINTRON AVILA

Bo. Angeles

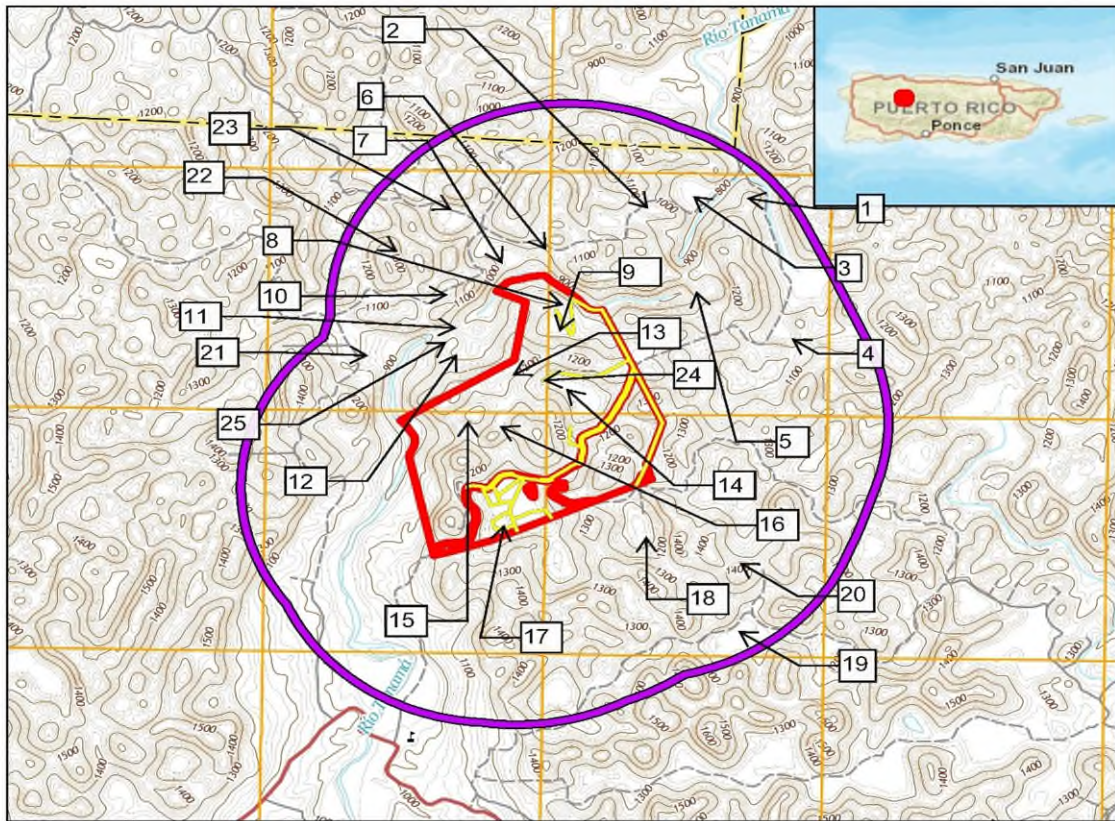
Carr 111 Km 48

Utuado, PR 00641




Catastro: 132-000-008-03

Lat: 18.309776, Lon: -66.775611

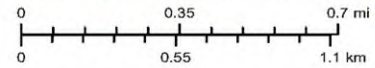
Previous Investigations: USGS Topographic Map Puerto Rico Department of Housing ReGrow



Legend

-  PR-RGRW-04102 Fencing
-  PR-RGRW-04102 Parcel
-  0.50 Mile (0.80 km) Buffer

Contour Interval 20 Feet



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



Source

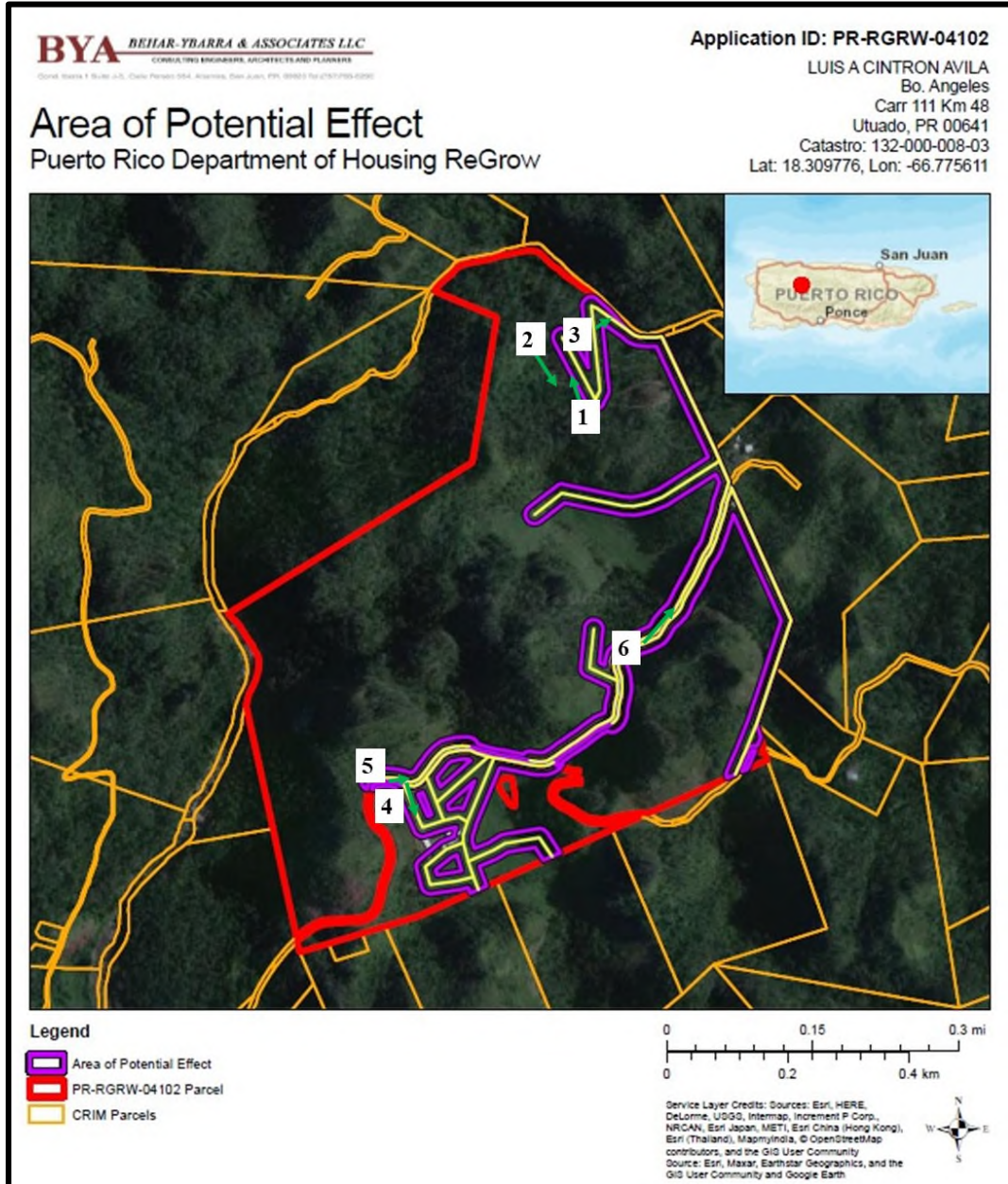
United States Geological Survey (USGS)
National Geologic Map Database
https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html

Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado

Photograph Key





Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado



Photo #: 1

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

Date: September 4, 2023



Photo #: 2

Description (include direction): General area where the warehouse and pulper will be installed, looking southeast.

