

U.S. Department of Housing and Urban Development

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

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

Project Information

Project Name: PR-SBF-01783-E-Re-evaluation

HEROS Number: 900000010483575

Start Date: 07/14/2025

State / Local Identifier:

Project Location: , Cabo Rojo, PR 00623

Additional Location Information:

The project is located at latitude 18.088302, longitude -67.145372 at the address given above. Tax ID Number: 332-017-015-02.

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

This project entails the award of a small business recovery grant to Natalycious Sweet & Treats, a Manufacturer business, at Calle Carbonell, Plaza de Mercado, Puesto #9, Cabo Rojo, PR 00623. The specific scope of work for this project includes purchase of inventory, and the purchase of equipment including an affixed battery system, a vegetable processor, a fridge, a freezer, a mixer, and a spinner.

Level of Environment Review Determination:

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

Funding Information

Grant	HUD Program	Program Name	
Number			
B-17-DM-72-	Community Planning and	Community Development Block	\$1,507,179,000.00
0001	Development (CPD)	Grants (Disaster Recovery Assistance)	
B-18-DE-72-	Community Planning and	Community Development Block	\$1,932,347,000.00
0001	Development (CPD)	Grants (Disaster Recovery Assistance)	
B-18-DP-72-	Community Planning and	Community Development Block	\$8,220,783,000.00
0001	Development (CPD)	Grants (Disaster Recovery Assistance)	
B-19-DP-78-	Community Planning and	Community Development Block	\$277,853,230.00
0002	Development (CPD)	Grants (Disaster Recovery Assistance)	

Estimated Total HUD Funded Amount: \$31,915.64

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$31,915.64

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Floodplain Management	The structure is located in the ABFE Zone A, but mitigation/minimization measures are not required as the building footprint is not being increased.	N/A	Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased.
Historic Preservation	Consult with SHPO on any changes to the proposed undertaking.	N/A	

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			
X	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)).			
	NEH-			
Prepar	Preparer Signature: Date: July 23, 2025			
Name .	/ Title/ Organization: Ricardo Espiet Lopez / / Department of Housing - Puerto Rico			
.	March - 14 14 23 2025			
Kespoi	Responsible Entity Agency Official Signature: Date: July 23, 2025			

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Name/ Title: Sally Z. Acevedo Cosme- 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).

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Project Information

Project Name: PR-SBF-01783-E-Re-evaluation

HEROS Number: 900000010483575

Start Date: 07/14/2025

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

Juan PR, 00928

State / Local Identifier:

RE Preparer: Ricardo Espiet Lopez

Certifying Office Sally Acevedo Cosme

r:

Grant Recipient (if different than Responsible Ent

ity):

Point of Contact:

Point of Contact: Chris Rickard
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: , Cabo Rojo, PR 00623

Additional Location Information:

The project is located at latitude 18.088302, longitude -67.145372 at the address given above. Tax ID Number: 332-017-015-02.

Direct Comments to: comentariosambiental@vivienda.pr.gov

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

This project entails the award of a small business recovery grant to Natalycious Sweet & Treats, a Manufacturer business, at Calle Carbonell, Plaza de Mercado, Puesto #9, Cabo Rojo, PR 00623. The specific scope of work for this project includes purchase of inventory, and the purchase of equipment including an affixed battery system, a vegetable processor, a fridge, a freezer, a mixer, and a spinner.

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

PR-SBF-01783-E Re-evaluation Form.pdf PR-SBF-01783-E IUGF.pdf

Level of Environmental Review Determination:

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

Determination:

	This categorically excluded activity/project converts to 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:

01783-SIG-PAGE.pdf

Public Notice Primera Hora PR-SBF-01783-E.pdf

Public Notice Notification to Agencies Evidence PR-SBF-01783-E.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)	\$1,507,179,000.00
B-18-DE-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$1,932,347,000.00
B-18-DP-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$8,220,783,000.00
B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$277,853,230.00

Estimated Total HUD Funded,

\$31,915.64

Assisted or Insured Amount:

