



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

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

Project Information

Project Name: PR-RGRW-04037-W

HEROS Number: 900000010461077

Start Date: 03/25/2025

State / Local Identifier:

Project Location: , Lares, PR 00669

Additional Location Information:

The project is located at coordinates (Greenhouse location: latitude 18.263115 longitude -66.830431, Solar panel system location: latitude 18.263315 longitude -66.83053) at the address given above. Tax ID Number: 186-058-164-14-001

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

This project (PR-RGRW-04037-W) entails the award of a grant to Mayra I. Hernandez Vera DBA Finca Chiquita, an agricultural business, at Carr 129 Int. 499 Km. 2.7 Bo. Buenos Aires, Lares, PR 00669. Tax ID Number: 186-058-164-14-001. Coordinates (Greenhouse location: latitude 18.263115 longitude -66.830431, Solar panel system location: latitude 18.263315 longitude -66.83053). The proposed activities consist of the purchase and installation of a new greenhouse and solar panel system. The greenhouse measures 30 feet by 72 feet with a height of 12 feet in an arched configuration 8 feet and fourteen posts spaced 10 feet apart. Each post will be anchored at a depth of two feet. It will not be necessary to install a cement slab for the greenhouse, it will be installed on the ground. The power needed for the greenhouse will be provided by the solar panels system. All power connections will be aerial. The water needed for the greenhouse will be provided by an existing 410-gallon cistern connected to an existing PRASA water intake. The water pipes already exists and are above the ground. The solar panel system will be installed on the roof of the applicant's residence so it will not require ground disturbance. The solar panel system consists of eight 540W solar panels and a 10K lithium battery. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years. The project Mayra I. Hernandez Vera DBA Finca Chiquita, PR-RGRW-04037-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #7 - 7. 7 CFR 799.32(e) (2) (iii): Construction of a new farm storage facility. HUD Level of Review: CEST. Potential application to HUD activities: Construction of a new farm storage facility with ground disturbance have been classified as CEST under the waiver.

Level of Environment Review Determination:

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

58.35(a)(3)(iii)

Funding Information

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

Estimated Total HUD Funded Amount: \$50,000.00**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$50,000.00**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Endangered Species Act	The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately. 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	N/A	

	identified action. In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.			
--	---	--	--	--

Determination:

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

Preparer Signature:  Date: March.28.2025

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

Responsible Entity Agency Official Signature:  Date: 4/4/2025

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

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

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

Project Information

Project Name: PR-RGRW-04037-W

HEROS Number: 900000010461077

Start Date: 03/25/2025

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

State / Local Identifier:

RE Preparer: Ianmario Heredia

Certifying Office
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

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

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

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

Project Location: , Lares, PR 00669

Additional Location Information:

The project is located at coordinates (Greenhouse location: latitude 18.263115 longitude -66.830431, Solar panel system location: latitude 18.263315 longitude -66.83053) at the address given above. Tax ID Number: 186-058-164-14-001

Direct Comments to: environmentcdbg@vivienda.pr.gov

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

This project (PR-RGRW-04037-W) entails the award of a grant to Mayra I. Hernandez Vera DBA Finca Chiquita, an agricultural business, at Carr 129 Int. 499 Km. 2.7 Bo. Buenos Aires, Lares, PR 00669. Tax ID Number: 186-058-164-14-001. Coordinates (Greenhouse location: latitude 18.263115 longitude -66.830431, Solar panel system location: latitude 18.263315 longitude -66.83053). The proposed activities consist of the purchase and installation of a new greenhouse and solar panel system. The greenhouse measures 30 feet by 72 feet with a height of 12 feet in an arched configuration 8 feet and fourteen posts spaced 10 feet apart. Each post will be anchored at a depth of two feet. It will not be necessary to install a cement slab for the greenhouse, it will be installed on the ground. The power needed for the greenhouse will be provided by the solar panels system. All power connections will be aerial. The water needed for the greenhouse will be provided by an existing 410-gallon cistern connected to an existing PRASA water intake. The water pipes already exists and are above the ground. The solar panel system will be installed on the roof of the applicant's residence so it will not require ground disturbance. The solar panel system consists of eight 540W solar panels and a 10K lithium battery. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years. The project Mayra I. Hernandez Vera DBA Finca Chiquita, PR-RGRW-04037-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #7 - 7. 7 CFR 799.32(e) (2) (iii): Construction of a new farm storage facility. HUD Level of Review: CEST. Potential application to HUD activities: Construction of a new farm storage facility with ground disturbance have been classified as CEST under the waiver.

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

[PR-RGRW-04037-W Site Map.pdf](#)

[PR-RGRW-04037-W IUGF.pdf](#)

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

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

[PR-RGRW-04037-W EFOR.pdf](#)

Level of Environmental Review Determination:

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

58.35(a)(3)(iii)

Determination:

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

Approval Documents:

[04037-SIG-PAGE.pdf](#)

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

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

B-18-DP-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$50,000.00

Estimated Total Project Cost: \$50,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The site is located 107,922 feet from the nearest major civil airport (Eugenio Maria de Hostos in Mayaguez) and 289,537 feet from the nearest military airport (Luis Munoz Marin International Airport in San Juan). The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 79,036 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C0590H, effective on 4/19/2005: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in

		compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 78,051 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural

		use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C0590H, effective on 4/19/2005: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Lares; therefore, PFIRM information was not available for the area and therefore not considered in the review.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(ca. 1985) Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 361,154 feet from the nearest Wild and Scenic River. The project is in

		compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Endangered Species Act	The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately.	N/A		

	<p>Obligations under section 7 of the Act must be reconsidered if:</p> <p>(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;</p> <p>(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.</p> <p>In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.</p>			
--	--	--	--	--

Project Mitigation Plan

Should new ground disturbance occur the Karst zone must be evaluated and when necessary DNER must be consulted prior to construction activities. The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately. 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. In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.

Supporting documentation on completed measures

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

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The site is located 107,922 feet from the nearest major civil airport (Eugenio Maria de Hostos in Mayaguez) and 289,537 feet from the nearest military airport (Luis Munoz Marin International Airport in San Juan). The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-04037-W Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Screen Summary**Compliance Determination**

This project is not located in a CBRS Unit. It is 79,036 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-04037-W CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

✓ Yes

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

[PR-RGRW-04037-W FIRM.pdf](#)

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

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

✓ No

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

Yes

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

Yes

✓ No

Screen Summary**Compliance Determination**

Flood Map Number 72000C0590H, effective on 4/19/2005: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

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

Yes

✓ No

Air Quality

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

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

Yes

✓ No

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

Screen Summary**Compliance Determination**

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

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

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

☒ No

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

Screen Summary**Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 78,051 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation[PR-RGRW-04037-W CZM.pdf](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

Contamination and Toxic Substances

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

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

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

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

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

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

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

☒ No

Explain:

There are no toxic sites within 3,000 feet of the applicant location. The environmental field observation did not note any items of concern. See the attached environmental field observation report. A google earth review of the area shows no visible hazards. The past land use for the last 10-15 year is agricultural.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action

levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

✓ No

5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

Yes

✓ No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

Radon testing is not feasible or practicable for this case, please see the attached Radon Memo.

File Upload:

[Radon Attachments.pdf](#)
[PR-RGRW-04037-W Radon Memo.docx](#)

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-04037-W Toxics.pdf](#)

[PR-RGRW-04037-W EFOR\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

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

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

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

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

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

4. Informal Consultation is required

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

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

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

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

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

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

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

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

✓ Mitigation as follows will be implemented:

The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately. 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. In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.

No mitigation is necessary.

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-RGRW-04037-W USFWS Consultation Package.pdf](#)
[PR-RGRW-04037-W USFWS Conservation Measures.pdf](#)
[PR-RGRW-04037-W USFWS Concurrence Letter.pdf](#)

Are formal compliance steps or mitigation required?

✓ Yes

No

Explosive and Flammable Hazards

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

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

☒ No

Yes

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

☒ No

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

Yes

Screen Summary**Compliance Determination**

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

☒ No

Farmlands Protection

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

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

Yes

✓ No

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

This project consists of the purchase and installation of a new 30' x 72' greenhouse and a solar panel system and continued agricultural use of property which is compatible with a zoning code of A-4 (Rural General) and existing land use of SREP-A (Specially Protected Rustic Soil - Agricultural). There is no urban design associated with this rural, agricultural site.

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

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-04037-W Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

✓ No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary**Compliance Determination**

Flood Map Number 72000C0590H, effective on 4/19/2005: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Lares; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

[PR-RGRW-04037-W ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

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

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

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

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed

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

Other Consulting Parties

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

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

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

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

Yes

No

Step 2 – Identify and Evaluate Historic Properties

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

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

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

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

Additional Notes:

No Historic Properties present within the APE

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

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

per guidance on direct and indirect effects.

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

☒ No Historic Properties Affected

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

Document reason for finding:

☒ No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

(ca. 1985) Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-04037-W SHPO Package.pdf](#)

Are formal compliance steps or mitigation required?

Yes

☒ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

☒ None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

☒ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

< No

✓

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

Yes

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

Yes

No

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-04037-W Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-04037-W Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is located 361,154 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-04037-W Wild and Scenic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Environmental Justice

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

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

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

Yes

✓ No

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

Screen Summary**Compliance Determination**

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO



Memorandum to File

Date: 3/25/2025

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

Application Number: PR-RGRW-04037-W

Project: Mayra I. Hernandez Vera DBA Finca Chiquita

Re: Justification for the Infeasibility and Impracticability of Radon Testing

After reviewing Application Number PR-RGRW-04037-W under the Regrow Puerto Rico Program, administered by the Puerto Rico Department of Housing (**PRDOH**), to complete the property's contamination analysis in accordance with 24 C.F.R. § 50.3(i) and 24 C.F.R. § 58.5(i), we have determined that testing the property's radon levels is infeasible and impracticable.

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

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

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

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

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

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

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



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Monday, August 26, 2024

Lauren B Poche

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

SHPO-CF-08-22-24-01 PR-RGRW-04037 (Lares), Mayra I. Hernandez Vera DBA
Finca Chiquita

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 from the Advisory Council on Historic Preservation. 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 historic properties affected within the project's area of potential effects.

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

immediately. If you have any questions regarding our comments, please do not hesitate to contact our Office.

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/ OJR



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



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

April 30, 2024

Arch. Carlos A. Rubio Cancela

Executive Director

Puerto Rico State Historic Preservation Office

Cuartel de Ballajá, Third Floor

San Juan, Puerto Rico 00901

Re: Authorization to Submit Documents for Consultation

Dear Arch. Rubio Cancela,

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

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

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

Cordially,

Aldo A. Rivera Vázquez, PE

Director

Division of Environmental Permitting and Compliance

Office of Disaster Recovery

August 22, 2024

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-04037 – Mayra I. Hernández Vera DBA Finca Chiquita– Carretera 129 Int. 499 Km. 2.7 Bo. Buenos Aires, Lares, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH). On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds were 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 Mayra I. Hernández Vera DBA Finca Chiquita, located at Carretera 129 Int. 499 Km. 2.7 Bo. Buenos Aires, in the municipality of Lares. The undertaking for this project consists of the purchase and installation of a new greenhouse and solar panel system. The proposed greenhouse measures 30' X 72' with a height of 12' in an arched configuration 8' and fourteen posts spaced 10' apart. Each post will be anchored at a depth of two feet. The water needed for the greenhouse will be provided by an existing 410-gallon cistern; existing above ground pipes will be used.

The power needed for the greenhouse will be provided by the new proposed solar panel system and all power connections will be aerial. The solar panel system consists of eight 540W solar panels and a 10K lithium battery.

The solar panel system will be installed on the roof of the applicant's residence; no ground disturbance will be required for the installation. The estimated date of construction of the building is ca. 1985.

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

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


Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager
LBP/JLE/JCO

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Mayra I. Hernández Vera DBA Finca Chiquita		
Case ID: PR-RGRW-04037		City: Lares

Project Location: Carr 129 Int. 499 Km. 2.7 Bo. Buenos Aires, 00669	
Project Coordinates: 18.263315 -66.83053, 18.263115 -66.830431	
TPID (Número de Catastro): 186-058-164-14-001	
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): ca. 1985	Property Size (acres): 1.25

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: March 13, 2024
SOI-Qualified Architect/Architectural Historian: Jorge L Lizardi
Date Reviewed: July 10, 2024,


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

Project Description (Undertaking)

The proposed activities for PR-RGRW-04037 consist of the purchase and installation of a new greenhouse and solar panel system. The greenhouse measures 30' X 72' with a height of 12' in an arched configuration 8' and fourteen posts spaced 10' apart. Each post will be anchored at a depth of two feet. The power needed for the greenhouse will be provided by the solar panels system. All power connections will be aerial. The water needed for the greenhouse will be provided by an existing 410-gallon cistern. The entire water pipe already exists and is above the ground. The solar panel system will be installed on the roof of the applicant's residence so it will not require ground disturbance. The solar panel system consists of eight 540W solar panels and a 10K lithium battery. The project area is located at PR-129 Int. 499 km. 2.7 within the Municipality of Lares. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years.