Date: September 4, 2023



Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado



Photo #: 3

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

Date: September 4, 2023



Photo #: 4

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

Date: September 4, 2023



Applicant: Luis A. Cintrón Ávila

Case ID: PR-RGRW-04102

City: Utuado



Photo #: 5

Description (include direction): General area where the fence will be installed, looking east.

Date: September 4, 2023



Photo #: 6

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

Date: September 4, 2023

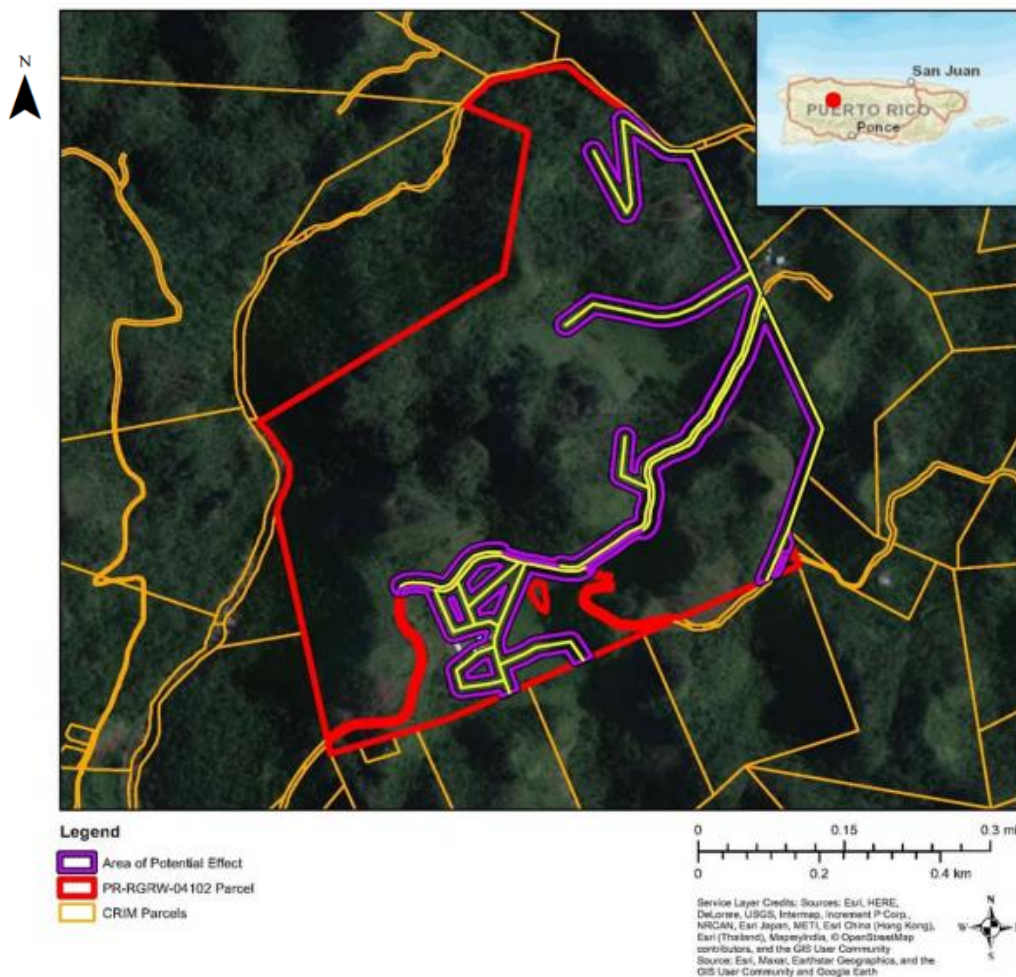
PRDOH CDBG-DR ReGrow Puerto Rico Program Archaeological Monitoring Scope of Work For Case PR-RGRW-04102

November 6, 2023

I. Preamble

The Puerto Rico Department of Housing (PRDOH) is proposing to provide funds to applicant Luis A. Cintrón Ayala for the installation of a new fence and the repair/replacement of an existing fence of a 150-acres farm located at PR-111 km 48, Utuado, Puerto Rico, as part of the CDBG-DR ReGrow Puerto Rico Program (Figure 1).

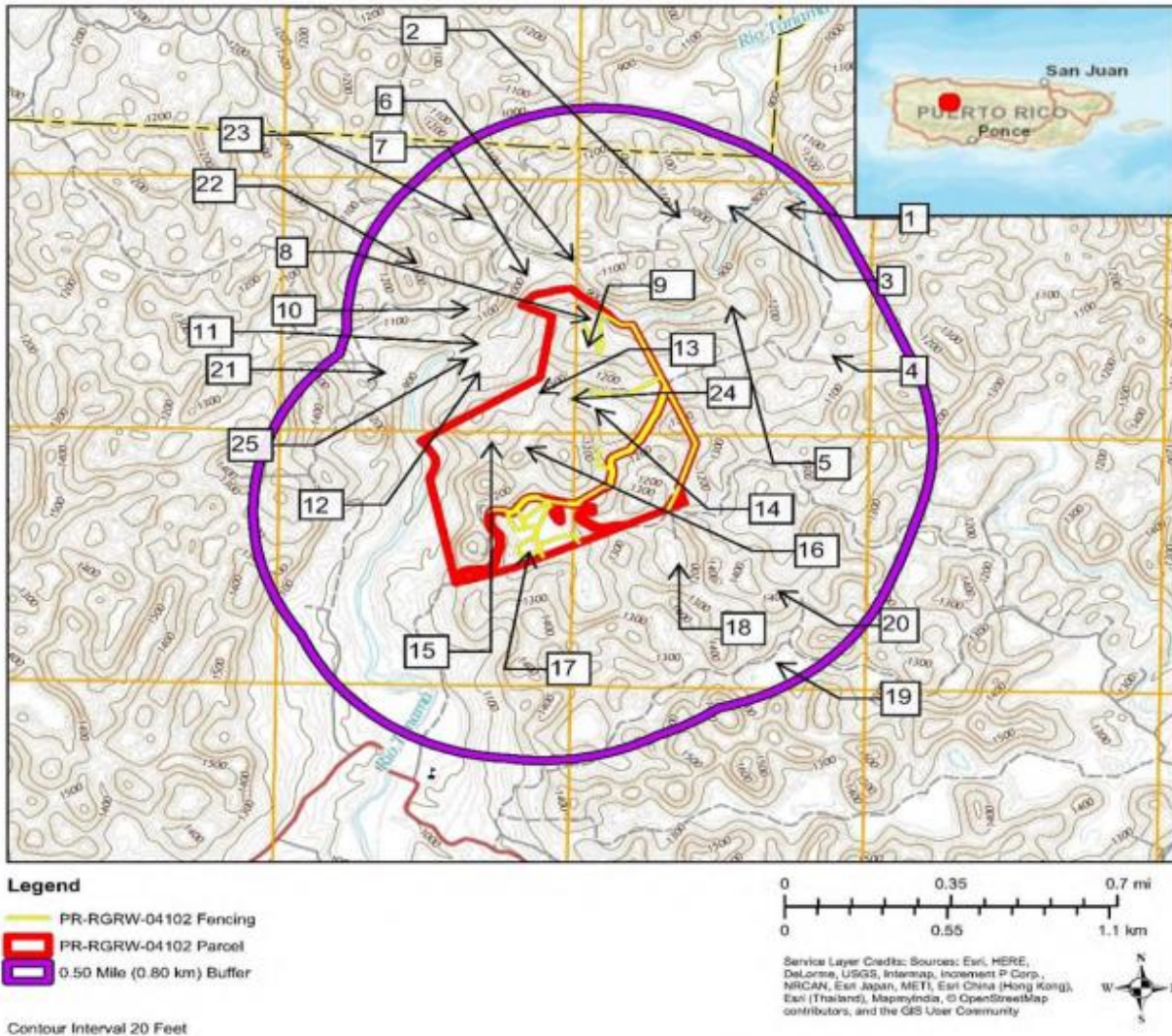
Figure 1: Project's Area of Potential Effects (BYA)