Estimated Total Project Cost: \$31,915.64

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORD	· ·) NS LISTED AT 24 CFR §50.4 & § 58.6
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	□ Yes ☑ No	The nearest airport RPZ/CZ is approximately 58,997 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	☐ Yes ☑ No	This project is not located in a CBRS Unit. It is 13,304 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]	□ Yes ☑ No	Flood Map Number 72000C1535J, effective on 11/18/2009: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORD	DERS, AND REGULATIO	NS LISTED AT 24 CFR §50.4 & § 58.5
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	☐ Yes ☑ No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	□ Yes ☑ No	The project is located 2,583 feet from the coastal zone. This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Contamination and Toxic	☐ Yes ☑ No	Site contamination was evaluated as
Substances		follows: None of the above. On-site or
24 CFR 50.3(i) & 58.5(i)(2)]		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	☐ Yes ☑ No	This project will have No Effect on listed
Endangered Species Act of 1973,		species based on a letter of
particularly section 7; 50 CFR Part		understanding, memorandum of
402		agreement, programmatic agreement,
		or checklist provided by local HUD
		office. This project is in compliance with
		the Endangered Species Act.
Explosive and Flammable Hazards	☐ Yes ☑ No	Based on the project description the
Above-Ground Tanks)[24 CFR Part		project includes no activities that would
51 Subpart C		require further evaluation under this
		section. The project is in compliance
		with explosive and flammable hazard
		requirements.
Farmlands Protection	☐ Yes ☑ No	This project does not include any
Farmland Protection Policy Act of		activities that could potentially convert
1981, particularly sections 1504(b)		agricultural land to a non-agricultural
and 1541; 7 CFR Part 658		use. The project is in compliance with
Plandalain Managament	D Vac D Na	the Farmland Protection Policy Act.
Floodplain Management	☑ Yes □ No	FIRM Flood Map Number 72000C1535J,
Executive Order 11988, particularly		effective on 11/18/2009: This project is
section 2(a); 24 CFR Part 55		located in the floodplain. The 5-Step
		Process is required. With the 5-Step Process the project is in compliance
		with Executive Order 11988. PFIRMs in
		Puerto Rico were only developed for
		certain sections of the municipalities of
		Carolina, Canovanas, Loiza, San Juan
		and Trujillo Alto. The proposed project
		is located in the municipality of Cabo
		Rojo; therefore, PFIRM information was
		not available for the area and therefore
		not considered in the review.
	1	not considered in the review.

Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	☑ Yes □ No	Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Consult with SHPO on any changes to the proposed undertaking. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	☐ Yes ☑ No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	□ Yes ☑ No	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. According to EPA, there are no sole source aquifers in Puerto Rico.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	□ Yes ☑ No	Based on the project description this project includes no activities that would require further evaluation under this 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)	□ Yes ☑ No	This project is not within proximity of a NWSRS river. The project is located 475,536 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HO	OUSING ENVIRONMEN	TAL STANDARDS
	ENVIRONMENTAL J	USTICE
Environmental Justice Executive Order 12898	□ Yes ☑ No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald

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Trump issued the Executive Order 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,	Mitigation Measure or	Comments	Mitigation Plan	Complet
Authority, or	Condition	on		е
Factor		Complete		
		d		
		Measures		
Floodplain	The structure is located	N/A	Mitigation/minimizatio	
Managemen	in the ABFE Zone A, but		n measures not	
t	mitigation/minimizatio		required as the project	
	n measures are not		activities are not	
	required as the building		substantial	
	footprint is not being		improvement and the	
	increased.		building footprint is not	
			being increased.	
Historic	Consult with SHPO on	N/A		
Preservation	any changes to the			
	proposed undertaking.			

Project Mitigation Plan

Mitigation/minimization measures not required as the building footprint is not being increased.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The nearest airport RPZ/CZ is approximately 58,997 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

PR-SBF-01783-E Airports.pdf

Are formal compliance steps or mitigation required?

Yes

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 13,304 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

PR-SBF-01783-E CBRS.pdf

Are formal compliance steps or mitigation required?

Yes

Flood Insurance

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

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

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

✓ Yes

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

PR-SBF-01783-E FIRM.pdf

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

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

✓ No

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

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance

Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

✓ No

Screen Summary

Compliance Determination

Flood Map Number 72000C1535J, effective on 11/18/2009: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Air Quality

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

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

Yes



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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Coastal Zone Management Act

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

The project is located 2,583 feet from the coastal zone. This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

PR-SBF-01783-E CZM.pdf

Are formal compliance steps or mitigation required?

Yes

Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being		24 CFR
proposed for use in HUD programs be free of		58.5(i)(2)
hazardous materials, contamination, toxic		24 CFR 50.3(i)
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.		
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

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.

^{*} 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.

✓ No

Explain:

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

Yes

- * This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.
- ** Utilize EPA's Enviromapper, NEPAssist, 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:

- * 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 Memorandum.

File Upload:

PR-SBF-01783-E HORNE Radon Memo.docx Radon Attachments.pdf

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-SBF-01783-E Toxics Table.xlsx PR-SBF-01783-E Toxics Map.pdf PR-SBF-01783-E EFOR.docx

Are formal compliance steps or mitigation required?

Yes

✓ No.

Endangered Species

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

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

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

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

Explain your determination:

This project clears via the project criteria 14 and 26 of the USFWS Blanket Clearance Letter. See attached Endangered Species Act self-certification form.

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

PR-SBF-01783-E USFWS Self-Certification Form Official.pdf

PR-SBF-01783-E Site Photos.pdf

PR-SBF-01783-E IPaC Explore Location resources.pdf

USFWS Letter UPDATED.pdf

PR-SBF-01783-E Site Map.pdf

PR-SBF-01783-E Endangered.pdf

Are formal compliance steps or mitigation required?