Area of Potential Effects

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

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: Mayra I. Hernández Vera DBA Finca Chiquita	
Case ID: PR-RGRW-04037	City: Lares

APE for this project are the location of the greenhouse and solar panels 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 of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no reported archaeological sites within a half-mile (0.50 miles) radius of the project location. The nearest cultural resource is the 19th century hacienda Familia Feo (o Mattei) (UA0200001), located 1.74 miles southeast. The proposed project is located in a mountainous area at an elevation of 1,738.8 feet (530 meters) above modern sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Humatas clay. The project area APE is in HmF2. The closest freshwater source is an unnamed creek, located 0.39 miles west and Piedras River located 0.29 miles northeast of the project area. The north coast is approximately 15.42 miles (24.81 km) from the project area.

There are no cultural resource studies within a half-mile radius of the property.


The project area is located in the mountainous area of Lares with irregular topography.

In the project area we have Humatas clay, 40 to 60 percent slopes (HmF2). This soil is deep, very steep, and well drained. It is on the side slopes and ridgetops of humid volcanic uplands. The permeability and available water capacity of this Humatas soil are moderate. Runoff is very rapid, and fertility is medium. Slope and an erosion hazard make this soil poorly suited for cultivated crops. Visual inspection of the APE of the building and its surroundings found no evidence of cultural materials.

Identification of Historic Properties – Architecture

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no reported historic places within a half-mile (0.50 miles) radius of the project location.

The subject property is an NRHP-ineligible reinforced concrete home with flat roofs, Miami-type metal windows or horizontal glass jalousies, and metal exterior doors. Its plan is irregular because owners extended the house towards the back. The property is reinforced concrete, with flat roofs, parapets, and short eaves circling the building. It has a portico with

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: Mayra I. Hernández Vera DBA Finca Chiquita	
Case ID: PR-RGRW-04037	City: Lares


a pediment flanked by two round concrete columns on the façade and an asphalted driveway. The property's land lot boundaries are not fenced, although some concrete retaining walls can be seen. There is also a half-built concrete house on the property, without a roof, doors and windows. Finally, the house, which is more than 3.8 miles southeast of Lares' traditional urban center, does not appear in the 1977 USGS photos but is present in the 1993 Google Earth Pro historical images. In that sense, the house must have been built circa 1985.

Determination

The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-04037 is located. The closest freshwater body is approximately 0.29 miles northeast of the project area. The construction of public roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain.

No historic properties were identified either in the Area of Potential Effect or within the viewshed. This home is not eligible for the NRHP because it does not meet any of the eligibility criteria. It was built circa 1985 and is it not associated with any event (A), outstanding person in history (B), its architecture does not possess distinctive architectural features (C), nor does it possess the potential to shed important information about the past. Based on the logic presented above, there are no historic properties within the project area or vicinity.

Therefore, no Historic Properties will be affected by the proposed project activities.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Mayra I. Hernández Vera DBA Finca Chiquita		
Case ID: PR-RGRW-04037		City: Lares

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

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

☒ No Historic Properties Affected

☐ No Adverse Effect


Condition (if applicable):

☐ Adverse Effect

Proposed Resolution (if applicable)

This Section is to be Completed by SHPO Staff Only

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

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination			GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Mayra I. Hernández Vera DBA Finca Chiquita			
Case ID: PR-RGRW-04037		City: Lares	

Case ID: PR-RGRW-04037

Project Coordinates: 18.263315 -66.83053, 18.263115 -66.830431

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

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

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

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/Direction
None	-	-	-	-	-

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares

Project (PR-RGRW-04037) Location – Area of Potential Effect Map (Aerial)

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS AND ARCHITECTS/PLANNERS
CORPO. BARRA 1 Suite 4-5, Calle Ponce 554, Arroyo, San Juan, P.R. 00923 787.973.0300

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita

Carr. 129 Int. 499 km 2.7

Bo. Buenos Aires,

Lares, PR 00669

Catastro: 186-058-164-14-001

Coordenadas: Solar Panel System 18.263315, -66.83053

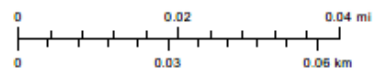
Greenhouse 18.263115, -66.830431

Area of Potential Effect Puerto Rico Department of Housing ReGrow

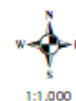


Legend:

- Parcel 04037
- Area of Potential Effect (15 Mts.)
- Solar Panel System 04037
- Greenhouse-04037
- CRIM Parcels



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



Source

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

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares

Project (PR-RGRW-04037) Location - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. Iberia 1 Suite 2-3, Calle Princesa 554, Altamira, San Juan, P.R. 00920 Tel: (787) 763-0290

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita

Carr. 129 Int. 499 km 2.7

Bo. Buenos Aires,

Lares, PR 00669

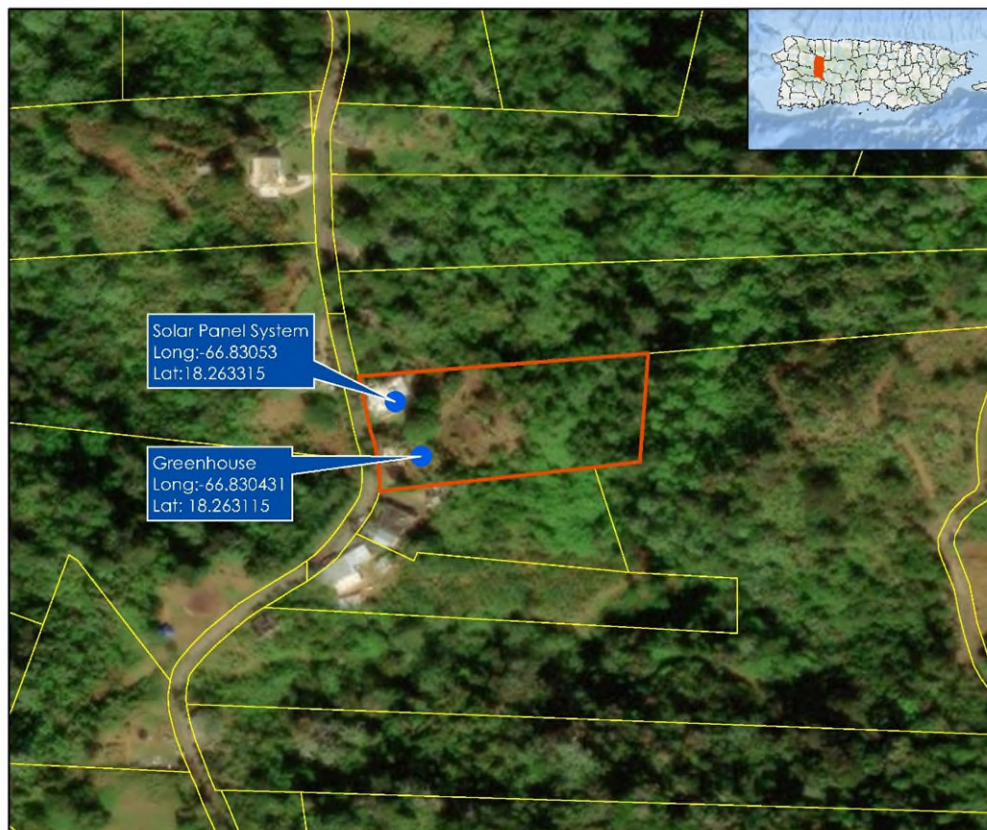
Catastro: 186-058-164-14-001

Coordenadas: Solar Panel System 18.263315, -66.83053

Greenhouse 18.263115, -66.830431

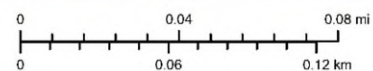
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- Solar Panel System 04037
- Greenhouse 04037
- ▭ Parcel 04037
- ▭ CRIM Parcels



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



1:2,000

Source

Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crimp.rg.pr/cadprpc/>

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares

Project (PR-RGRW-04037) Location - USGS Topographic Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
(Owned, Operated & Maintained by: Carlos Ponce de Leon, San Juan, PR, 00920 Tel: 787.713.0290)

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita

Carr. 129 Int. 499 km 2.7

Bo. Buenos Aires,

Lares, PR 00669

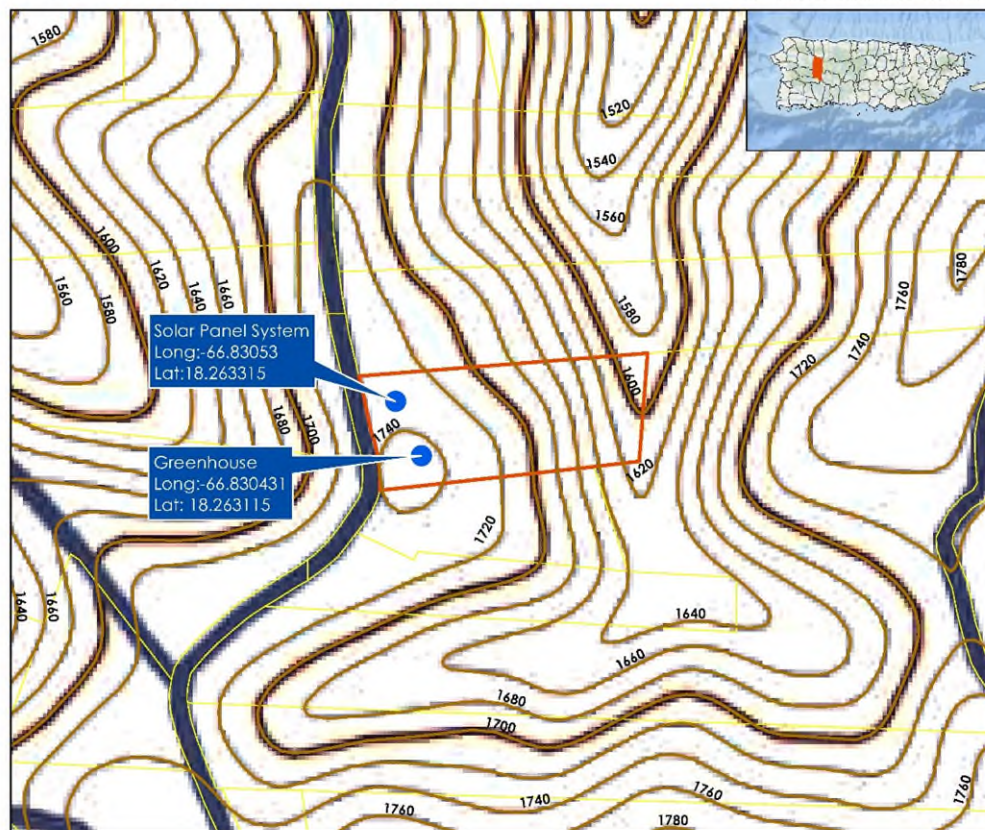
Catastro: 186-058-164-14-001

Coordenadas: Solar Panel System 18.263315, -66.83053

Greenhouse 18.263115, -66.830431

Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow



Legend:

- Solar Panel System 04037
- Greenhouse 04037
- Contour Interval 20 Feet
- Parcel 04037
- CRIM Parcels

Quadrangle: Bayaney

0 0.04 0.08 mi

0 0.06 0.12 km

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



1:2,000

Source

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

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares

Project (PR-RGRW-04037) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. Iberia 1 Suite J-3, Calle Perseus 554, Arroyo, San Juan, P.R. 00920 Tel: (787) 763-0290

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita

Carr. 129 Int. 499 km 2.7

Bo. Buenos Aires,

Lares, PR 00669

Catastro: 186-058-164-14-001

Coordenadas: Solar Panel System 18.263315, -66.83053

Greenhouse 18.263115, -66.830431

Soils Map

Puerto Rico Department of Housing ReGrow



Solar Panel System
Long: -66.83053
Lat: 18.263315

Greenhouse
Long: -66.830431
Lat: 18.263115

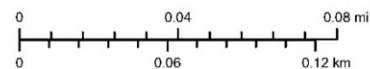
HmF2

Legend:

- Solar Panel System 04037
- Greenhouse 04037
- Parcel 04037
- Soil Map Unit Symbol

Soil Map Unit Symbol

HmF2 - Humatas clay, 40 to 60 percent slopes



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



Source

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

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares

Project (PR-RGRW-04037) Location with Previous Investigations - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Cond. 1000, Suite 1-3, Calle Ponce 55A, Arroyo, San Juan, P.R. 00920 Tel: (787) 763-2296