Archaeologist Jaqueline López Meléndez completed the Section 106 NHPA Effect Determination Form on September 10, 2023. She identified eight (8) pre-Columbian archaeological sites within the project's area of potential effect (APE) (Figure 2). Sites UA0100054 (# 1 & 8 in Figure 2) and UA0100023 (#9) are reported as destroyed. Sites UA0100029 (#17), UA0100022 (#14) and UA0100020 (#13) are depicted at SHPO's GIS but their site form is empty. There is limited

information on the last three sites, all included in the ICP's database: Cueva Juan Miguel (UT-87) (#15), Batey Moisés Cintrón (UT-19) (#16) and Residuario Otoao (UT-22) (#24). There is no specific information regarding the vertical and horizontal extent of these sites. Archaeologist López Meléndez concluded that the archaeological potential of the APE is high and recommended the implementation of an archaeological monitoring of the excavations for the fence posts. These excavations will be similar in size to sample test pits, and they will reach a depth of 2'.

Figure 2: Location of known archaeological sites (BYA)



The objective of the archaeological monitoring is to prevent known or potential historic properties beneath the surface from being affected by project activities and to ensure that unanticipated discoveries, should they occur, receive appropriate treatment.

This document is consistent with the Secretary of the Interior's (SOI) Guidelines for Archeological Documentation and the Advisory Council on Historic Preservation's (ACHP) recommendations on the recovery of significant information from archaeological sites as updated in 2009.

II. ARCHAEOLOGICAL MONITORING PROCEDURE

1. The Applicant (AP) will notify the Grant Manager (GM), and Environmental Consultant (EC) of the proposed activities' start date. The EC is responsible for coordination between the Pt and the SOI-qualified archaeologist who will oversee the monitoring (Monitor).
2. Before any demolition or construction begins, the AP, EC, and Monitor will have a kickoff meeting to discuss the procedure for archaeological monitoring, including the coordination protocol between the Monitor and the AP. The Monitor will provide an orientation on the area's cultural resources and potential resources and their proper treatment. The Monitor will also explain which project activities require archaeological monitoring.
3. The Monitor shall be in the field during all project activities involving disturbance; access and clear sightlines to all excavation activities will be provided to the Monitor.
4. The Monitor shall provide instructions directly to the AP concerning how to proceed when there is a potential to impact an archaeological resource. The AP will abide by these requests: including, but not limited to, slowing the pace of excavation, stopping the excavation work to evaluate a finding, etc.
5. If the postholes are to be excavated by mechanical means, the Monitor must ensure that there is no impact to cultural deposits at the ground surface either through the movement and maneuvering of the machinery, or when removing the soil (such as tapping the ground to release extracted soil with the auger).
6. The Monitor shall keep a daily record of monitored activities.
7. If any archaeological artifacts or features are encountered during the excavations, the Monitor should take control of the excavation and continue manually by stratigraphy until reaching the subsoil or two consecutive sterile strata. The soil should be sifted, and any artifact should be logged by specific provenance. The texture, consistency, color, and depth of each stratum, as well as its artifactual content, should be documented. The Monitor shall continue to be in charge of the excavations until three consecutive pits are sterile. After this, the standard monitoring procedure will be followed.
8. If a buried structural remain or a dense artifactual deposit are found, the Monitor shall instruct the AP to immediately stop the excavation. The Monitor shall make a preliminary assessment of the finding. The assessment shall include a description of the discovery, location, horizontal and vertical extent (if known), context and photographs. The Monitor shall submit the assessment to the GM within the next 48 hours with recommendations of reasonable measures to avoid or minimize adversely affecting the remains. The excavation shall be left open following adequate safety parameters until the GM consults with the SHPO on how to proceed. Excavations in other areas can proceed as planned.
 - a. If human remains are discovered, the protocol established in Stipulation III.B.1.c. of the PA must be followed: stop work immediately; notify the GM; notify the local

law enforcement office and coroner/medical examiner following applicable Commonwealth statute(s); and protect the remains from any harm. The GM shall be responsible for notifying the SHPO within twenty-four (24) hours of identifying human remains.

9. If the monitoring work extends for more than one month, the Monitor shall submit monthly reports to the GM including a brief narrative of the work performed, a figure with the location of the excavations, photos and any other information deemed pertinent. The monthly report must be submitted within 10 days of the end of the month.
10. Upon the completion of archaeological monitoring, the GM shall be notified. The estimated date of delivery of the final report shall be indicated in the said notification.
11. A technical report shall be prepared to detail monitored activities, documentary research (if any), documentation of findings, analysis, and interpretation of the results. It should include visual information, such as drawings and photos, artifact inventory and catalogue (if applicable) and a scale plan with the specific location of all the documented findings. Submission of the report to the GM shall be no later than four (4) weeks after completing the archaeological monitoring work. The GM shall submit the report to the SHPO no later than two weeks after receiving it.

III. PROFESSIONAL QUALIFICATIONS

The Monitor must meet the minimum Secretary of the Interior Professional Qualifications Standards for Archaeology established in 36CFR Part 61. These are: a graduate degree in archaeology, anthropology, or closely related field, plus at least one (1) year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management; at least four (4) months of supervised field and analytic experience in general Puerto Rican archaeology; the demonstrated ability to carry research to completion; and at least one (1) year of full-time professional experience at a supervisory level in the study of archaeological resources of the pre-Columbian and colonial periods. Please see https://www.nps.gov/history/local-law/arch_stnds_9.htm for more information.