Yes

Explosive and Flammable Hazards

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

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

✓	No
	Ves

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

✓	No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Farmlands Protection

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

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

Yes

✓ No

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

PR-SBF-01783-E Farmlands.pdf

Are formal compliance steps or mitigation required?

Yes

Floodplain Management

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

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.

D	:1-	_	_
Desc	ric	æ	:

✓ 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 <u>local environmental officer</u> 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			
6.	Is your project located in any of the floodplain categories below?			
	Select all that apply:			
	Floodway.			
	Do the floodway exemptions at 55.8 or 55.21 apply?			
	Yes			
	No			
	Coastal High Hazard Area (V Zone) or Limit of Moderate Wave Action (LiMWA).			
	Yes			
	No			
	✓ None of the above.			
7.	Does the 8-Step Process apply? Select one of the following options:			
	8-Step Process is inapplicable per 55.13.			
	(a) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging, or refinancing of existing one- to four- family properties in communities that are in the Regular Program of			

(b) Financial assistance for minor repairs or improvements on one- to

eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway,

the NFIP and in good standing (i.e., not suspended from program

coastal high hazard area, or LiMWA;

- (c) HUD or a recipient's actions involving the disposition of individual HUD or recipient held, one- to four-family properties;
- (d) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573), where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance;
- (e) The approval of financial assistance to lease units within an existing structure located within the floodplain, but only if; (1) The structure is located outside the floodway or coastal high hazard area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24); and
- (2) The project is not a critical action; and.
- (3) The entire structure is or will be fully insured or insured to the maximum extent available under the NFIP for at least the term of the lease.
- (f) Special projects for the purpose of improving efficiency of utilities or installing renewable energy that involve the repair, rehabilitation, modernization, weatherization, or improvement of existing structures or infrastructure, do not meet the thresholds for "substantial improvement" under § 55.2(b)(12), and do not include the installation of equipment below the FFRMS floodplain elevation;
- ✓ 5-Step Process is applicable per 55.14.
 - (a) HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).
 - (b) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

- (c) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not increased by more than 20 percent.
- √ (d) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10) and that the footprint of the structure and paved areas is not increased by more than 20 percent.
 - (e) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, or replacement of existing nonstructural improvements including streets, curbs and gutters, where any increase of the total impervious surface area of the facility is de minimis. This provision does not include critical actions, levee systems, chemical storage facilities (including any tanks), wastewater facilities, or sewer lagoons.

8-Step Process applies.

8. Mitigation

For the project to comply with this section, all adverse impacts must be mitigated. Explain in detail the measures that must be implemented to mitigate the impact or effect, including the timeline for implementation. Note: newly constructed and substantially improved structures within the FFRMS floodplain must be elevated to the FFRMS floodplain elevation or floodproofed, if applicable.

Explain:

The structure is located in the ABFE Zone A, but mitigation/minimization measures are not required as the building footprint is not being increased.

Which of the following if any mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process?

Buyout and demolition or other supported clearance of floodplain structures.

Insurance purchased in excess of statutory requirement th eunder the Flood Disaster Protection Act of 1973.

Permeable surfaces.

Natural landscape enhancements that maintain or restore natural hydrology.

Planting or restoring native plant species.

Bioswales.

Stormwater capture and reuse.

Green or vegetative roofs with drainage provisions.

Natural Resources Conservation Service conservation easements or similar easements.

Floodproofing of structures as allowable (e.g. non-residential floors).

Elevating structures (including freeboard above the required base flood elevations).

Levee or structural protection from flooding.

Channelizing or redefining the floodway or floodplain through a Letter of Map Revision (LOMR).

Screen Summary

Compliance Determination

FIRM Flood Map Number 72000C1535J, effective on 11/18/2009: This project is located in the floodplain. The 5-Step Process is required. With the 5-Step Process the project is in compliance with Executive Order 11988. PFIRMs in Puerto Rico were only

developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Cabo Rojo; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

PR-SBF-01783-E 5-Step Process(1).pdf PR-SBF-01783-E FIRM(1).pdf PR-SBF-01783-E ABFE.pdf

Are formal compliance steps or mitigation required?

✓ Yes

No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

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

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

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 o	f selecting con	sulting parties	and initiating of	consultation here:

Only SHPO was consulted as No Adverse Effect 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:

Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, PR 00623

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	National Register	SHPO Concurrence	Sensitive
/ District	Status		Information

Additional Notes:

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

✓ No Adverse Effect

Based on the response, the review is in compliance with this section. **Document reason for finding:**

All improvements will be made to the building's interior and will not be visible from the street. Additionally, the new battery system will be located in an enclosed room alongside other utility systems and will be minimally visible within the building's interior. Due to the placement of the new battery system with other utility systems, the proposed activities will not impact any character-defining features of the property.

Does the No Adverse Effect finding contain conditions?

✓ Yes (check all that apply)

Avoidance

Modification of project

✓ Other

Describe conditions here:

Consult with SHPO on any changes to the proposed undertaking.