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita

Carr. 129 Int. 499 km 2.7

Bo. Buenos Aires,

Lares, PR 00669

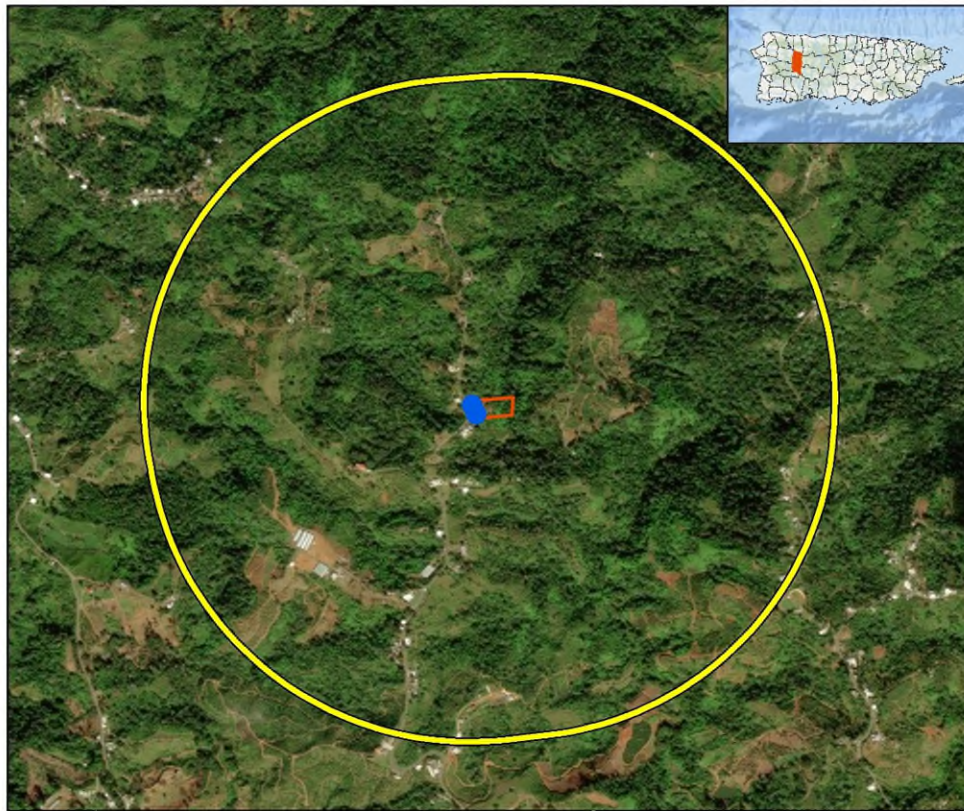
Catastro: 186-058-164-14-001

Coordenadas: Solar Panel System 18.263315, -66.83053

Greenhouse 18.263115, -66.830431

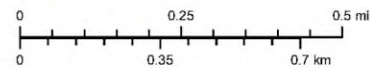
Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- Solar Panel System 04037
- Greenhouse 04037
- Parcel 04037
- 0.5 Mile (0.8km) Buffer



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



1:12,000

Source

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

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares

Photograph Key

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Carretera, Isernia 1 Suite J-3, Calle Persico 354, Alhambra, San Juan, P.R. 00920 Tel: (787) 753-0290

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita

Carr. 129 Int. 499 km 2.7

Bo. Buenos Aires,

Lares, PR 00669

Catastro: 186-058-164-14-001

Coordenadas: Solar Panel System 18.263315, -66.83053

Greenhouse 18.263115, -66.830431

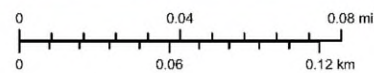
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- Solar Panel System 04037
- Greenhouse 04037
- Parcel 04037
- CRIM Parcels



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



1:2,000

Source

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



Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares



Photo #: 1

Description (include direction): Area where the greenhouse will be installed, looking west.

Date: March 11, 2024



Photo #: 2

Description (include direction): Area where the greenhouse will be installed, looking east.

Date: March 11, 2024

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares



Photo #: 3

Description (include direction): Area where the solar panel system will be installed, looking northeast.

Date: March 11, 2024



Photo #: 4

Description (include direction): The roof of the property where the solar panel system will be installed, looking northeast.

Date: March 11, 2024

Applicant: Mayra I. Hernández Vera DBA Finca Chiquita

Case ID: PR-RGRW-04037

City: Lares



Photo #: 5

Description (include direction): Right side of the property where the solar panel system will be installed, looking northeast.

Date: March 11, 2024



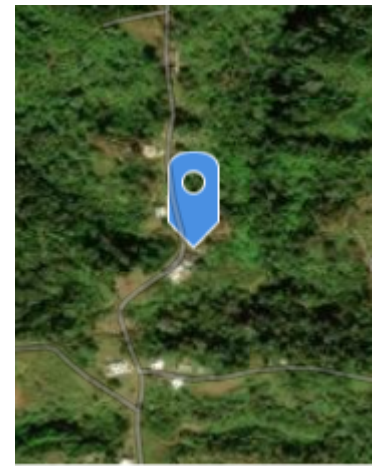
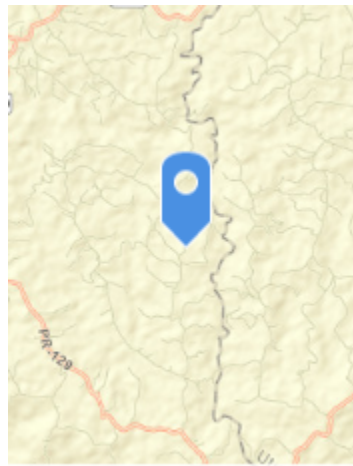
Photo #: 6

Description (include direction): Front of the property where the solar panel system will be installed, looking northeast.

Date: March 11, 2024

APPLICANT/LOCATION INFORMATION

Applicant ID:	PR-RGRW-04037
Name:	Mayra Hernandez Vera
Parcel ID:	186-058-164-14-001
Latitude:	18.263315
Longitude:	-66.83053
Elevation:	532.0670412444168
Street Address:	Carr 129 Int. 499 Km. 2.7 Bo. Buenos Aires
Municipio:	Lares
Zip Code:	00669
Site Inspector:	Patricia Carmenatty
Date of Visit:	March 4, 2024
Time of Visit:	09:51



FIELD OBSERVATIONS

Question	Answer	Notes
A. Is the structure in use?	No	
B. Is the structure a greenhouse?	Yes	
C. Is Electricity connected? (Utilities or Well)	Yes	Applicant house
D. Is water connected? (Utilities or Well)	Yes	Applicant house
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.	Yes	410-gallon water cistern
5. Is there any stained soil or pavement on the parcel?	No	
6. Is a water drainage system in use?	No	
7. Is a warehouse in use for storage of Fertilizer or Pesticides?	No	
8. Are there any groundwater monitoring wells on the site or adjacent parcel?	No	
9. Is there evidence of a faulty septic system?	No	
10. Is there distressed vegetation on the parcel?	No	
11. Is there any visible indication of mold?	No	
12. Is there any visible evidence of asbestos, chipping, and flaking or peeling paint, or hazardous materials present in or on the structure?	No	
13. Are any additional site hazards observed?	No	
14. Is there any permanent standing water, such as a pond or stream, located on the site (do not include ponding from recent rain / weather events)?	No	
15. Does the subject property have water frontage?	No	
16. Is there any indication of the presence of wetlands?	No	
17. Are there any obvious signs of animals or birds nesting on or near the site?	No	
18. Is the applicant aware of any significant historical event or persons associated with the structure, or of it being located in a historic district/ area?	No	
19. Is a historic marker present?	No	

Photo Direction: West

Comments: greenhouse location: 18.263115 -
66.830431



Photo Direction: Northwest

Comments: 30x72 ft greenhouse



Photo Direction: West

Comments: 30x72 ft greenhouse



Photo Direction: East

Comments: 30x72 ft greenhouse



Photo Direction: Southeast

Comments:



Photo Direction: Northeast

Comments:



Side #2 of Structure

Photo Direction: East

Comments:



Facing Away from Side #2

Photo Direction: Southwest

Comments:



Streetscape #1

Photo Direction: Northeast

Comments: Existing water tank



Streetscape #2

Photo Direction: South

Comments: water pipes above ground



Photo Direction: N/A

Comments: Location Solar panel system



Evidence Photo 1

Photo Direction: N/A

Photo Description: Roof
where the panels will be
installed



Evidence Photo 2

Photo Direction: N/A

Photo Description:
access for the location of
the greenhouse



Evidence Photo 3

Photo Direction: N/A

Photo Description: all
water pipes are
above ground



Evidence Photo 4

Photo Direction:
Northwest

Photo Description:
Front of the property



Evidence Photo 5

Photo Direction: South

Photo Description: PRASA outlet



Evidence Photo 6

Photo Direction: N/A

Photo Description:



Evidence Photo 7

Photo Direction: N/A

Photo Description: access to the property from the greenhouse location



Evidence Photo 8

Photo Direction: East

Photo Description: General area where the greenhouse will be installed



Evidence Photo 9

Photo Direction: Southwest

Photo Description: Streetview



Evidence Photo 10

Photo Direction: N/A

Photo Description:



United States Department of the Interior

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



In Reply Refer to:
FWS/R4/CESFO/72081-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-04037 Mayra I.
Hernández Vera DBA Finca Chiquita, Lares,
Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated September 19, 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 and installation of a new greenhouse (30 feet (Ft) x 72 Ft) and a rooftop solar panel system. The project will be located on State Road PR-129 Int. 499, Km. 2.7, Bo. Buenos Aires in the municipality of Lares. The land has been used for agricultural uses for the past 20 years and the proposed project will not change the land use associated with these placements. Vegetation removal will not be required.

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 (*Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*) and Puerto Rican parrot (*Amazona vittata*).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0143308). 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 may affect, but is not likely to adversely affect (NLAA) these species. Conservation measures for these species will be implemented. The Service acknowledges receipt of the

consistency letter and concurs with the NLAA determination for the Puerto Rican boa and Puerto Rican broad-winged hawk.

As for the Puerto Rican parrot, based on the nature of the project, scope of work, information available, and analysis of the existing habitat, PRDOH has determined that the proposed project has no effect (NE) on this species due to the lack of suitable habitat.

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

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

Sincerely,

LOURDES
MENA

Digitally signed by
LOURDES MENA
Date: 2024.11.06
21:18:24 -04'00'

Lourdes Mena
Field Supervisor

dr

cc:
HUD
HORNE, paige.pilkinton@horne.com

September 16, 2024

Lourdes Mena
Field Supervisor
Caribbean Ecological Services Field Office
U.S. Fish and Wildlife Service
Office Park I, Suite 303
State Road #2 Km 156.5
Mayagüez, Puerto Rico 00680
Email: Caribbean_es@fws.gov;
Lourdes_Mena@fws.gov

RE: Informal Consultation for Case PR-RGRW-04037 located at Carr. 129 Int. 499 km 2.7 BO. Buenos Aires, Lares, PR 00669.

Dear Ms. Mena:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-04037, located at coordinates for the greenhouse: latitude 18.263115, longitude -66.830431 and solar panel system: latitude 18.263315, longitude -66.83053 on Carr. 129 Int. 499 km 2.7 BO. Buenos Aires, Lares, PR 00669, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-04037 consist of the purchase and installation of a new greenhouse and solar panel system. The greenhouse measures 30' X 72' with a height of 12' in an arched configuration 8' and fourteen posts spaced 10' apart. Each post will be anchored at a depth of two feet. The power needed for the greenhouse will be provided by the solar panels system. All power connections will be aerial. The water needed for the greenhouse will be provided by an existing 410-gallon cistern. The entire water pipe already exists and is above the ground. The solar panel system will be installed on the roof of the applicant's residence so it will not require ground disturbance. The solar panel system consists of eight 540W solar panels and a 10K lithium battery. The project area is located at PR-129 Int. 499 km. 2.7 within the Municipality of Lares. Based on a review of historical aerial imagery, the general area has been used for agricultural purposes for the past 20 years. The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the greenhouse, see Figure 3: Area of Potential Effect.

Existing Conditions and Trends:

The proposed project parcel 186-058-164-14-001 is designated as Not Prime Farmland, See Figure 4: Farmland Protection Map. The project area is located in a rural area of Lares. The area where the greenhouse will be placed has a flat topography with grass, refer to Exhibit C: Photo 1 and Photo 2. The

soil in the project area is Humatas clay, 40 to 60 percent slopes (HmF2). The land has been used for agricultural uses for the past 20 years and the proposed project will not change the land use associated with these placements. The closest Final Critical Habitat is located 40,867 feet from the project location, see Figure 5: Critical Habitats Map. There is no wetland in or near the project location, see Figure 6: Wetlands Map.

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

Name of species	Threatened/Endangered/Candidate
Reptiles	
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	Endangered
Birds	
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered
Puerto Rican Parrot (<i>Amazona vittata</i>)	Endangered
Critical Habitat	
There are no critical habitats within the project area.	

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated September 13, 2024, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, and knowing that would be ground disturbance from the installation of the greenhouse, it was determined that the proposed action will have "May Affect, but is Not Likely to Adversely Affect" (NLAA) determination on the Puerto Rican Boa and Puerto Rican Broad-winged Hawk, see Exhibit B. On the other hand, based on the location of the project and the observations during the field visit it was determined that the proposed action will have a "No Effect" for the Puerto Rican Parrot since it is not a suitable environment for these species. Vegetation removal will not be necessary for the proposed project.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	Puerto Rican Boa Conservation Measures 2024
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	Puerto Rican Broad-winged Hawk Conservation Measures
Puerto Rican Parrot (<i>Amazona vittata</i>)	No Effect	No conservation measures
Critical Habitats		
There are no critical habitats within the project area.		

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination for the Puerto Rican Boa and Puerto Rican Broad-winged Hawk. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. Should you require any additional information, please contact Paige Pilkinton at paige.pilkinton@horne.com.