The SOI-qualified archaeologist shall not defer their monitoring responsibilities to any other person who does not meet the minimum professional qualifications. Any additional personnel to intervene in monitoring efforts shall have vast experience in historic archaeology, in working in evaluation (Phase II), documentation (Phase III), and monitoring projects dealing with precolonial and colonial period properties.

	PUERTO RICO 2017 DISASTER RECOVERY ReGrow Puerto Rico Program ARCHAEOLOGICAL MONITORING DAILY RECORD OF ACTIVITIES
Case ID:	Project Location:
Municipality:	Project Coordinates (lat/long):

SOI Qualified-Archaeologist:
Date of Monitoring: Click or tap to enter a date.
Work Hours:

Description of work performed by contractor and supervised by the Monitor:

	YES	NO
Are the project activities conforming to the LIDRS? If not, explain below.	<input type="checkbox"/>	<input type="checkbox"/>
Was an archaeological remain documented during the day. If yes, include required information below.	<input type="checkbox"/>	<input type="checkbox"/>
Was an exceptional archaeological remain identified during the day? If yes, explain below.	<input type="checkbox"/>	<input type="checkbox"/>
Have the construction activities affected a previously unidentified property or a known historic property in an unanticipated manner? If yes, explain below.	<input type="checkbox"/>	<input type="checkbox"/>
Has there been a change in the scope of work of the project? If yes, explain below.	<input type="checkbox"/>	<input type="checkbox"/>

--

	PUERTO RICO 2017 DISASTER RECOVERY ReGrow Puerto Rico Program ARCHAEOLOGICAL MONITORING DAILY RECORD OF ACTIVITIES
Case ID:	Project Location:
Municipality:	Project Coordinates (lat/long):

Site Photos	
--------------------	--

<p>Direction of Photo: Click here to enter text. Description: Click here to enter text.</p>	
--	--

<p>Direction of Photo: Click here to enter text. Description: Click here to enter text.</p>	
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October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

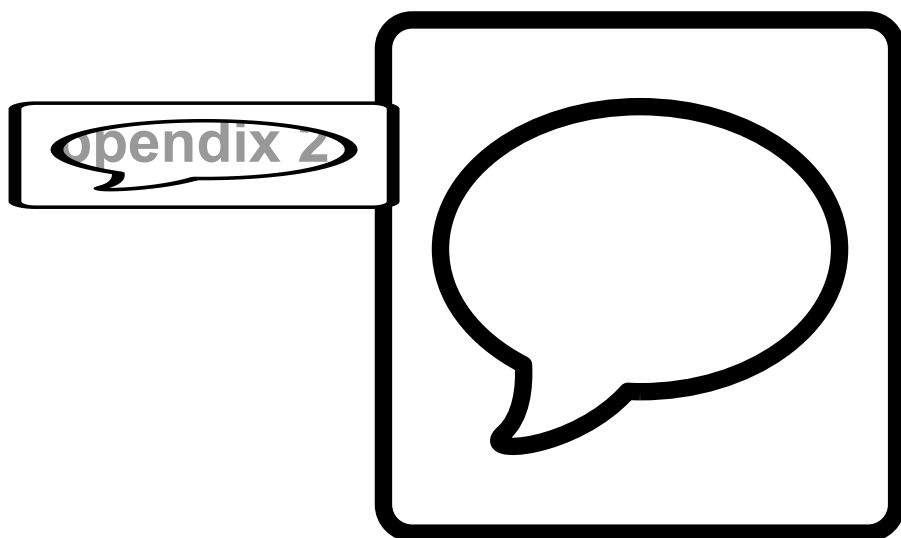
In line to expedite the processes, Horne Federal LLC, is authorized to submit to the State Historic Preservation Officer, documentation of projects related to both the CDBG-DR and CDBG-MIT on behalf of PRDOH.

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT





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

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

Data is current as of March 31, 2023

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

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

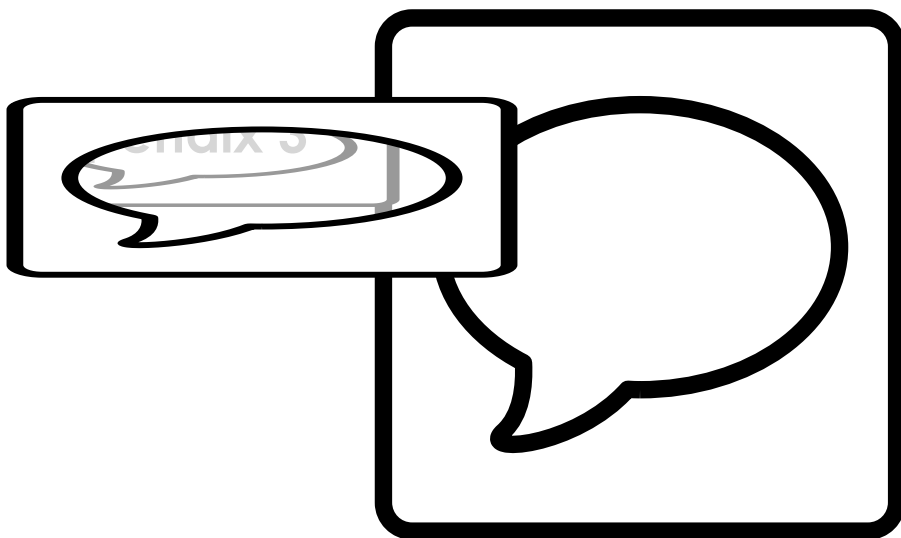
Change the State:

Important Notes


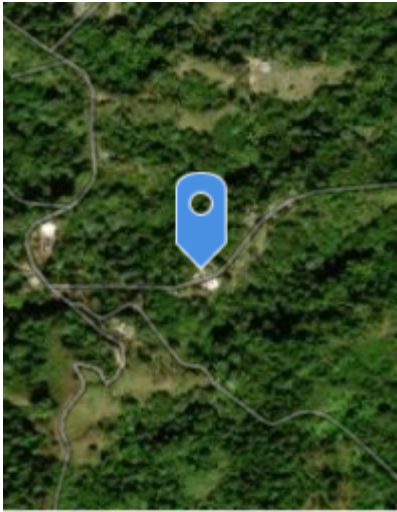
Download National Dataset: [dbf](#) | [xls](#) | [Data dictionary \(PDF\)](#)

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

Important Notes



APPLICANT/LOCATION INFORMATION

Applicant ID:	PR-RGRW-04102	 <p>Esri, HERE, Ga... Powered by Esri</p>	 <p>Esri, Maxar, Ea... Powered by Esri</p>
Applicant Name:	Luis A Cintron Avila		
Parcel ID:	132-000-008-03		
Latitude:	0		
Longitude:	0		
Street Address:	Bo. Angeles Carr 111 Km 48		
Municipio:	Utado		
Zip Code:	00641		
Site Inspector:	Egon Gonzalez		
Date of Visit:	August 21, 2023		
Time of Visit:	10:00		
Building Type:			

FIELD OBSERVATIONS

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

Front of Structure

Photo Direction:

Comments:



Facing Away from Front

Photo Direction:

Comments:



Side #1 of Structure

Photo Direction:

Comments:



Facing Away From Side #1

Photo Direction:

Comments:



Back of Structure

Photo Direction:

Comments:



Facing Away from Back

Photo Direction:

Comments:



Side #2 of Structure

Photo Direction:

Comments:



Facing Away from Side #2

Photo Direction:

Comments:



Streetscape #1

Photo Direction:

Comments:



Streetscape #2

Photo Direction:

Comments:



Address

Photo Direction:

Comments:



Architectural Details 1

Photo Direction:

Photo Description:



Architectural Details 2

Photo Direction:

Photo Description:



Architectural Details 3

Photo Direction:

Photo Description: Espeques



Architectural Details 4

Photo Direction:

Photo Description: Replacement



Architectural Details 5

Photo Direction:

Photo Description: Espeques replacement



Architectural Details 6

Photo Direction:

Photo Description: Overview espeques



Architectural Details 7

Photo Direction:

Photo Description: Espeques



Architectural Details 8

Photo Direction:

Photo Description: Livestock



Architectural Details 9

Photo Direction:

Photo Description: Water lines over ground



Architectural Details 10

Photo Direction:

Photo Description: Espeques



Architectural Details 11

Photo Direction:

Photo Description: Livestock



Architectural Details 12

Photo Direction:

Photo Description: Drainage



Architectural Details 13

Photo Direction:

Photo Description: Artificial Pond



Architectural Details 14

Photo Direction:

Photo Description: Espeques



Architectural Details 15

Photo Direction:

Photo Description: Overview



Architectural Details 16

Photo Direction:

Photo Description: Espeques



Architectural Details 17

Photo Direction:

Photo Description: Espeques



Architectural Details 18

Photo Direction:

Photo Description: Espeques



Architectural Details 19

Photo Direction:

Photo Description: Chinas



Architectural Details 20

Photo Direction: Steep slope

Photo Description: Tanama River



Architectural Details 21

Photo Direction: Steep topo near the river.
Source: Google earth

Photo Description:



Architectural Details 22

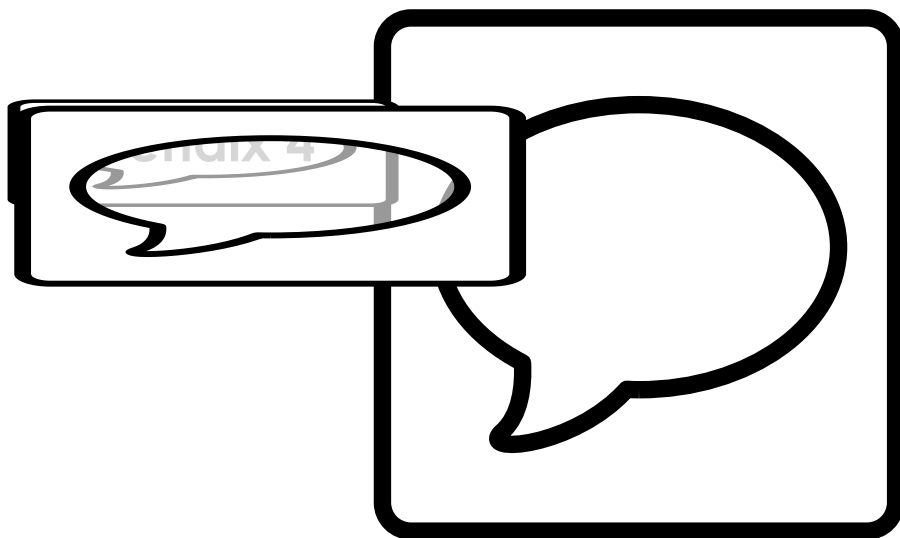
Photo Direction:

Photo Description:

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter ($\mu\text{g}/\text{m}^3$)	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter ($\mu\text{g}/\text{m}^3$)	0.0176	0.0667	18	0.261	0
Air Toxics Cancer Risk* (lifetime risk per million)	20	20	15	25	5
Air Toxics Respiratory HI*	0.2	0.19	17	0.31	4
Toxic Releases to Air	140	4,300	13	4,600	27
Traffic Proximity (daily traffic count/distance to road)	12	180	15	210	18
Lead Paint (% Pre-1960 Housing)	0.079	0.16	45	0.3	31
Superfund Proximity (site count/km distance)	0.13	0.15	70	0.13	73
RMP Facility Proximity (facility count/km distance)	0.064	0.47	11	0.43	15
Hazardous Waste Proximity (facility count/km distance)	0.06	0.76	3	1.9	11
Underground Storage Tanks (count/ km^2)	0	1.7	0	3.9	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.0027	2.3	47	22	57
SOCIOECONOMIC INDICATORS					
Demographic Index	95%	83%	85	35%	99
Supplemental Demographic Index	53%	43%	77	14%	99
People of Color	98%	96%	18	39%	95
Low Income	93%	70%	87	31%	99
Unemployment Rate	18%	15%	66	6%	94
Limited English Speaking Households	77%	67%	67	5%	99
Less Than High School Education	26%	21%	63	12%	88
Under Age 5	3%	4%	55	6%	34
Over Age 64	32%	22%	83	17%	90
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

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





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/72141-Gen

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

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

Re: CDBG-DR PR-RGRW-04102 Luis A.
Cintrón Avila, Utuado, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated January 10, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the purchase of fencing materials and farm equipment for the installation of a new fence and the repair of the existing fence in some areas on a farm located on State Road PR-111, Km 48, Bo. Angeles (18°18'35.2"N 66°46'32.2"W) in the municipality of Utuado, Puerto Rico.

Using the U.S. Fish and Wildlife Service's (Service) 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 harlequin butterfly (*Atlantea tulita*), and the plant *Cordia bellonis* (no common name).

The Caribbean Determination Key (DKey) in the IPaC application was used to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0024593). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa and Puerto Rican broad-winged hawk, which determined that the proposed actions for this project would have "No Effect" (NE) for these species.

Since the land is used for agricultural purposes, PRDOH has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican harlequin butterfly and *Cordia bellinis*. 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. For the Puerto Rican parrot, PRDOH made a NE determination based on the scope of work and project location.

We acknowledge receipt of PRDOH's NE determination for the Puerto Rican parrot. Currently, we do not have any information to refute that determination. Because PRDOH made a NE determination, PRDOH is not required to conduct formal or informal section 7 consultation with the Service, and the Service is not required to concur with PRDOH's NE determination.

We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed actions may affect but are not likely to adversely affect the Puerto Rican harlequin butterfly and *Cordia bellinis* with the implementation of the conservation measures. Also, the Service acknowledge receipt of the NE DKey consistency letter for the Puerto Rican boa and Puerto Rican broad-winged hawk.