No

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Consult with SHPO on any changes to the proposed undertaking. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.

Supporting documentation

PR-SBF-01783-E SHPO Consultation Package.pdf PR-SBF-01783-E Historic Map.pdf

Are formal compliance steps or mitigation required?

✓ Yes

No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

✓ None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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



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

No

Screen Summary

Compliance Determination

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

Supporting documentation

PR-SBF-01783-E SSA.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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



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-SBF-01783-E Wetlands.pdf

Are formal compliance steps or mitigation required?

Yes

√ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is located 475,536 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

PR-SBF-01783-E W S Rivers.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Environmental Justice

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

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

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

Yes

✓ 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 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

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

Puerto Rico Department of Housing (PRDOH)
Small Business Financing (SBF) Program Project No. PR-SBF-01783-E
Natalycious Sweet & Treats

STEP 1: DETERMINE WHETHER THE ACTION IS LOCATED IN A FLOODPLAIN

The proposed project is intended to renovate the structure as part of the Economic Development portion of the CDBG-DR grant. The specific scope of work for this project includes the purchase of inventory, and the purchase of equipment including an affixed battery system, a vegetable processor, a fridge, a freezer, a mixer, and a spinner for the Small Business.

The project is located at Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, PR 00623. The Tax Parcel ID of the site is 332-017-015-02. The Latitude is 18.088302 and the Longitude is -67.145372. The floodplain was determined using the 0.2-Percent-Annual-Chance (500-Year) Flood Approach. The project is located entirely within the floodplain. The property is shown as being within Zone A on the Advisory Base Flood Elevation (ABFE) Map.

Executive Order (EO) 11988 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the floodplain and for this reason, EO 11988 applies. The subject unit occupies 18,000 square feet of the floodplain. An evaluation of direct and indirect impacts associated with the construction, occupancy, and modification of the floodplain is required. The project does not involve new construction and is not located in a wetland as determined by the National Wetland Inventory (NWI) Mapper, thus EO 11990 does not apply.

The project is a renovation of a non-residential structure. The renovation is not considered a substantial improvement in accordance with 24 CFR 55.2(b)(12) nor will the footprint be increased; therefore, per 24 CFR 55.14(d), public notification of the proposed activity (Step 2), identification and evaluation of practicable alternatives (Step 3) and the determination of no practicable alternative and publication of a final notice (Step 7) do not need to be conducted.

STEP 2: NOTIFY THE PUBLIC FOR EARLY REVIEW OF THE PROPOSAL AND INVOLVE THE AFFECTED AND INTERESTED PUBLIC IN THE DECISION-MAKING PROCESS.

The project is a renovation of a non-residential structure. The renovation is not considered a substantial improvement, and the structure footprint is not being increased; therefore, per 24 CFR 55.14(d), public notification of the proposed activity (Step 2 of the 8-Step Process) does not need to be conducted.

STEP 3: IDENTIFY AND EVALUATE PRACTICABLE ALTERNATIVES TO LOCATING IN THE FLOODPLAIN.

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint increasing, therefore, per 24 CFR 55.14(d), identification, and evaluation of practicable alternatives to the proposed activity (Step 3 of the 8-Step Process) does not need to be conducted.

STEP 4: IDENTIFY POTENTIAL DIRECT AND INDIRECT IMPACTS ASSOCIATED WITH FLOODPLAIN DEVELOPMENT.

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

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement, and the footprint will not increase. The proposal does include a minor renovation of an affixed battery system with no ground disturbance. There will be no anticipated impacts to lives and property as this is a minor improvement to a non-residential structure. As the footprint of the structure will not change there are no anticipated impacts to floodplain characteristics or natural and beneficial values.

STEP 5: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to and from the floodplain or wetland and to restore and preserve their natural and beneficial functions and values.

The PRDOH and the Puerto Rico Permits Management Office requires elevation or floodproofing of all "substantially damaged or improved" structures in the floodplain. When followed, these regulations will reduce the threat of flooding damage to properties located in the floodplain and reduce the impact of development on the floodplain. Applicants are required to adhere to the most recent floodplain elevation levels when considering

reconstruction of their "substantially damaged or improved" property. It is noted; however, that because the property is not to be improved substantially and the footprint of the structure is not increased, floodplain management options are not required. The footprint of the structure will not be increased, to minimize the potential harm to or within the floodplain.

STEP 6: HUD OR THE RESPONSIBLE ENTITY SHALL CONSIDER THE TOTALITY OF THE PREVIOUS STEPS AND THE CRITERIA IN THIS SECTION TO MAKE A DECISION AS TO WHETHER TO APPROVE, APPROVE WITH MODIFICATIONS, OR REJECT THE PROPOSED ACTION. ADVERSE IMPACTS TO FLOODPLAINS AND WETLANDS MUST BE AVOIDED IF THERE IS A PRACTICABLE ALTERNATIVE.