References:

Puerto Rican boa (*Chilabothrus inornatus*)

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

USFWS Puerto Rican boa Conservation Measures

Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*)

Species Profile: <https://ecos.fws.gov/ecp/species/5512>

Puerto Rican Parrot (*Amazona vittata*)

Species Profile: <https://ecos.fws.gov/ecp/species/3067>

Exhibit A: Figures

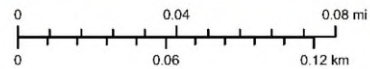
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- Solar Panel System 04037
- Greenhouse 04037
- ▭ Parcel 04037
- ▭ CRIM Parcels



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



Source

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

Figure 1: PR-RGRW-04037 Location Map

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: Solar Panel System 18.263315, -66.83053
Greenhouse 18.263115, -66.830431

Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow

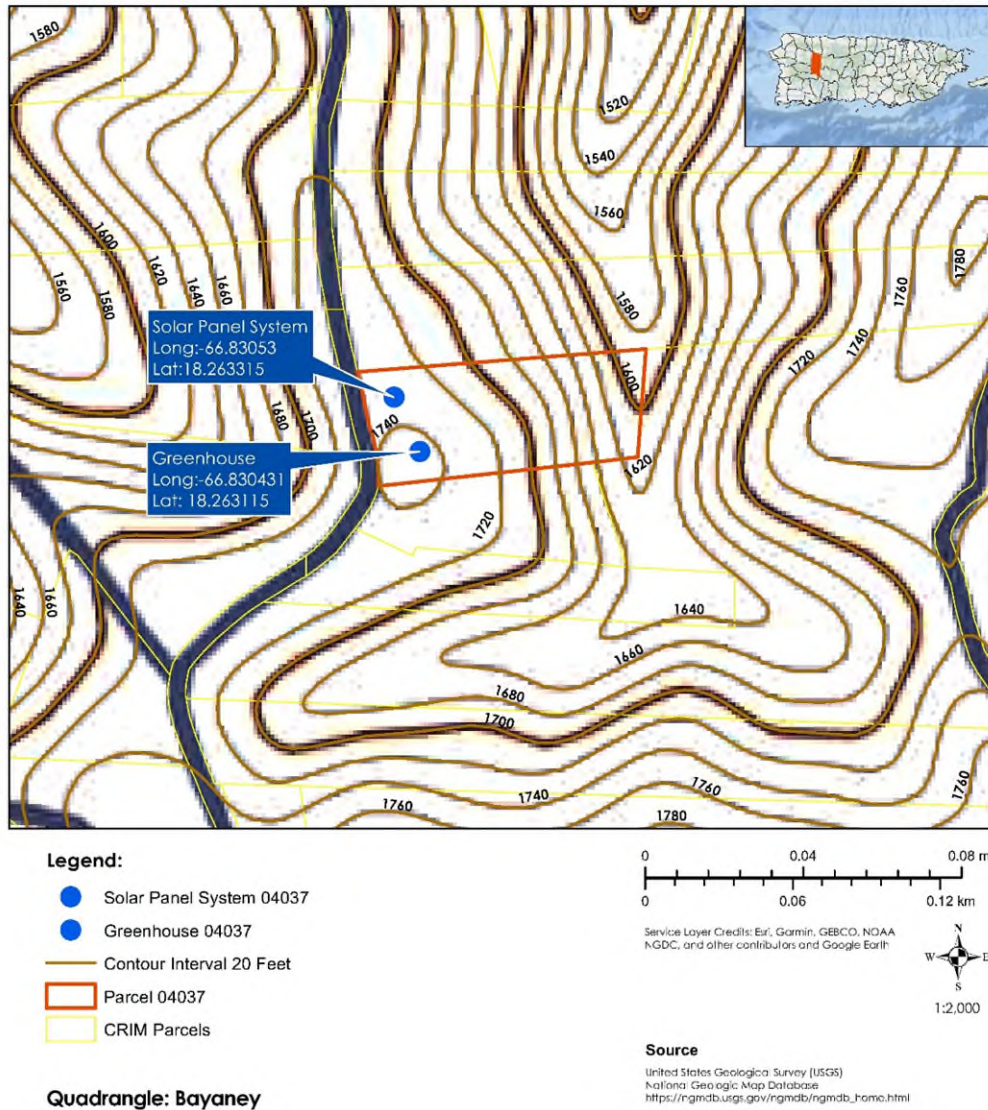


Figure 2: PR-RGRW-04037 Topographic Map

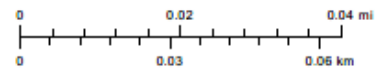
Area of Potential Effect

Puerto Rico Department of Housing ReGrow

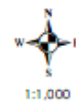


Legend:

- Parcel 04037
- Area of Potential Effect (15 Mts.)
- Solar Panel System 04037
- Greenhouse-04037
- CRIM Parcels



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



Source

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

Figure 3: PR-RGRW-04037 Area of Potential Effect Map

Farmland Protection

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-04037

Farm Class

- Farmland of statewide importance
- Not prime farmland

0 0.1 0.2 mi
0 0.25 0.5 km
Service Layer Credits: Source: Esri, Maxar, Earthstar
Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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



1:10,000

Figure 4: PR-RGRW-04037 Farmland Protection Map

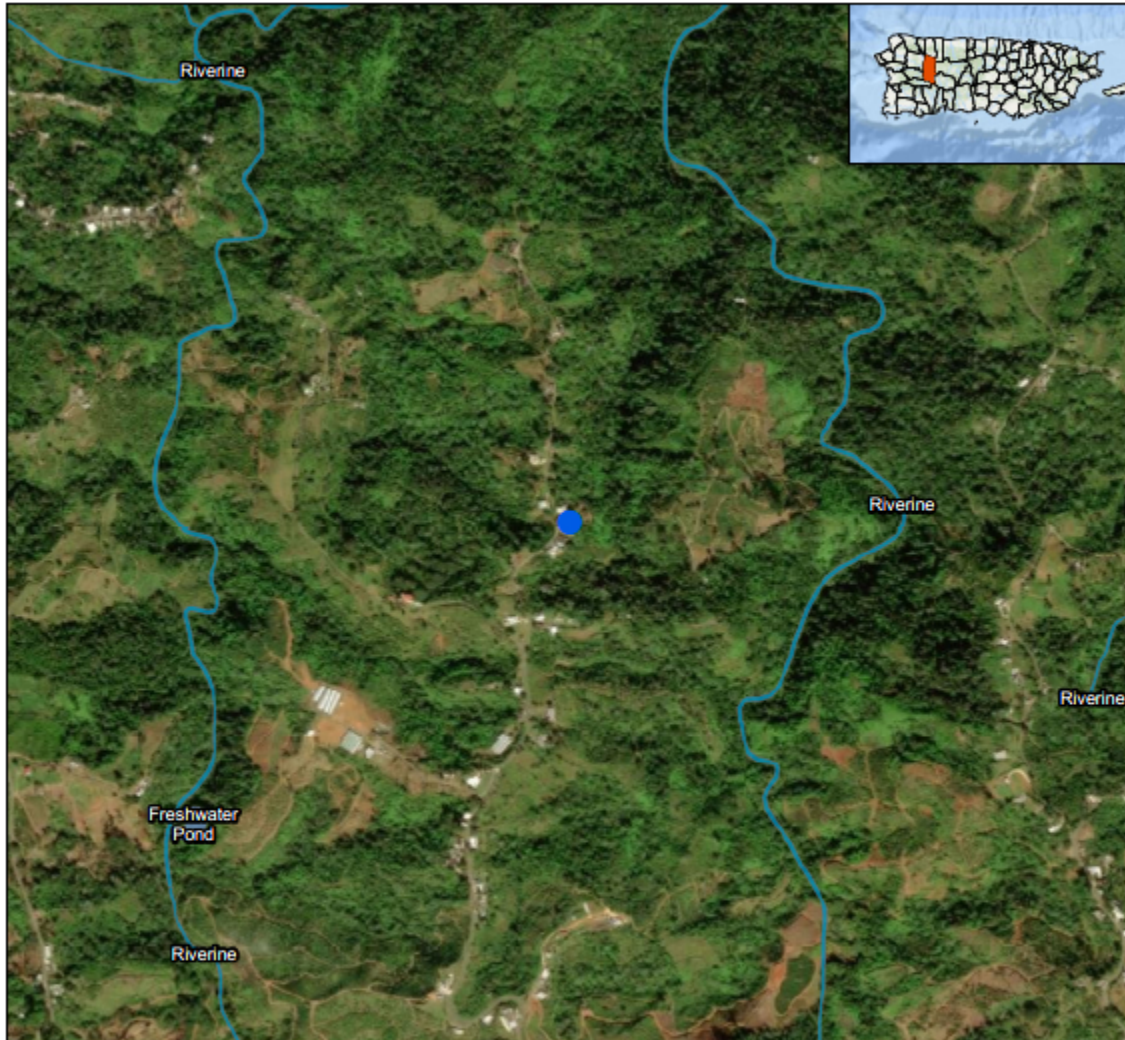
Figure 5: PR-RGRW-04037 Critical Habitats Map

Application ID: PR-RGRW-04037

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

Wetlands Map

Puerto Rico Department of Housing ReGrow



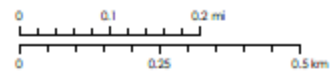
Legend:

● PR-RGRW-04037

National Wetlands Inventory

■ Freshwater Pond

■ Riverine



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

Source

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



1:10,000

Figure 6: PR-RGRW-04037 Wetlands Map

Exhibit B: Information for Planning and Consultation (IPaC)



United States Department of the Interior



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

In Reply Refer To:
Project Code: 2024-0143308
Project Name: PR-RGRW-04037

09/12/2024 16:37:05 UTC

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

To Whom It May Concern:

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

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

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

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

to caribbean_es@fws.gov. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

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

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

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

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

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

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

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0143308

Project Name: PR-RGRW-04037

Project Type: Disaster-related Grants

Project Description: The proposed activities for PR-RGRW-04037 consist of the purchase and installation of a new 30 feet x 72 feet greenhouse and solar panel system.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.26329725,-66.83029352615716,14z>



Counties: Lares County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 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/A3XEOWLLNFAXRL7MS537UQO6VQ/documents/generated/7159.pdf	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 in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

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

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

MIGRATORY BIRDS

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

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

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

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

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

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

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

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

In Reply Refer To:
Project code: 2024-0143308
Project Name: PR-RGRW-04037

09/12/2024 16:46:23 UTC

Subject: Consistency letter for the project named 'PR-RGRW-04037' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On September 12, 2024, Patricia Carmenatty used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-04037'. The project is located in Lares County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.26329725,-66.83029352615716,14z>



The following description was provided for the project 'PR-RGRW-04037':

The proposed activities for PR-RGRW-04037 consist of the purchase and installation of a new 30 feet x 72 feet greenhouse and solar panel system.

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

Species	Listing Status	Determination
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered	NLAA
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered	NLAA

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

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **065-149426462**

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

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

- Puerto Rican 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-04037

2. Description

The following description was provided for the project 'PR-RGRW-04037':

The proposed activities for PR-RGRW-04037 consist of the purchase and installation of a new 30 feet x 72 feet greenhouse and solar panel system.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.26329725,-66.83029352615716,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

No

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

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

No

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

No

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

Yes

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

Automatically answered

Yes

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

Yes

15. Will the proposed project be conducted during the Puerto Rican sharp-shinned hawk or Puerto Rican Broad-winged hawk breeding season between December and July?

No

16. If nests are detected within the project area, will the proposed project avoid any disturbance until fledging leaves the nest permanently?

Yes

17. Outside of the breeding season, in the event of a Sharp-shinned hawk nest encounter, would a buffer zone be implemented?

Note: The species or nests might be found out of the breeding season. A buffer zone is an area around the detected nests where no actions or activities can take place. The buffer zone should be clearly marked or delineated in the field and in the project plans.

Yes

18. Will the Fish and Wildlife Service and the Department of Natural Resources be notified immediately if a nest is detected?

Yes

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

Automatically answered

Yes

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

No

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

Exhibit C: Field Visit Photos



Photo #: 1

Description (include direction): Area where the greenhouse will be installed, looking west.

Date: March 11, 2024



Photo #: 2

Description (include direction): Area where the greenhouse will be installed, looking east. No trees will be removed.

Date: March 11, 2024



November 15, 2024

TO: José M. Olmo Terrasa, Esq.
Deputy Director for Economic Recovery Grant Management
Re-Grow PR Urban Rural Agriculture Program

**RE: Endangered Species Concurrence - Conservation Measures
Implementation Mayra I. Hernandez Vera DBA Finca Chiquita
(PR-RGRW-04037)**

Dear Mr. Olmo:

This memorandum is to notify the Re-Grow PR Urban-Rural Agriculture Program (Re-Grow Program) that on September 16, 2024, for the case **PR-RGRW-04037**, the CDBG-DR/MIT Permits and Environmental Compliance Division submitted 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, which consist of the purchase and installation of a new greenhouse and solar panel system, for Mayra I. Hernandez Vera DBA Finca Chiquita, an agricultural business, located PR-129 Road Km 2.7, Buenos Aires Ward, Lares, PR 00669; latitude 18.263315, longitude -66.83053.

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

Name of Species	Status
Puerto Rican Boa	Endangered
Puerto Rican Broad-winged Hawk	Endangered
Puerto Rican Parrot	Endangered
Critical Habitat	
There were no Critical Habitats noted within the project area.	

The United States Fish and Wildlife Service (USFWS) Caribbean Ecological Services Field Office reviewed the information provided and their files, and on November 6, 2024 concurred with the determination that the proposed project actions will have **No effect** on the Puerto Rican Parrot. Also, the PRDOH together with the USFWS have determined that the proposed project **May Affect, but is Not Likely to Adversely Affect (NLAA)** the Puerto Rican Boa and the Puerto Rican Broad-winged Hawk.