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

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

Sincerely,

Lourdes Mena
Acting Field Supervisor

drr



January 10, 2024

Edwin E Muñiz
Field Supervisor
U.S. Fish and Wildlife Service
PO Box 491
Boquerón, Puerto Rico 00622
Email: caribbean_es@fws.gov; edwin_muniz@fws.gov

**RE: Puerto Rico Department of Housing / Re-Grow Program
PR-RGRW-04102 – Luis A. Cintrón Ávila
Endangered Species Concurrence for NLAA Determination**

Dear Mr. Muñiz:

The Puerto Rico Department of Housing (PRDOH) is requesting an informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-04102, located carretera PR-111 km 48.0, barrio Ángeles, Utuado, PR 0064; fence coordinates: latitude 18.309776, longitude -66.775611 (see Appendix A: Figure 1 & Figure 2).

The proposed project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security island-wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-04102 consist in the purchase of fencing materials and farm equipment for the installation of a new fence and the repair of the existing fence in some areas on the farm. The fence will be anchored to the ground with metal posts, so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The project area is located at carretera PR-111 km 48.0, barrio Ángeles within the Municipality of Utuado. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

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

Existing Conditions and Trends:

For the proposed project parcel 132-000-008-03-998, the area is designated as not prime farmland, see Appendix A: Figure 4. The project area is located in a mountainous area of Utuado. The topography of the project area is steep. Surface visibility is average. Most of the surface area is covered with vegetation, mostly pasture and some crops, refer to Appendix C. The project area is within mapped soil series: Soller-Rock outcrop, Almirante clay and Soller clay. The project area APE is in SrF, AnC and SoD. The general area of the fence location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day. In addition, the closer Final Critical Habitat is located 15,978 feet from the project location, see Appendix A: Figure 5.

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

Name of the Species	Threatened/Endangered/Candidate
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered
Puerto Rican Parrot (<i>Amazona vittata</i>)	Endangered
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	Endangered
<i>Cordia bellonis</i>	Endangered

The nature of the project, scope of work, information available, a careful analysis of the IPaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated December 8, 2023, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "No Effect" determination on the Puerto Rican Boa and the Puerto Rican Broad-winged Hawk, and a "Not Likely Adversely Affect" determination on the Puerto Rican Harlequin Butterfly and the *Cordia bellonis*, see Appendix B.

Based on the nature of the project, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

Name of the Species	Effect Determination	Conservation Measures to be implemented (if needed)
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	No Effect (NE)	USFWS Puerto Rico Boa Conservation Measures 2023
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	No Effect (NE)	No Conservation Measures
Puerto Rican Parrot (<i>Amazona vittata</i>)	No Effect (NE)	No Conservation Measures
Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>)	Not likely to adversely affect (NLAA)	No Conservation Measures
<i>Cordia bellonis</i>	Not likely to adversely affect (NLAA)	No Conservation Measures
Critical Habitats		
There are no critical habitats within the project area.		

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

Thank you in advance for your consideration of this issue.

Sincerely,

Juan Carlos Pérez Bofill, PE, MEng.
 Director – Disaster Recovery, CDBG-DR Program
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320

Attachments:

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

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

References:

Puerto Rican boa (*Chilabothrus inornatus*) <https://ecos.fws.gov/ecp/species/6628>
USFWS Puerto Rican boa Conservation Measures

Puerto Rican Broad-winged Hawk (*Buteo platypterus brunnescens*)
Species Profile: <https://ecos.fws.gov/ecp/species/55122>

Puerto Rican Parrot (*Amazona vittata*)
Species Profile: <https://ecos.fws.gov/ecp/species/3067>

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

Cordia alliodora
Species Profile: <https://ecos.fws.gov/ecp/species/7228>

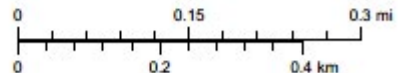
Appendix A: Figures

Figure 1
Location: Aerial Map
Puerto Rico Department of Housing ReGrow



Legend

-  PR-RGRW-04102 Fencing
-  PR-RGRW-04102 Parcel
-  CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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

Figure 1: PR-RGRW-04102 Location Map

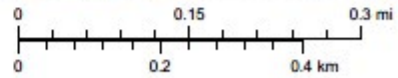
Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-04102 Fencing
- PR-RGRW-04102 Parcel



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



Contour Interval 20 Feet

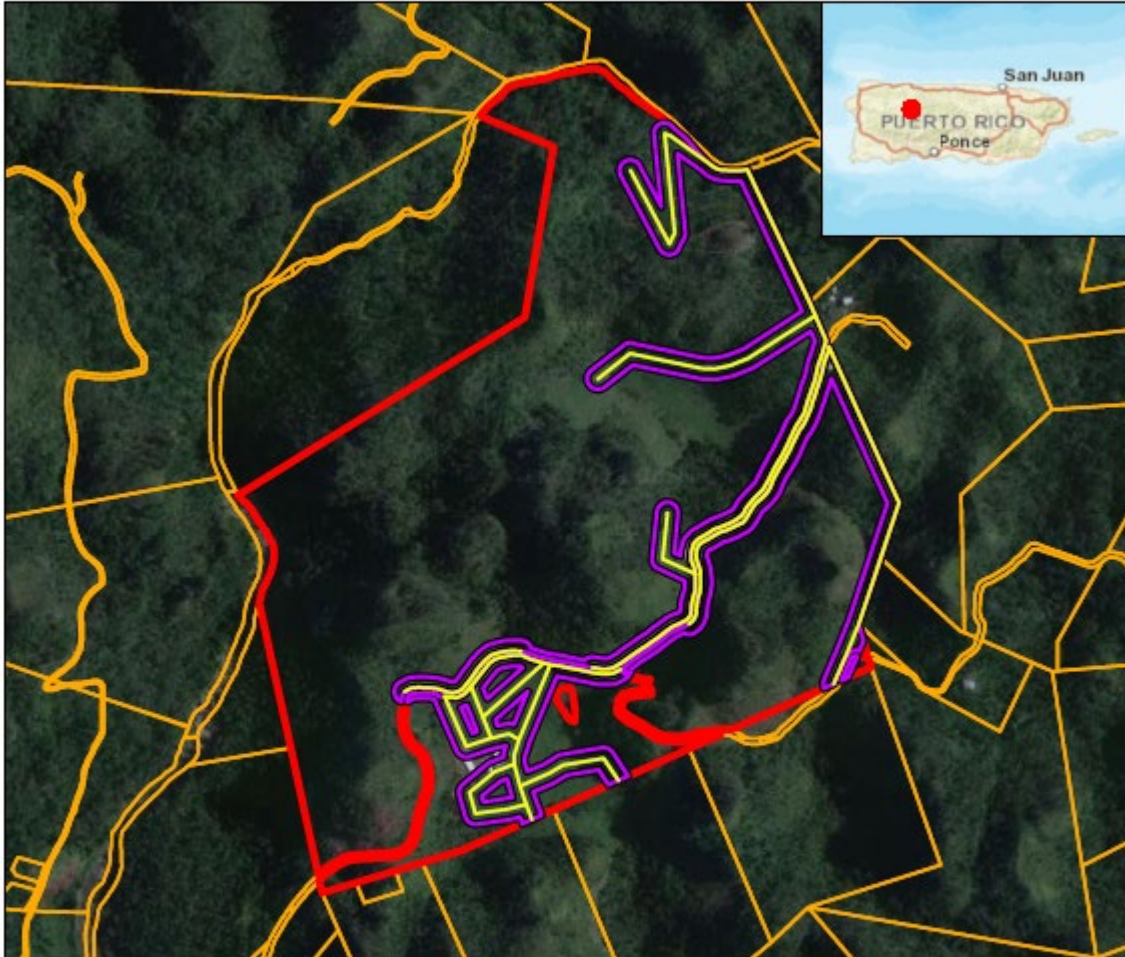
Source

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




Figure 2: PR-RGRW-04102 Topographic Map

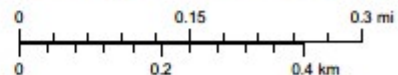
Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend

-  Area of Potential Effect
-  PR-RGRW-04102 Parcel
-  CRIM Parcels



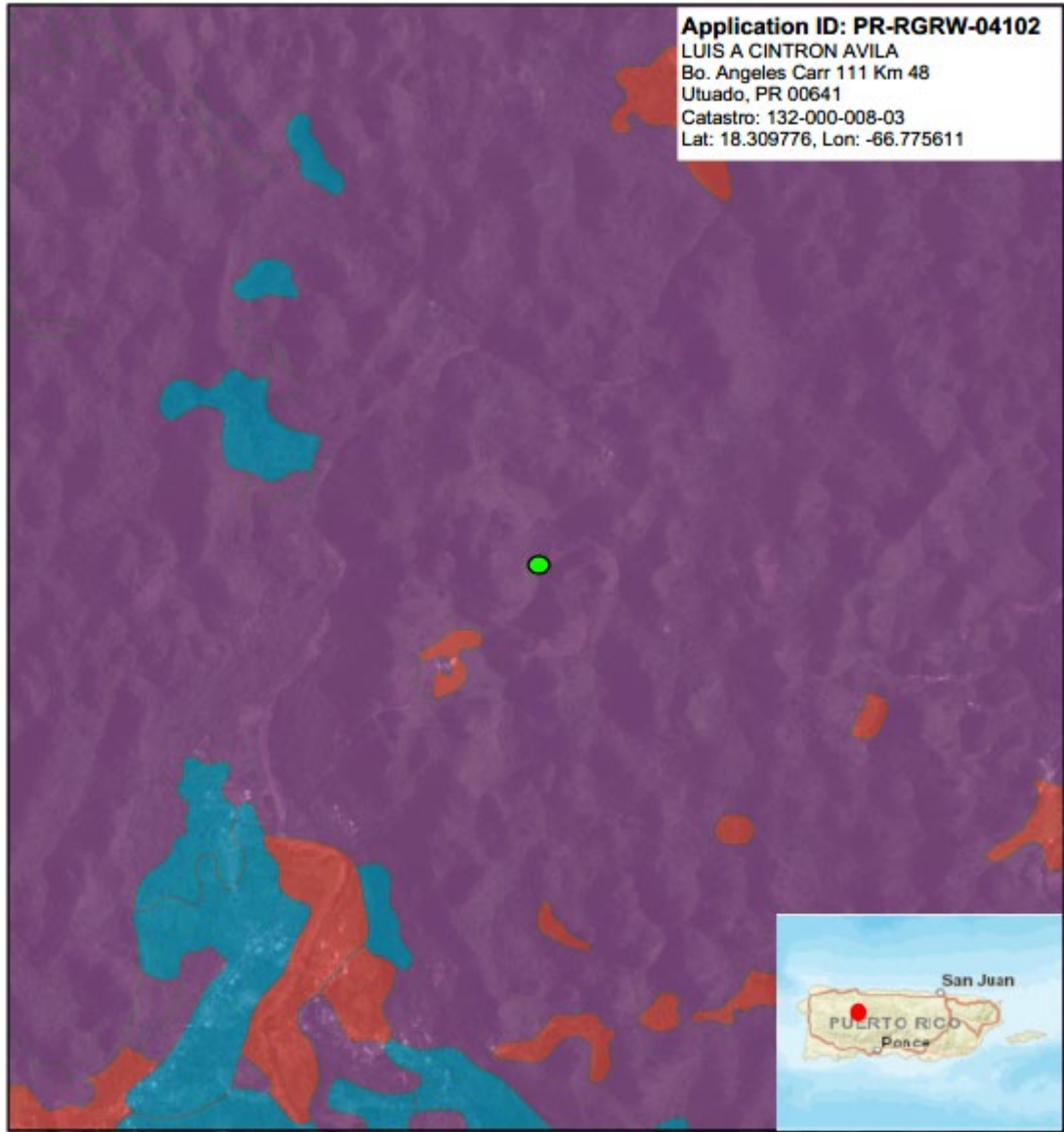
Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), Swire, Bing, Mapbox, OpenStreetMap contributors, and the GIS User Community
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

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

Figure 3: PR-RGRW-04102 Area of Potential Effect Map

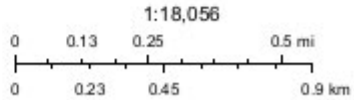


Application ID: PR-RGRW-04102
 LUIS A CINTRON AVILA
 Bo. Angeles Carr 111 Km 48
 Utuado, PR 00641
 Catastro: 132-000-008-03
 Lat: 18.309776, Lon: -66.775611