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

Option B would mean the applicant does not receive funding. Due to the great need for economic revitalization after hurricanes Irma and Maria, this would put undue hardship on the applicant; because of this option A was selected.

STEP 7: DETERMINATION OF NO PRACTICABLE ALTERNATIVE.

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint of the structure expanding; therefore, per 24 CFR 55.14(d), the determination of no practicable alternative and publication of a final notice (Step 7 of the 8-Step Process) does not need to be conducted.

STEP 8: IMPLEMENT THE PROPOSED ACTION

Step eight is the implementation of the proposed action. There is a continuing responsibility on HUD (or on the responsible entity authorized by 24 CFR part 58) and the recipient (if other than the responsible entity) to ensure that the mitigating measures identified in the steps above are implemented.



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/BKT/HUD

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

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

Dear Mr. Maldonado:

On January 14, 2013, the U.S. Fish and Wildlife Service (USFWS) in coordination with the U.S. Department of Housing and Urban Development (HUD), signed the Blanket Clearance Letter (BCL) to expedite the consultation process, for federally sponsored projects. On March 20, 2025, the USFWS and the Puerto Rico Department of Housing (PRDOH) acting as the responsible entity designated by HUD decided to review and update the BCL to ensure that new available information regarding the consultation process is included. This letter replaces the January 14, 2013, Blanket Clearance Letter for HUD sponsored projects.

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

The USFWS issued regulations in 1986 detailing the consultation process. As part of this consultation process, the USFWS reviews development projects to assist Federal agencies on the compliance of the ESA. Since HUD typically allocate grant funds for rural and urban development projects, obligations under the ESA, as well as the National Environmental Policy Act (NEPA), require HUD to perform consultation and an environmental impact review prior to the project's

authorization. Primarily, these projects involve repair or reconstruction of existing facilities associated with developed land.

In order to expedite the consultation process, the Caribbean Ecological Services Field Office (CESFO) has developed this BCL to cover for activities and projects that typically result in no adverse effects to federally-listed species under our jurisdiction. The proposed project criteria discussed below are subject to the following conditions:

- 1. The project is located within an urban or developed area.
 - An urban or developed area is defined as an area that 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 neighborhood 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 applicant¹.
- 2. If the project is located in a rural area, and the project is located within a disturbed area that does not require additional clearing of forested (trees) areas.
- 3. The project is not located within (or adjacent to) drainages, rivers, streams, wetlands, aquatic systems, or coastal areas.
- 4. If the project is located in a rural area, and the project is not located immediately adjacent to forested areas (e.g., 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 trees²).
- 5. The lighting associated to the facilities is not visible directly or indirectly from the shoreline or beach area.

Proposed projects that **do not** meet the above conditions **Do Not Qualify** for review under the Blanket Clearance Letter developed for compliance with Section 7 of the Endangered Species Act.

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¹ This is the definition used by the USFWS in IPaC.

¹ Ibid.

Project Criteria:

1. Activities related to the resurfacing existing streets or roads; maintenance of existing upland gabion or reinforced concrete retention walls; construction, reconstruction or repair of gutters and sidewalks along existing roads.

- 2. Repair, replace, improve, reconstruct and/or rehabilitate facilities in already established public transportation systems (Signs, sidewalks and ramps, bus stops and existing routes).
- 3. Repair, replace, improve, reconstruct, rehabilitate and/or expanding existing public transportation facilities located in urban or developed areas.
- 4. Construction of new facilities for public transportation systems (e.g. School bus stops, city buses, trolleybuses, public car stops, Public car terminal) in urban or developed areas.
- 5. Repair, replace, improve, reconstruct, or rehabilitate existing bridges or rip-rap. (follow FWS rip-rap guidance for design).
- 6. Reconstruction, or emergency repairs, of existing structures, including but not limited to buildings, facilities and homes.
- 7. Demolition of dilapidated single-family homes or buildings.
- 8. Rebuilding of demolished single-family homes or buildings.
- 9. Retrofitting existing buildings.
- 10. Construction of residential and/or commercial facilities.
- 11. Construction, repair, replace, improve, reconstruct, and/or rehabilitate recreational facilities.
- 12. Addition of concrete pads to the existing footprint of a residential and/or commercial structure, provided that the resulting addition is less than 20% of the size of the existing structure.
- 13. Improvement or renovations to existing structures (exterior and interior) renovations resulting in an exterior increase greater than 20%.
- 14. Improvements or renovations to existing structures (exterior and interior renovations) resulting in an exterior increase of less than 20%.
- 15. Acquisition of residential and/or commercial properties in urban or developed areas for the relocation of families and/or activities.
- 16. Construction, reconstruction, rehabilitation and/or expansion of cemeteries.