The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately.

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.

In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, **the applicant must be informed about the conditions of the determination of concurrence and implement them as described.**

In order to facilitate the species identification, please, find attached the Caribbean Endangered and Threatened Animals Fact Sheets for: Puerto Rican Boa and the Puerto Rican Broad-winged Hawk

USFWS Caribbean Ecological Services Field Office key contact information:

- José Cruz-Burgos, Endangered Species Coordinator
Office phone (786) 244-0081 or mobile (305) 304-1386
Email: jose_cruz-burgos@fws.gov

Sincerely,

Permits and Environmental Compliance Division Disaster Recovery Office

Caribbean ES Puerto Rican Boa

Puerto Rican Boa

Generated August 01, 2024 02:11 PM UTC, IPaC v6.112.0-rc2





U.S. FISH AND WILDLIFE SERVICE CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE

Conservation Measures for the Puerto Rican boa (*Chilabothrus inornatus*)

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

The endangered Puerto Rican (PR) boa (*Chilabothrus inornatus*, formerly *Epicrates inornatus*) is the largest endemic snake species that inhabits Puerto Rico. The PR boa is non-venomous and does not pose any life threatening danger to humans, but some individuals may try to bite if disturbed or during capture or handling. Its body color ranges from tan to dark brown with irregular diffuse marking on the dorsum, but some individuals lack marking and are uniformly dark. Juveniles may have a reddish color with more pronounced markings. In general, as they mature, their body color tends to darken.



The PR boa was federally listed in 1970. Currently, the species has an island-wide distribution and occurs in a wide variety of habitat types, ranging from wet montane to subtropical dry forest and can be found from mature forest to areas with different degrees of human disturbance such as roadsides or houses, especially if near their habitat in rural areas. The PR boa is considered mostly nocturnal, remaining less active, concealed or basking under the sun during the day.

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

Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #s: (787) 724-5700, (787) 230-5550, (787) 771-1124). **If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own.** Activities at other work sites, where no boas have been found after surveying the area, may continue.
5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

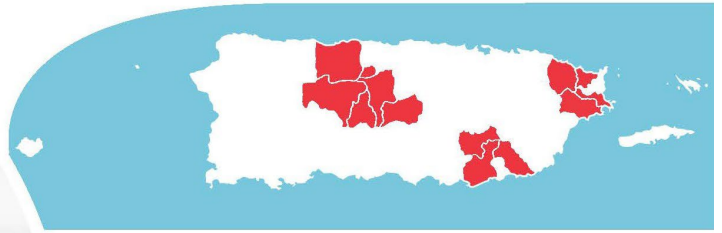
6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.
7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.
8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
9. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

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

- José Cruz-Burgos, Endangered Species Program Coordinator
 - Email: jose_cruz-burgos@fws.gov
 - Office phone (305) 304-1386
- Jan Zegarra, Fish and Wildlife Biologist
 - Email: jan_zegarra@fws.gov
 - Office phone (786) 933-1451

Guaraguao de bosque

Buteo platypterus brunnescens



Distribución

Información biológica

Reproducción

Esta especie anida en bosques secundarios maduros y plantaciones antiguas. En el Bosque Estatal de Río Abajo (RACF, por sus siglas en inglés), los sitios de anidación están caracterizados por la presencia de árboles tales como el palo Marfa (*Calophyllum antillanum*), la teca (*Tectona grandis*), la caoba hondureña (*Swietenia macrophylla*) y la majagua (*Hibiscus elatus*). Los guaraguao de bosque colocan sus nidos en la parte superior de árboles grandes que sobrepasan la cubierta forestal. Información recientemente recopilada sobre la abundancia y características demográficas del guaraguao de bosque en RACF indica un alto nivel de fidelidad entre parejas; una tasa de sobrevivencia en nidos de 0.67 a través de la temporada de reproducción; y una productividad de 1.1 crías por nido. Entre los años 2001 a 2003, se marcaron con radio transmisores y se colocaron bandas en las patas a varias crías de guaraguao de bosque en el RACF. En 2013, al visitar el área donde se marcaron, se documentó que seguían vivas (Llerandi-Roman and Rios-Cruz pers. comm.). Por ejemplo, una hembra joven que fue marcada entre el 2001 al 2003 en el RACF fue documentada anidando exitosamente entre los años 2007 al 2009. (Rios-Cruz pers. comm.)

Habitat

Esta especie habita en bosques enanos, bosques de palmas de sierra, de caimitillo-granadillo y de tabonuco. Estos bosques se encuentran en las reservas forestales del Bosque Estatal de Carite, Bosque Estatal Toro Negro, Bosque Los Tres Picachos y el Bosque Nacional El Yunque. También habita en

Familia: Accipitridae
Orden: Falconiformes

Descripción

El guaraguao de bosque de Puerto Rico o guaraguaito es de color marrón oscuro con barras blancas y rojizas en la parte ventral. Es una subespecie endémica de Puerto Rico de tamaño mediano, que mide aproximadamente 39 centímetros (15.5 pulgadas). Es más pequeño que el *Buteo platypterus platypterus* pero más grande que la subespecie que ocurre en las Antillas Menores. El guaraguao de bosque es la subespecie de halcón de ala ancha más oscura. En los adultos, la cola es de un color negro claro con bandas blancas horizontales en la base, medio y extremo de la cola, y esto, junto con el pecho rojizo, caracteriza a la especie. Los machos y las hembras son muy similares en apariencia, pero las hembras son un poco más grandes. Las aves juveniles tienen barras oscuras en el pecho y no tienen las bandas distintivas en la cola. La población del guaraguao de bosque de Puerto Rico oscila cerca de los 125 individuos.

plantaciones madereros maduros, en cafetales bajo sombra y en bosques secundarios maduros del área de carso al norte-central de Puerto Rico dentro y cerca del Bosque Estatal de Rfo Abajo y el área de Rfo Encantado entre los pueblos de Aorida y Ciales. La topografía húmeda de los bosques del carso le provee al guaraguao de bosque otra alternativa como área para anidar. En estudios recientes, se han documentado miembros de una especie similar de guaraguao (guaraguao de cola roja; *Buteo jamaicensis jamaicensis*) anidando en las laderas del carso adyacentes al RACF.

Distribución

El guaraguao de bosque es un ave de rapía poco común y extremadamente localizado, que se encuentra en los bosques montañosos de tierra alta de Puerto Rico. Las poblaciones existentes se hallan primariamente dentro de cinco bosques: el RACF, el Bosque Estatal Carite, el Bosque Estatal Toro Negro, el Bosque Los Tres Picachos y el Bosque Nacional El Yunque. Llerandi-Roman (2006) halló trece territorios de guaraguao de bosque justo fuera de los límites de RACF, en seis sitios diferentes con hábitat apropiado para los guaraguas de bosque. Los territorios se encuentran a lo largo del valle del Rfo Tanama, al noroeste del RACF.

Amenazas

La abundancia y la distribución del guaraguao de bosque es limitada. Cualquier amenaza que atente contra su población y su hábitat puede resultar en detrimento para esta especie. De forma natural, los huracanes constituyen una amenaza ya que destruyen su hábitat debido a las intensas lluvias y a los fuertes vientos. No obstante, existe una gran variedad de actividades humanas que también amenazan las poblaciones de esta especie. La construcción de instalaciones recreativas, de estructuras para energía y comunicaciones y de carreteras contribuye a la destrucción y fragmentación de su hábitat. De igual manera, la caza ilegal, las malas prácticas de manejo y la carencia de planes de manejo para los bosques públicos también afectan las poblaciones del guaraguao de bosque. Los bajos números poblacionales de esta especie pueden, por sí mismos, estar afectando la población ya que se pierde la variación genética de esta.

Medidas de conservación

El guaraguao de bosque está incluido en la lista de especies amenazadas desde el 1994. La Ley Federal de Especies en Peligro de Extinción de 1973, según enmendada, prohíbe matar, dañar, molestar, atrapar, comprar o vender una especie, así como partes o productos derivados de ellas. El tener la especie en la lista federal fomenta y ayuda a crear acciones de conservación por las agencias federales, estatales, privadas, y por grupos e individuos particulares. La Ley de Especies En Peligro fomenta la compra de terrenos y la cooperación con el Estado, y requiere que se ejecuten acciones de recuperación en relación a todas las especies listadas. Entre las medidas esenciales para proteger el hábitat y fomentar el crecimiento de las poblaciones existentes están: la protección de los sitios de anidamiento y alimento en las áreas públicas y privadas, el mejoramiento de los hábitats, la reforestación en áreas abiertas, la actualización de la información acerca de la distribución y la identificación o creación de corredores biológicos entre poblaciones cercanas (tales como RACF, Los Tres Picachos y Toro Negro) con tal de facilitar el movimiento de los guaraguas de bosque entre los bosques.

Referencias

- Delannoy, CA. 1992. Status surveys of the Puerto Rican sharp-shinned hawk (*Accipiter striatus venator*) and Puerto Rican broad-winged hawk (*Buteo platypterus bimaculatus*). Final report submitted to the U.S. Fish and Wildlife Service as specified in work contract no. 14-16-0004-91-031.
- Hengstenberg D.W., and F.J. Vilella. 2004. Nesting Ecology and Behavior of Broad-winged Hawks in Moist Karst Forests of Puerto Rico. *Journal of Raptor Research*. 39(4): 404-416.
- Hernandez, E. 1980. Estudio de aves, reptiles y anfibios en la reserva forestal de Carite. Informe presentado como requisito del curso Qencias Naturales 306, Programa de Mantenimiento Ambiental. Facultad de Qencias Naturales, Universidad de Puerto Rico, Recinto de Río Piedras, Río Piedras, Puerto Rico.
- Llerandi -Roman, J.C. 2006. Red-tailed Hawk Home range, habitat use, and activity patterns in north-central Puerto Rico. Thesis. Mississippi State University. Mississippi State, MS.
- Llerandi-Roman, J.C., Rios-Cruz, J.M. and F.J. Vilella. 2009. Cliff-nesting by the Red-tailed Hawk in Moist Karst Forests of Northern Puerto Rico.

Miranda-Castro, L., A.R. Puente, and S. Vega-Castillo. 2000. First list of the vertebrates of Los Tres Picachos State Forest, Puerto Rico, with data on relative abundance and altitudinal distribution. *Caribbean Journal of Science* 36(1-2):117-126.

Raffaele, H.A. 1989. *A guide of the Birds of Puerto Rico and the Virgin Islands*. Princeton University Press, New Jersey.

Snyder, N.F., J.W. Wiley and C.B. Kepler. 1987. The parrots of Luquillo: Natural history and conservation of the Puerto Rican parrot. Western Foundation of Vertebrate Zoology, Los Angeles, California.

U.S. Fish and Wildlife Service. 2010. Puerto Rican broad-winged hawk or guaraguao de bosque (*Buteo platypterus brunneus*) 5-Year Review. Caribbean Ecological Services Field Office, Boquerón, Puerto Rico.

U.S. Fish and Wildlife Service. 1994. Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Puerto Rican broad-winged hawk and the Puerto Rican sharp-shinned hawk. *Federal Register* 59:46710-46715.

Wiley, J.W. and G.P. Bauer. 1985. Caribbean National Forest, Puerto Rico. *American Birds* 39:12-18.

Vilella F.J. & D.W. Hengstenberg. 2006. Broad-Winged Hawk (*Buteo platypterus brunneus*) movement and habitat use in a moist limestone forest of Puerto Rico. *Ornitología Neotropical*. 17: 563-579

Información adicional

Oficina de Servicios Ecológicos del Caribe
Dirección: PO Box 491, Boquerón, PR 00622
Teléfono: 787-851-7297 / Fax: 787-851-7440
Internet: www.fws.gov/caribbean



AMENAZADA

Radon Attachments



August 20, 2024

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

Via email: guerrero.carmen@epa.gov

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

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

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

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

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

Barbosa Ave. #606, Building Juan C. Cordero Davila, Rio Piedras, PR 00981 | PO Box 21365 San Juan, PR 00928-1365
Tel: (787) 274-2527 | www.usenda.pr.gov



August 20, 2024

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

Via email: silvina.cancelos@upr.edu

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

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

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

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

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

Barbosa Ave. #606, Building Juan C. Cordero Davila, Rio Piedras, PR 00981 | PO Box 21365 San Juan, PR 00928-1365
Tel: (787) 274-2527 | www.usenda.pr.gov

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

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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

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

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

Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

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

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

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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

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

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

Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

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



August 20, 2024

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

Via email: OIA@cdc.gov

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

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

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

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

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

Barbosa Ave. #606, Building Juan C. Cordero Dávila, Río Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365
Tel. (787) 274-2527 | www.viviendap.rg.pr.gov

CDBG-DR/MIT Program
Request for Information in relation with HUD CPD-23-103 for Puerto Rico
Page 2 / 2

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

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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

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

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

Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary



August 20, 2024

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

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

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

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

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

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

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

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

Barbosa Ave. #606, Building Juan C. Cordero Dávila, Río Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365
Tel. (787) 274-2527 | www.viviendap.rg.pr.gov

CDBG-DR/MIT Program
Request for Information in relation with HUD CPD-23-103 for Puerto Rico
Page 2 / 2

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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

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

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

Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

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



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

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

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

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

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

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

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

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

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

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



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

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

Via email: hweyers@usgs.gov

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

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

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

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

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

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

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

CDBG-DR/MIT Program
Request for Information in relation with HUD CPD-23-103 for Puerto Rico
Page 2 / 2

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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

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

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

Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

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

CDBG-DR/MIT Program
Request for Information in relation with HUD CPD-23-103 for Puerto Rico
Page 2 / 2

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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

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

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

Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

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

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

Good morning, Sandra and others,

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

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

If you have any additional questions, please contact me.