8/24/2023, 11:18:00 AM

Farmland Protection ● PR-RGRW-04102

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Prime farmland if drained

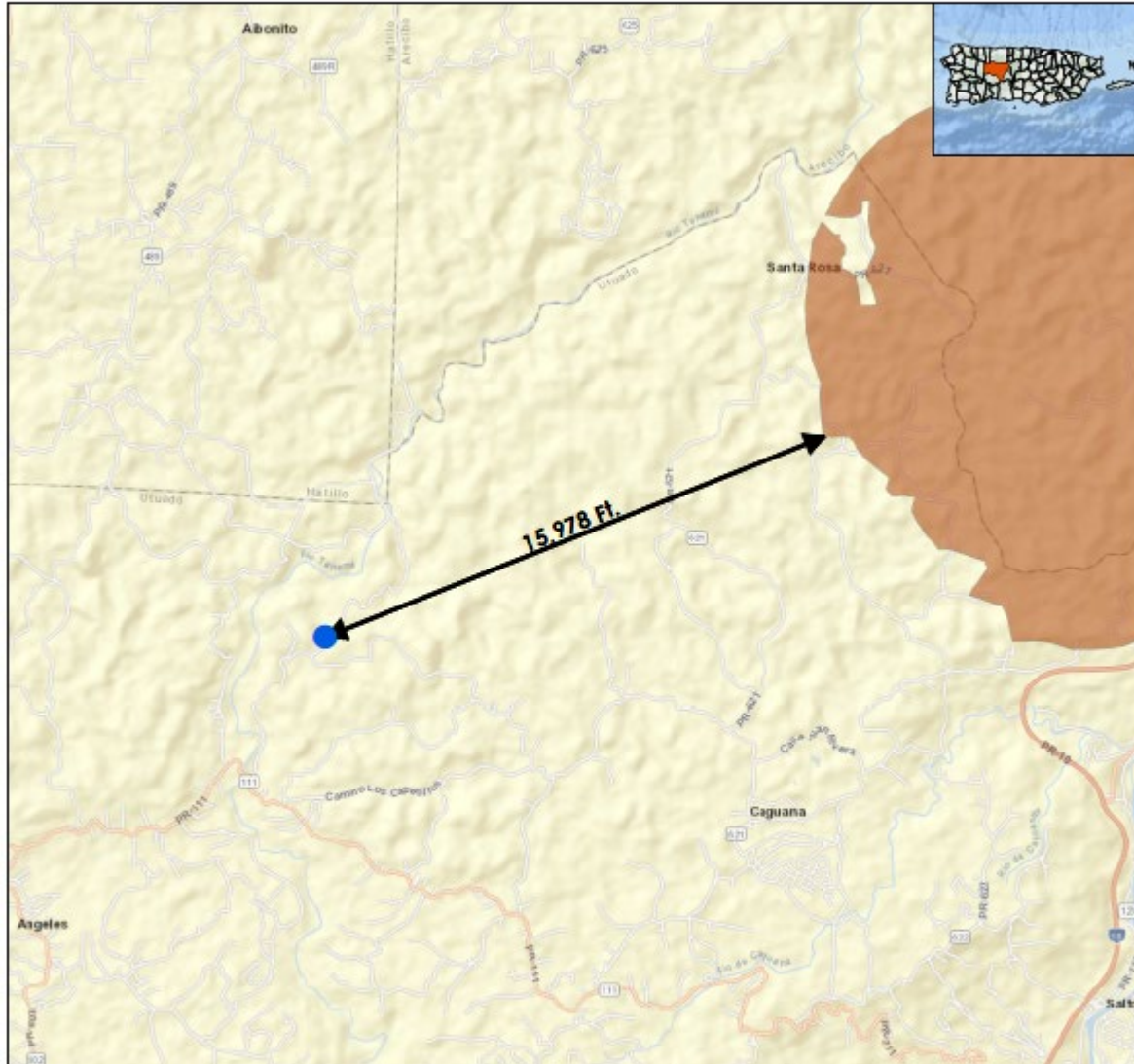


Source
 Natural Resources Conservation Service (NRCS)
 Gridded Soil Survey Geographic Database (gSSURGO)
<https://data.nal.usda.gov/dataset/soil-survey-geographic-database-ssurgo>

Figure 4: PR-RGRW-04102 Farmland Protection Map

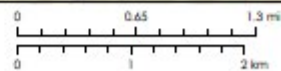
Threatened and Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04102
- Critical Habitat



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

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



1:50,000

Figure 5: PR-RGRW-04102 Critical Habitats Map

**Appendix B:
Information for Planning and Consultation (IPaC)**



United States Department of the Interior



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

In Reply Refer To:
Project Code: 2024-0024593
Project Name: PR-RGRW-04102

December 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. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

<https://www.fws.gov/sites/default/files/documents/consultation-under-section-7-of-the-endangered-species-act-with-the-caribbean-ecological%20Services-field-office-template-letter.pdf>

When a federal agency, after discussions with the Service, determines that the proposed action is not likely to adversely affect any listed species, or adversely modify any designated critical habitat, and the Service concurs, the informal consultation is complete, and the proposed project moves ahead. If the proposed action is suspected to affect a listed species or modify designated critical habitat, the Federal agency may then prepare a Biological Assessment (B.A.) to assist in its determination of the project's effects on species and their habitat. However, a B.A. is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a B.A. where the agency provides the Service with an evaluation on the likely effects of the action to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a B.A. are described at 50 CFR 402.12.

If a federal agency determines, based on its B.A. or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to further consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation process. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species.

This list is provided pursuant to Section 7 of the Endangered Species Act and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". Please use this list to determine whether your project requires consultation and to make your effects determination. For more guidance, use the Guideline for Consultation under Section 7 of the Endangered Species Act with the Caribbean Ecological Services Field Office by clicking [here](#).

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(787) 834-1600

PROJECT SUMMARY

Project Code: 2024-0024593

Project Name: PR-RGRW-04102

Project Type: New Constr - Above Ground

Project Description: The proposed activities for PR-RGRW-04102 consist of installing a new fence and repairing the existing fence in some areas. The fence will be anchored to the ground with metal posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The project also consists of the purchase of farm equipment. The project area is located at PR-111 km. 48 within the Municipality of Utuado. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.3106006,-66.77569670704565,14z>



Counties: Utuado County, Puerto Rico

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 Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

BIRDS

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

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/6KOL6GE7JRBSFJ4YRPLLNOCCJI/documents/generated/7140.pdf	Endangered

INSECTS

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

FLOWERING PLANTS

NAME	STATUS
Cordia bellonis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7228	Endangered

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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

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

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described 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.

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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Patricia Carmenatty
Address: Perseo St. 554 Cond. Iberia Suite J-3
City: San Juan
State: PR
Zip: 00920
Email: patricia.carmenatty@byaea.com
Phone: 7877830290



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

In Reply Refer To:
Project code: 2024-0024593
Project Name: PR-RGRW-04102

December 08, 2023

Subject: Consistency letter for the project named 'PR-RGRW-04102' 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 December 08, 2023, Patricia Carmenatty used the Caribbean DKey; dated October 12, 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-04102'. The project is located in Utuado County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.3106006,-66.77569670704565,14z>



The following description was provided for the project 'PR-RGRW-04102':

The proposed activities for PR-RGRW-04102 consist of installing a new fence and repairing the existing fence in some areas. The fence will be anchored to the ground with metal posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The project also consists of the purchase of farm equipment. The project area is located at PR-111 km. 48 within the Municipality of Utuado. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

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

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

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

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

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

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

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

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

- *Cordia bellonis* Endangered
- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened
- Puerto Rican Parrot *Amazona vittata* Endangered

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

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

Action Description

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

1. Name

PR-RGRW-04102

2. Description

The following description was provided for the project 'PR-RGRW-04102':

The proposed activities for PR-RGRW-04102 consist of installing a new fence and repairing the existing fence in some areas. The fence will be anchored to the ground with metal posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will be installed to keep livestock in specific areas. The project also consists of the purchase of farm equipment. The project area is located at PR-111 km. 48 within the Municipality of Utuado. Based on a review of historical aerial imagery, the general area of the fencing location was characterized as an agrarian setting in 1967 (the earliest imagery available for the area) and it remains predominantly agricultural through to the present day.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.3106006,-66.77569670704565,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

Yes

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

Automatically answered

Yes

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

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Patricia Carmenatty
Address: Perseo St. 554 Cond. Iberia Suite J-3
City: San Juan
State: PR
Zip: 00920
Email: patricia.carmenatty@byaea.com
Phone: 7877830290

Appendix C: Field Visit Photos



Photo #: 1

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

Date: September 4, 2023



Photo #: 2

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

Date: September 4, 2023