17. Installation/drilling of new water well and associated utility infrastructure, either above ground or underground.

- 18. Establishment of power facilities, including but not limited to associated aboveground and/or underground infrastructure.
- 19. Construction of electrical system infrastructure and associated components, including but not limited to associated aboveground and/or underground infrastructure.
- 20. Construction of land based small electric generating facilities, including those fueled with wind, sun, or biomass, capable of producing no more than 10 MW. *
- 21. Activities within existing Right of Ways (ROWs) related to water and sanitary infrastructure; communication infrastructure; roads, bridges and highways without the removal of native vegetation and/or major earth movement.
- 22. Construction of rooftop or urban telecommunications systems and associated components, including but not limited to associated aboveground and/or underground infrastructure.
- 23. Establishment of temporary debris storage (TDS) facilities.
- 24. Establishment and/or closure of solid waste management facilities. But not new landfills.
- 25. Installation of water storage systems (cisterns) and associated infrastructure, either above ground or underground, including but not limited to installations on existing or new concrete pads, or existing or new roofs.
- 26. Installation of solar panels, battery storage systems and/or associated utility infrastructure, either above ground or underground, on existing or new concrete pads, existing or new roofs, ground or pole mounted.
- 27. Installation of generators on existing or new concrete slabs, and associated utility infrastructure, either above ground or underground.
- 28. Repair of existing agricultural structures including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with less than 20% expansion of footprint.
- 29. New construction of agricultural structures in established farms including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with or without underground and/or aboveground infrastructure utility connections.
- 30. Construction of fences, cattle corrals, concrete slabs.
- 31. Installation of storage containers on new concrete slab.

32. New construction or work which expands the footprint of an existing structure and occurs entirely on disturbed, regularly maintained, upland property, including the staging of equipment.

*Comply with USFWS wind energy guidelines if more than one wind turbine, consider painting one blade black to help birds see the blades. https://www.fws.gov/media/land-based-wind-energy-guidelines

Determination:

Based on the nature of the projects described above and habitat characteristics described on project criteria, we have determined that the actions and type of projects described above may be conducted within this BCL without adversely affecting federally-listed species under our jurisdiction. Thus, consultation under Section 7 of the Endangered Species Act is not required.

For all projects, HUD and its funded partners (municipalities) are expected to implement Best Management Practices to enhance the conservation of our trust resources (i.e.; listed species, wetlands, aquatic habitats, migratory birds and marine mammals) and avoid impacts from project development to aquatic habitat such as erosion and stream sedimentation. The Service provides the following recommendations that have proven to help achieve this effort.

Water Crossing Structures:

- 1. Use of bottomless culverts or single span bridges instead of traditional box or RCP culverts or any other water crossing structure that impacts the stream bottom, particularly in streams which support native fish. The use of bottomless culverts or a short span bridge would provide a more stable crossing and would not alter the stream habitat. However, if bottomless structures or bridges are not feasible due to cost or engineering constraints, we recommend the following criteria be used to maintain good habitat in the streams:
 - **a.** The stream should not be widened to fit the bridge since this can lead to sedimentation during low flows and possible bank erosion during high flows. Rather, the bridge should be designed to fit the stream channel at the point of crossing. Culverts should be sized to carry natural bank full flow. Additional flow can be capture by culverts placed at a higher elevation so as not to impact bank full flows.
 - **b.** Bridge abutments, wing walls or any other structures should not intrude into the active stream channel.
 - c. All culvert footings must be countersunk into the stream channel at both the invert and outlet ends at a minimum of 10% of the culvert height. This will align the water crossing structure with the slope of the stream.
 - **d.** Waterways must not be blocked as to impede the free movement of water and fish. Materials moved during construction, such as grubbing, earth fills, and earth cut

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materials must not be piled where they can fall back into the stream and block the drainage courses.

- e. Appropriate erosion and/or sedimentation controls measures are to be undertaken to protect water quality until riverbanks are re-vegetated. It has been our experience that appropriate erosion and/or sedimentation control measures are not implemented properly by project contractors. In order to function properly, silt fences need to be buried 6" (proper depth is marked by a line on the silt fence) and suppolted at regular intervals by wood stakes. For that reason we are recommending that the enclosed drawing of proper silt fence installation is included in all final project construction plans.
- **f.** Upon completion of a water crossing construction, any temporary fill, must be removed from the construction area and disposed in a landfill.

For a detailed guide to water crossing structures, the Service developed a detailed guide to water crossing structures for regulatory review by permitting agencies, protect damaged structures, reduce future damages, and prevent or minimize damage to natural resources. The document is titled "Guidance for Repair, Replacement, and Clean-up Projects in Streams and Waterways of Puerto Rico and U.S. Virgin Islands" and is available at:

 $\underline{https://www.fws.gov/media/guidance-repair-replacement-and-clean-structures-streams-and-waterways-puerto-rico-and-us}$

Limitations:

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

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

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

To obtain additional information on threatened and endangered species, you may visit our website https://www.fws.gov/office/caribbean-ecological-services where you will also find the Map of the Species by Municipality and the Map of Critical Habitat. These maps provide information on the species/habitat relations within a municipality and could provide the applicants an insight if the proposed action is covered under this BCL or may affect a species, thus requiring individual review

The USFWS has also developed a web based tool called the Information for Planning and Consultation (IPaC). Please visit https://ipac.ecosphere.fws.gov/ and familiarize yourself with the features we offer. We encourage you to begin your project planning process by requesting an Official Species List for your individual project that will include all species that may occur in the vicinity of the action area and includes a map of the action area. The site will also identify designated critical habitat, or other natural resources of concern that may be affected by your proposed project. Best management practices or conservation measures are available at the site for some species, but we expect the site to continue growing in its offering.