Thank you and best regards,

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



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

Dear Ms. Medina Smaine,

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

Best regards,

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

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

Good afternoon. Ms. Medina

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

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

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

Saludos.

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

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

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

Estimada Melanie Medina

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

Atentamente

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



Bubble Dynamics Lab
University of Puerto Rico - Mayaguez



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

September 23, 2024

VIA EMAIL

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

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

Dear Honorable Secretary Rodriguez Rodriguez:

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

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

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

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

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

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

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

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

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

2

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

Sincerely,

**CARMEN
GUERRERO
PEREZ**

Carmen R. Guerrero Pérez
Director

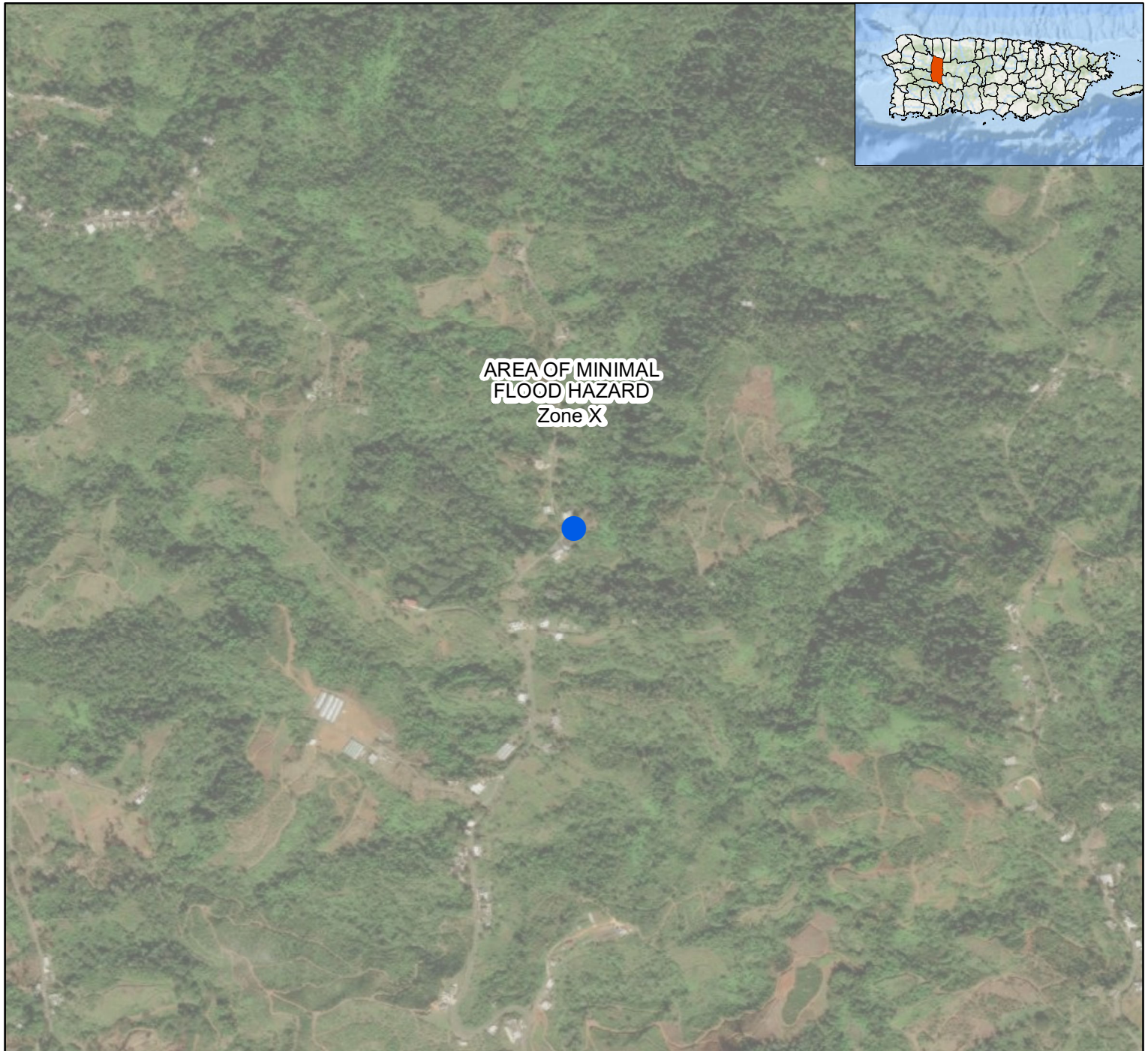
Digitally signed by
CARMEN GUERRERO PEREZ
Date: 2024.09.23 09:41:39
-04'00'

cc: Roberto Mendez, Esq (Acting Secretary, PR Department of Natural and Env. Resources)
Melany Medina: mmedina@vivienda.pr.gov
Elaine Dume Mejia: Edume@vivienda.pr.gov
Luz S Colon Ortiz: Lcolon@vivienda.pr.gov
Aldo A. Rivera-Vazquez: arivera@vivienda.pr.gov
Cesar O. Rodriguez: cesarrodriiguez@drna.pr.gov
Marita Rosa Olivares: maritzarosaolivares@drna.pr.gov



Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

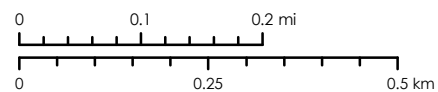
Figure 9: Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-04037
-  Area of Minimal Flood Hazard Zone X



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

Source

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

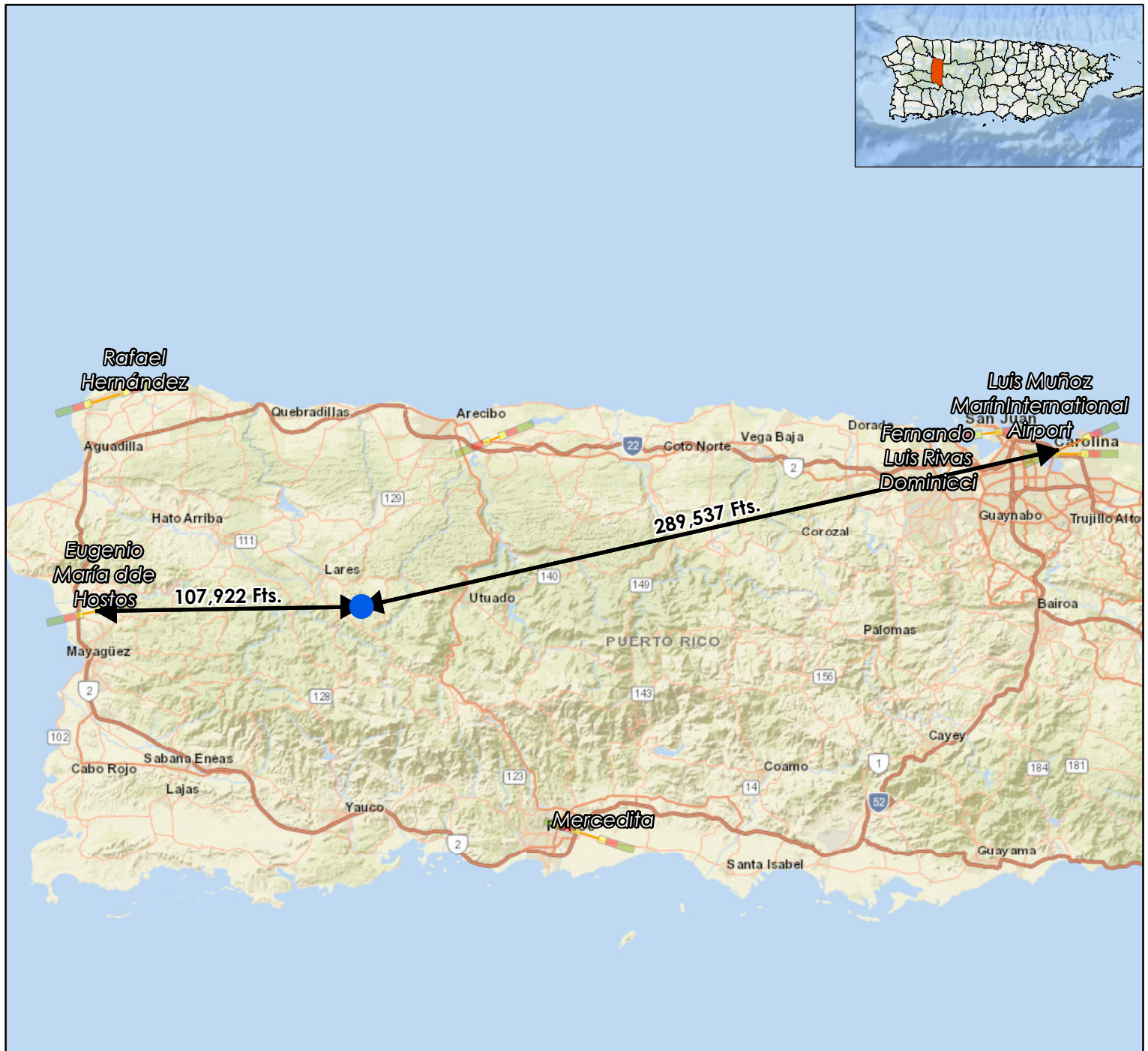


1:10,000

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

Figure 2: Airports

Puerto Rico Department of Housing ReGrow

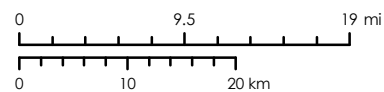


Legend:

- PR-RGRW-04037
- SJU Military Runway
- Civil Runway

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/>

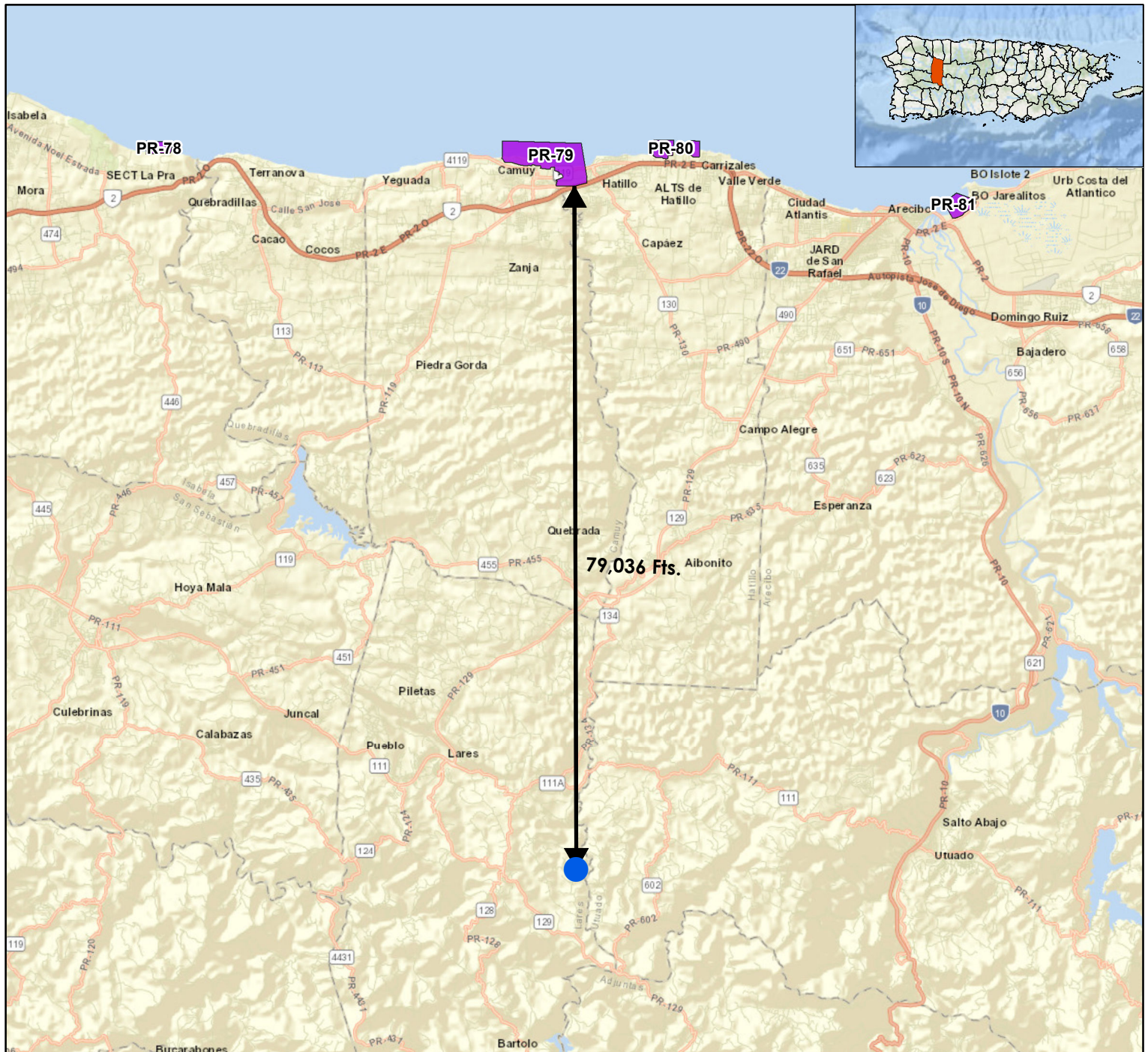


1:700,000

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow



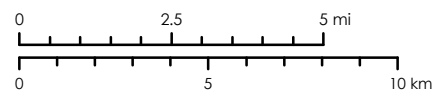
Legend:

● PR-RGRW-04037

Coastal Barrier Resources System (CBRS)

Otherwise Protected Area

System Unit



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

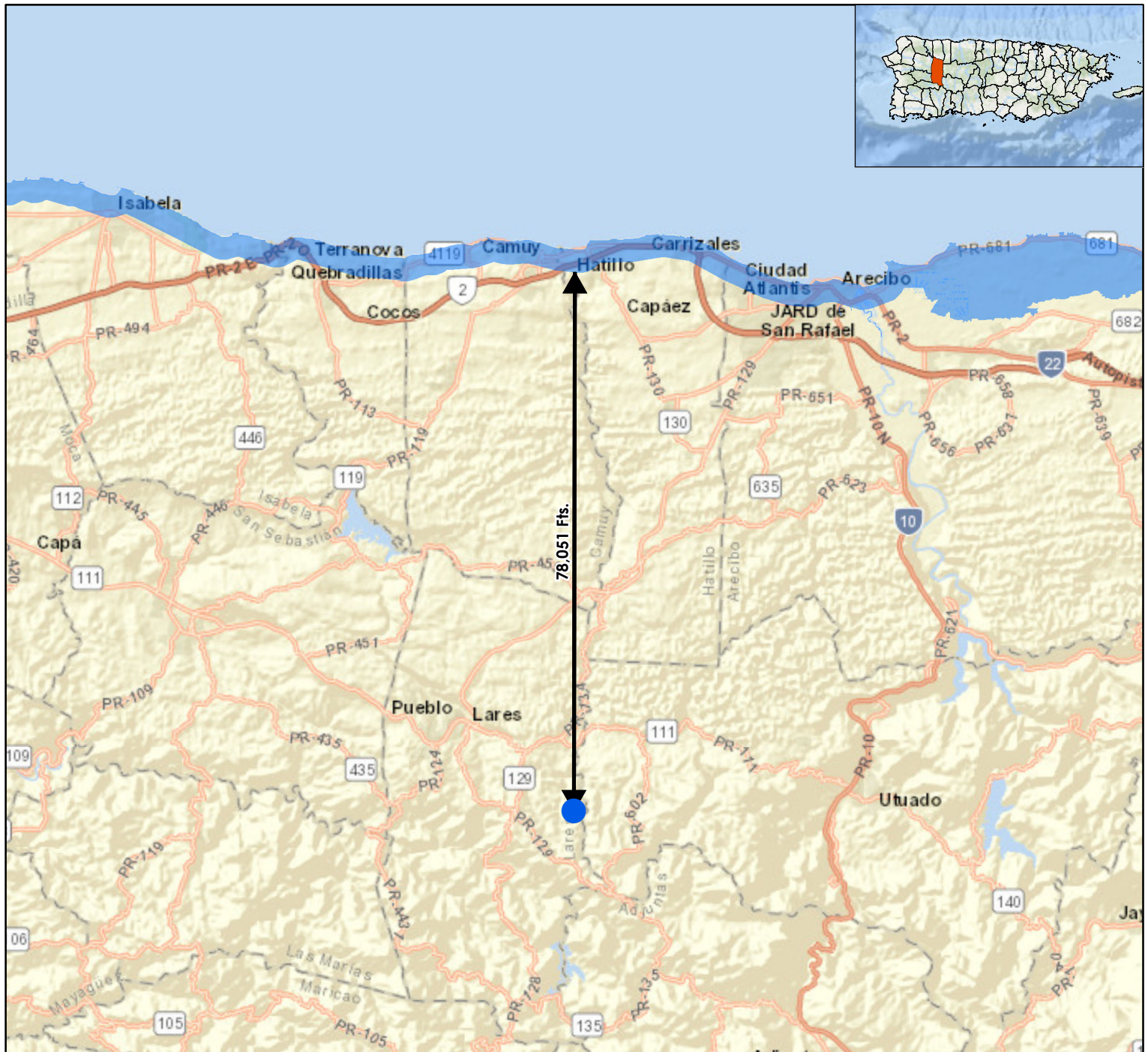
U.S. Fish and Wildlife Service (FWS)
<https://www.fws.gov/program/coastal-barrier-resources-act>



1:200,000

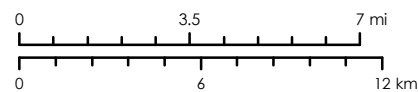
Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04037
- Coastal Zone Management Act Boundary



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

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

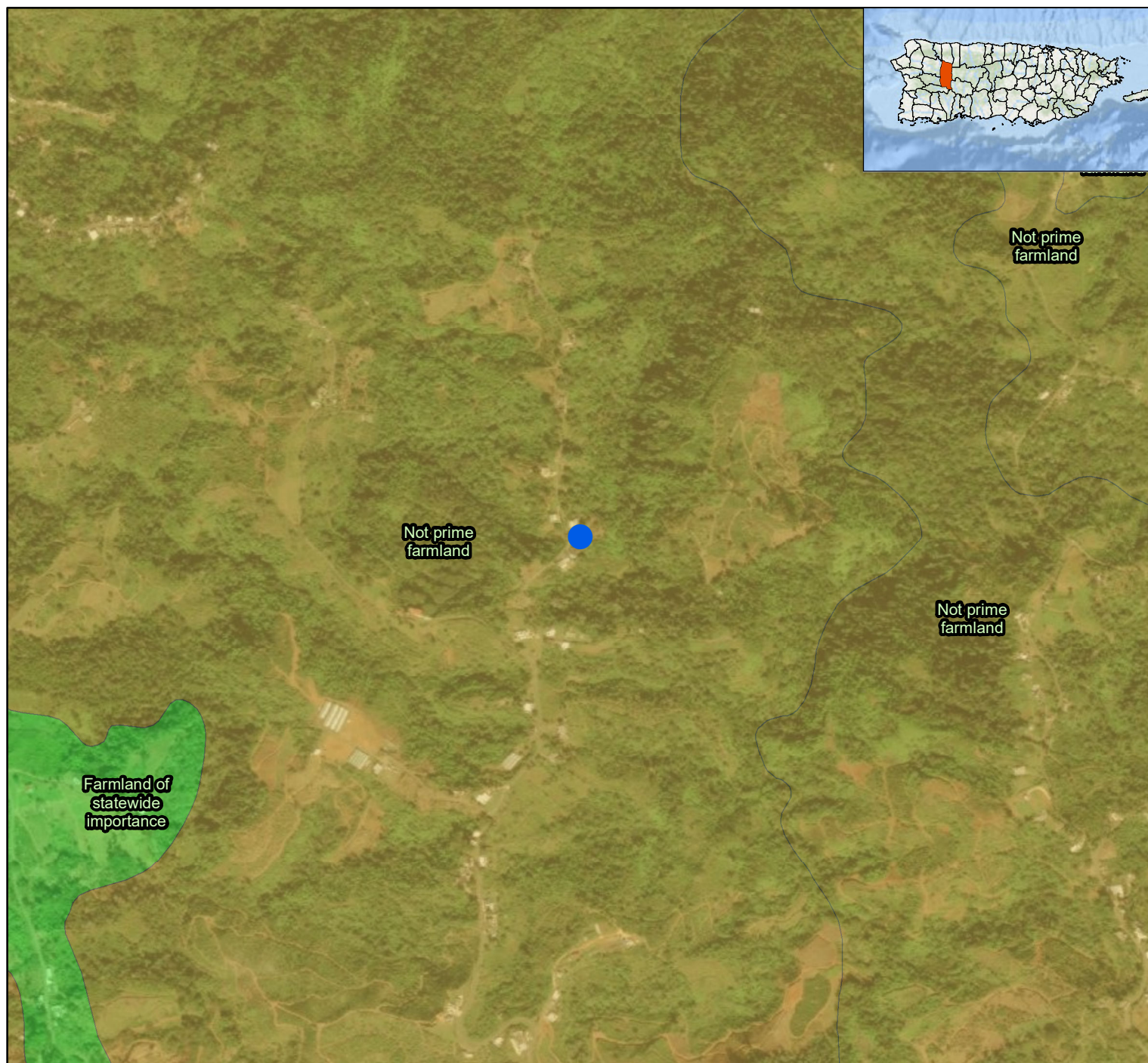


1:250,000

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

Figure 8: Farmland Protection


Puerto Rico Department of Housing ReGrow




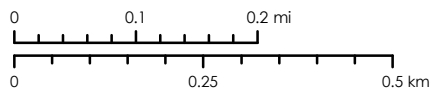
Legend:

 PR-RGRW-04037

Farm Class

 Farmland of statewide importance

 Not prime farmland



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

Source

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

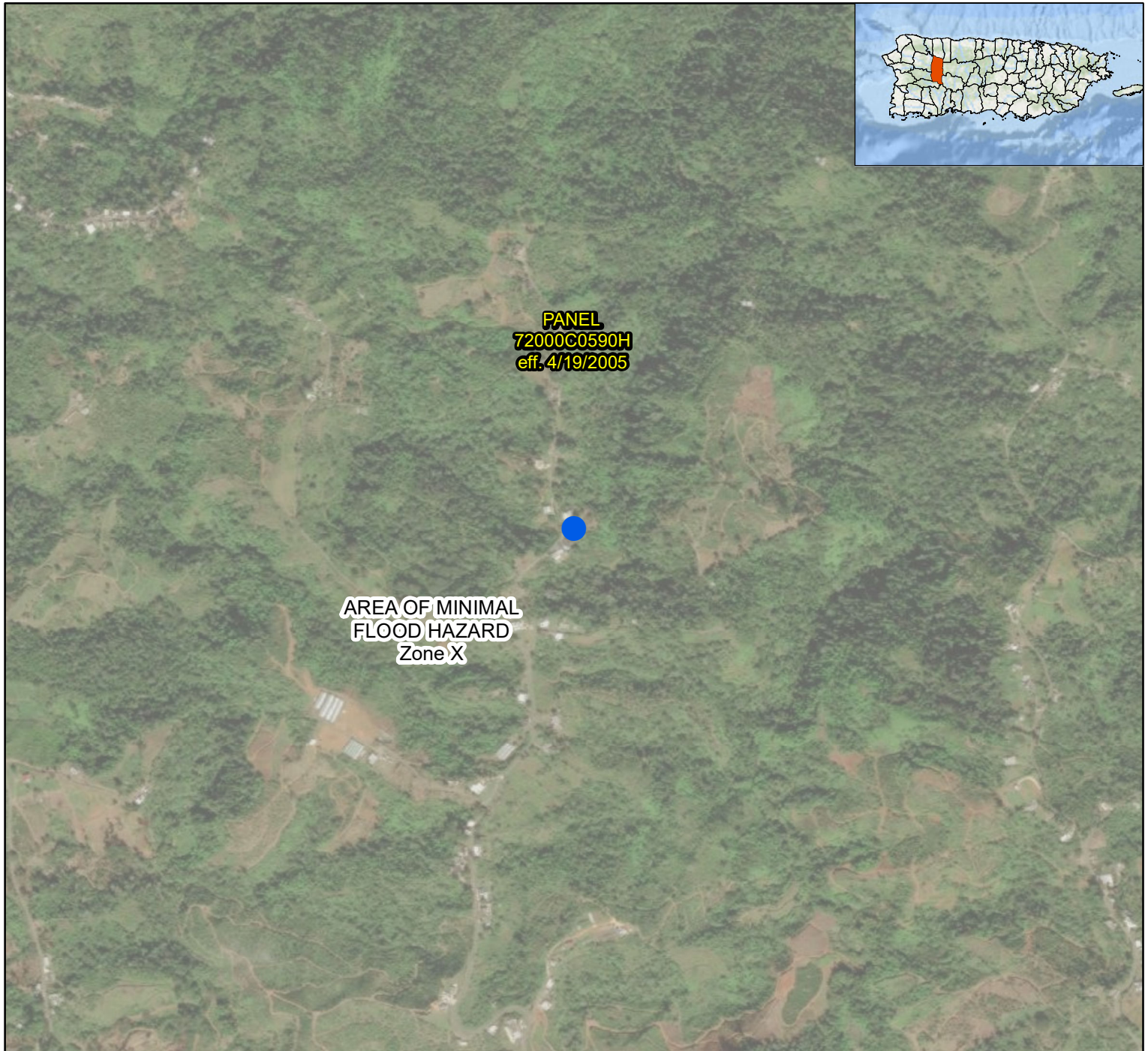


1:10,000




Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

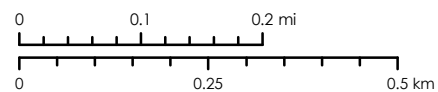
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-04037
-  Area of Minimal Flood Hazard *Zone X*
-  FIRM Panel



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

Source

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







1:10,000

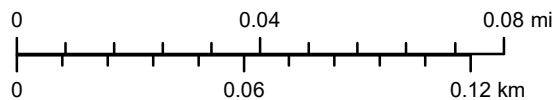
Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