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. It is our mission to work with others, to conserve, protect and enhance fish wildlife and plants and their habitats for the continuing benefit of our people. If you have any additional questions regarding this BCL, please do not hesitate to contact us at (786) 244-0081 or via email at <u>caribbean_es@fws.gov</u>.

Sincerely,

LOURDES MENA Digitally signed by LOURDES MENA Date: 2025.04.24 09:11:24 -04'00'

Lourdes Mena Field Supervisor



Memorandum to File

Date: 07/14/2025

From: Chris Rickard

CDBG-DR Program

Small Business Financing Program
Puerto Rico Department of Housing

Application Number: PR-SBF-01783-E **Project:** Natalycious Sweet & Treats

Re: Justification for the Infeasibility and Impracticability of Radon Testing

After reviewing Application Number PR-SBF-01783-E under the Small Business Financing 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,

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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.

Signature: Chris Rickard

Date: 07/14/2025

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location





Local office

Caribbean Ecological Services Field Office

(939) 320-3135

(787) 851-7440

CARIBBEAN_ES@FWS.GOV

MAILING ADDRESS

NOT FOR CONSULTATIO

Post Office Box 491 Boqueron, PR 00622-0491

PHYSICAL ADDRESS
Office Park I
State Road #2 Km 156.5, Suite 303}
Mayaguez, PR 00680

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

- 1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
- 2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Reptiles

NAME STATUS

Puerto Rican Boa Chilabothrus inornatus

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6628

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The <u>data</u> in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the <u>Supplemental Information on Migratory Birds and Eagles document</u> to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds

- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC
 https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey, banding, and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (<u>Bald and Golden Eagle Protection Act</u> requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the

Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior <u>authorization</u> by the Department of Interior U.S. Fish and Wildlife Service (FWS).

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

The <u>data</u> in this location indicates that no migratory birds of concern have been observed in this area. This does not mean <u>birds of concern</u> are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the <u>Supplemental Information on Migratory Birds and Eagles document</u> to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine what migratory birds of concern may be present (e.g. your local FWS field office, state surveys, your own surveys).

Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary.

Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

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

The Migratory Bird Resource List is comprised of <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the <u>Bald and Golden Eagle Protection Act</u> and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

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

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

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

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

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

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

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

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

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

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Details about birds that are potentially affected by offshore projects

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

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided. please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> 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 at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> 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>U.S. Army Corps of Engineers District</u>.

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

OTFOR

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

Wednesday, July 9, 2025

Lauren B Poche

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

SHPO-CF-06-13-25-02 "PR-SBF-01783-E (Cabo Rojo), Natalycious Sweet & Treats, Proposed Improvements"

Dear Ms. Poche.

Our Office has received and reviewed the information submitted for 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.

After a review of all the documentation, the SHPO agrees with your finding that the proposed project, with the established condition, will have no adverse effect upon historic properties:

1. Consultation with PRSHPO on any changes to the proposed undertaking.

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.

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/ MDC





October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director State Historic Preservation Officer Cuartel de Ballajá Bldg. San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C Pérez Bofill, P.E. M.Eng Director of Disaster Recovery

CDBG DR-MIT



June 13, 2025

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 Program: Small Business Financing Program (SBF)

SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL: PR-SBF-01783-E – NATALYCIOUS SWEET & TREATS, CABO ROJO, PUERTO RICO – NO ADVERSE EFFECT, CONDITIONED

Dear Architect Rubio Cancela,

On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds was approved by the United States Department of Housing and Urban Development (HUD) under the Federal Register Volume 83, No. 28, 83 FR 5844, to assist the Commonwealth of Puerto Rico in meeting unmet needs in the wake of Hurricanes Irma and Maria. On August 14, 2018, an additional \$8.22 billion recovery allocation was allocated to Puerto Rico under the Federal Register Volume 83, No. 157, 83 FR 40314. With these funding allocations, the Puerto Rico Department of Housing (PRDOH) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents. To faithfully comply with HUD's environmental requirements, the PRDOH contracted Horne Federal, LLC (HORNE) to provide environmental records review services that will support their objectives for CDBG-DR.