-  Solar Panel System
-  Greenhouse
-  Parcel 04037
-  CRIM Parcels



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



1:2,000

Source

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

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

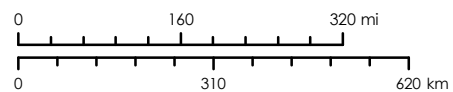
Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04037
- EPA Sole Source Aquifers



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



Source

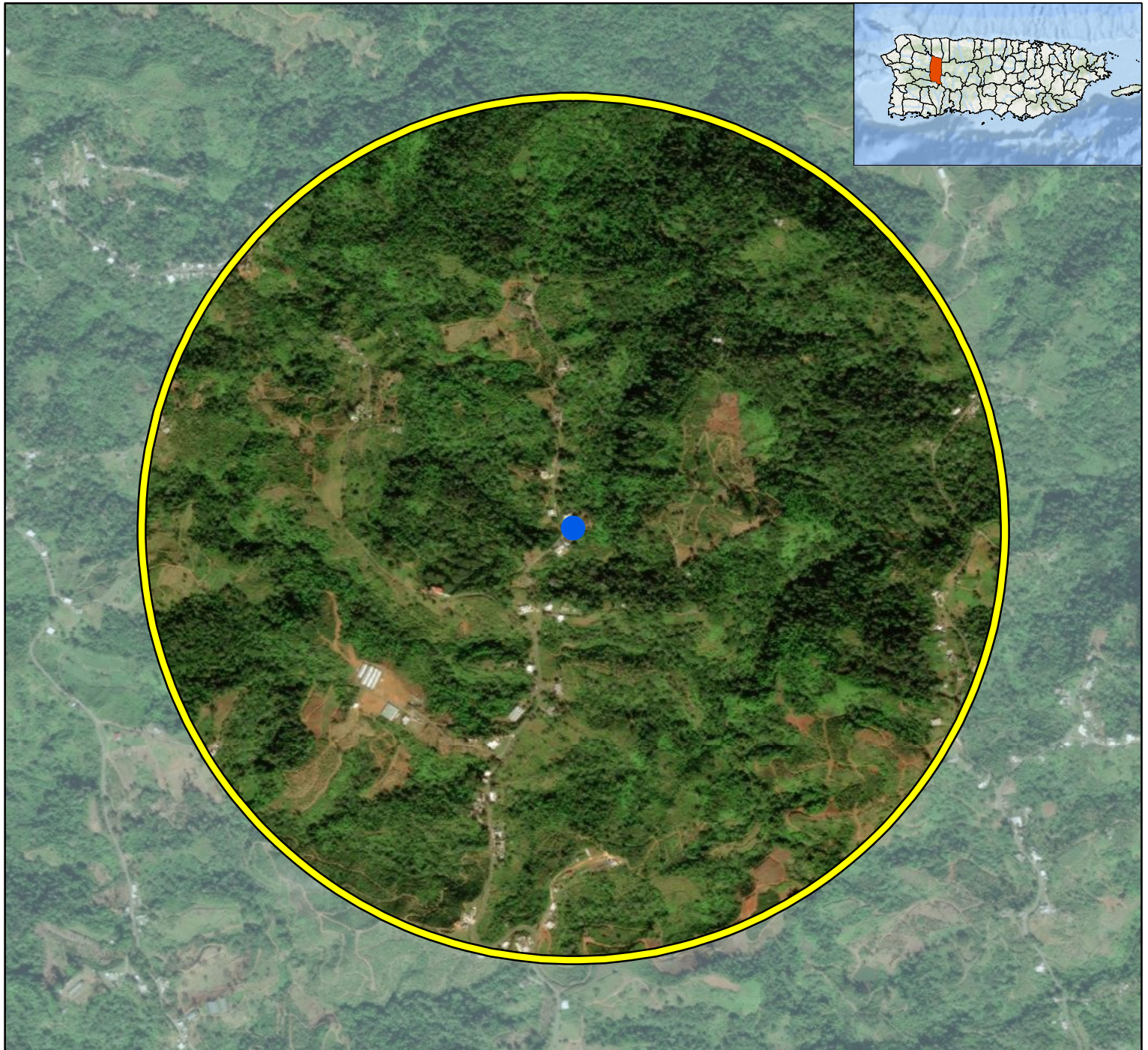
U.S. Environmental Protection Agency
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

1:12,000,000

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

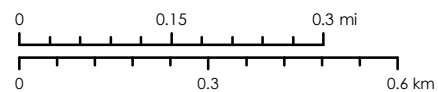
Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

- | | |
|--|---|
|  PR-RGRW-04037 |  NPDES MAJOR |
|  3,000 Ft. Buffer |  RCRA |
|  FACILITY INTERESTS |  RCRA ACTIVE |
|  ICIS |  RCRA INACTIVE |
|  NCDB |  RCRA LQG |
|  NPDES | |



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

Source

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

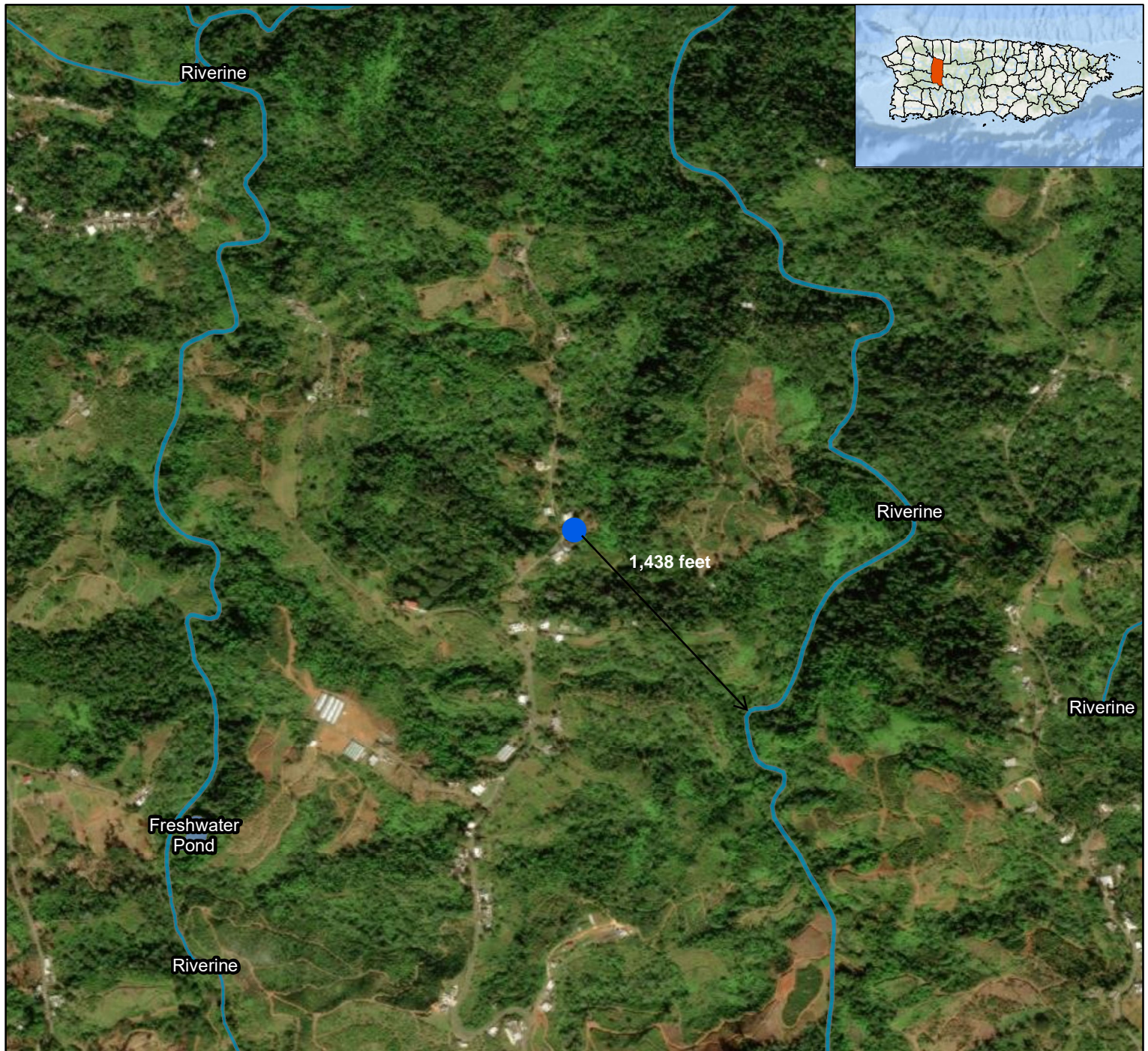


1:12,000

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

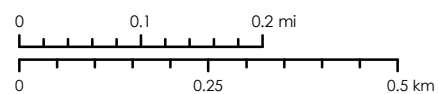


Legend:

● PR-RGRW-04037

National Wetlands Inventory

- Freshwater Pond
- Riverine



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

Source

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

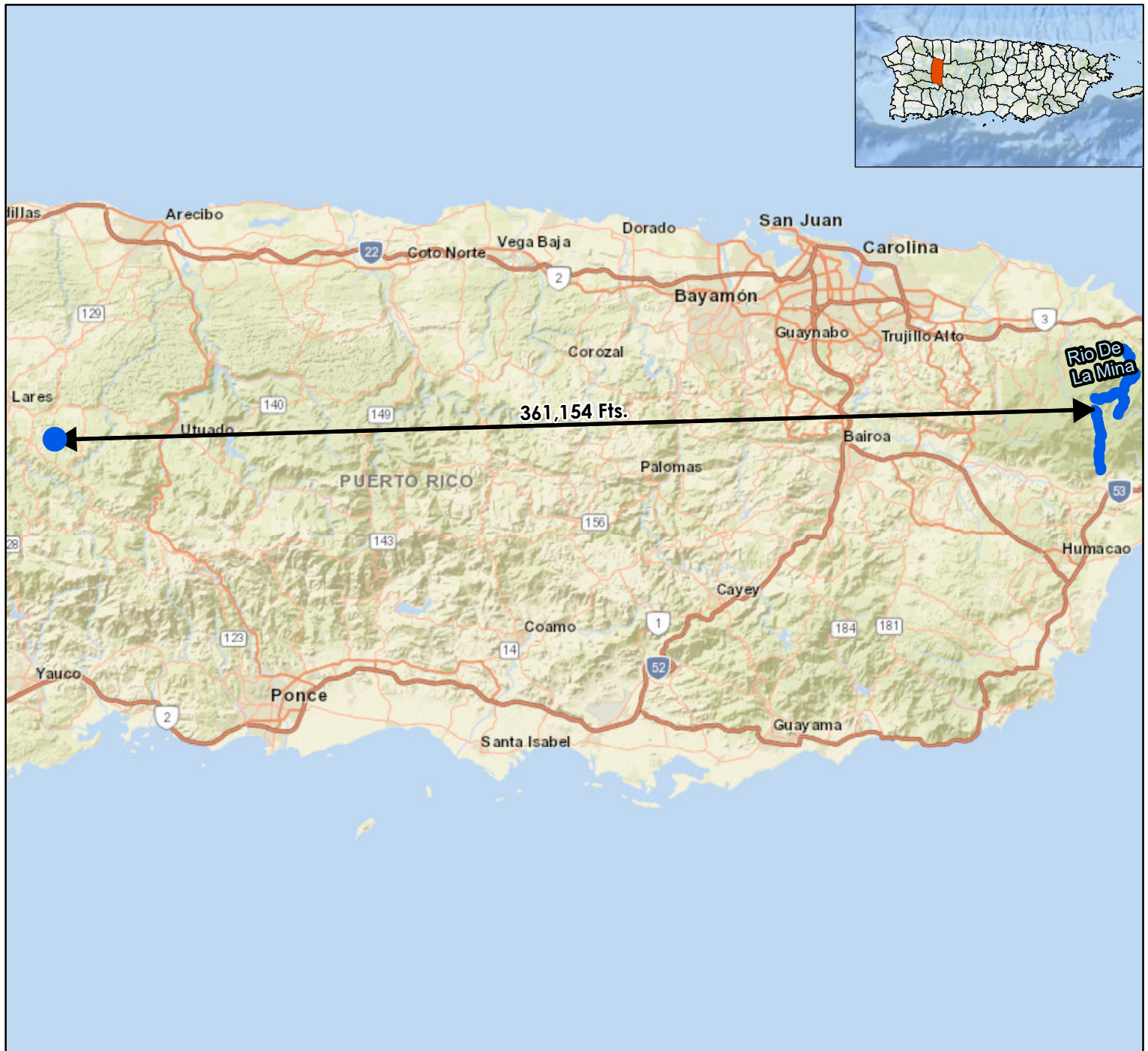


1:10,000

Mayra I. Hernandez Vera DBA Finca Chiquita
Carr. 129 Int. 499 km 2.7
Bo. Buenos Aires,
Lares, PR 00669
Catastro: 186-058-164-14-001
Coordenadas: 18.263115, -66.830431

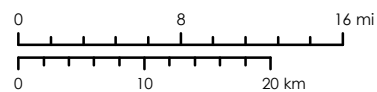
Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-04037
- Wild and Scenic Rivers



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

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



1:600,000