On behalf of PRDOH, HORNE is submitting documentation for activities proposed by Natalycious Sweet & Treats, located at Calle Carbonell, Plaza de Mercado, Puesto #9, in the municipality of Cabo Rojo, within the Cabo Rojo Traditional Urban Center. The proposed activities include the purchase and installation of a new battery system beneath the existing electrical meter in a small utility closet located on the interior of the subject building. The proposed activity does not require ground disturbance. The subject building is listed as eligible for the National Register of Historic Places in the Puerto Rico State Historic Preservation Office's (PR SHPO) list of eligible properties. The Program has determined that the proposed undertaking will have **no adverse effect, conditioned to consultation with PR SHPO on any changes to the proposed undertaking.** All improvements will be made to the building's interior and will not be visible from



the street. Additionally, the new battery system will be located in an enclosed room alongside other utility systems and will be minimally visible within the building's interior. Due to the placement of the new battery system with other utility systems, the proposed activities will not impact any character-defining features of the property.

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

Kindest regards,

Januar D. Pocke

Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager LBP/JCO

Attachments

Puerto Rico 2017 Disaster Recovery, CDBG-DR Program Small Business Financing Program (SBF) Section 106 NHPA Effect Determination



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats

PROJECT LOCATION: Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, Puerto Rico 00623

PROJECT COORDINATES: 18.088302, -67.145372

TPID (Número de Catastro): 332-017-015-02-000

TYPE OF UNDERTAKING:

☐ New Construction

CONSTRUCTION DATE (AH est.): ca. | PROPERTY SIZE (acres): 0.54

1908/2023

SOI-QUALIFIED ARCHITECT/ARCHITECTURAL HISTORIAN: Caroline Warner, M.A.

DATE REVIEWED: May 30, 2025

SOI-QUALIFIED ARCHAEOLOGIST:

DATE REVIEWED: Click or tap to enter a date.

In compliance with Section 106 of the National Historic Preservation Act (NHPA), the Program is responsible for identifying historic properties listed in the National Register of Historic Places (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 Natalycious Sweet and Treats include installing a new battery system beneath the existing electrical meter in a small utility closet located on the interior of the subject building. The proposed activity does not require ground disturbance.

The project area is located at Calle Carbonell, Plaza de Mercado, Puesto #9, Cabo Rojo, 00623, within the Municipality of Cabo Rojo, in the Cabo Rojo Traditional Urban Center. The subject building is present on 1930 aerial imagery. The subject building is listed as eligible for the National Register of Historic Places in the Puerto Rico State Historic Preservation Office's (PR SHPO) list of eligible properties dated August 30, 2024. Property notes state that the building was constructed circa 1908 and underwent repairs from 1928 to 1940. Aerial imagery verifies the construction date. A historic plaque on the building states that it was restored in 2023.

Puerto Rico 2017 Disaster Recovery, CDBG-DR Program Small Business Financing Program (SBF) Section 106 NHPA Effect Determination



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats

AREA OF POTENTIAL EFFECTS

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the building plus a 15-meter buffer. Since all proposed improvements will be made to the interior of the building, there is no Indirect APE for this project, and the viewshed will not be affected.

IDENTIFICATION OF HISTORIC PROPERTIES - ARCHAEOLOGY

The proposed activities will occur on the existing building and will create no ground disturbance. Therefore, the undertaking will have no effects on archaeological properties.

IDENTIFICATION OF HISTORIC PROPERTIES - ARCHITECTURE

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is within the boundaries of the National Register of Historic Places (NRHP)-eligible Cabo Rojo Traditional Urban Center. The following National Register of Historic Places properties are within a ¼ mile from the subject building:

HISTORIC PROPERTY NAME	NATIONAL REGISTER ID NUMBER	SHPO AND/OR ICP NUMBER	NRHP STATUS (LISTED, ELIGIBLE, NON- ELIGIBLE, NO DATA, PENDING, LOCALLY LISTED)	LATITUDE/ Longitude (DDD)	CATEGORY	Approx Date	DISTANCE/ DIRECTION TO THE APE (IN MILES)
Escuela James L. M. Curry	100004855		Listed – State	18.086069, - 67.146306	Building	1903	0.17/SW



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats

The following National Register of Historic Places eligible properties are within a ¼ mile from the subject building:

Historic Property Name	Latitude/Longitude (DDD)		Approx Date	Distance/ Direction to the APE (in miles)
Old Hospital	18.08869	-67.144012		0.09/ENE
Escuela Pedro F. Corberg	18.087485	-67.143526	ca. 1920-1936	0.14/ESE
Plaza Dr. Ramón Emeterio Betances y Alacán	18.08702	-67.146112	Historical and Contemporary elements	0.11/sw
Parroquia San Miguel Arcángel	18.08676	-67.146034	ca. 1785/modified 1965	0.12/sw
Cafetería Bracero	18.086114	-67.145687	ca. 1900	0.16/SSW
Plaza del Mercado Lolita Montalvo Cordero	18.086076	-67.146302	ca. 1908, with repairs in 1928 and 1940; remodeling in 2003	0.00/(N/A)
Iglesia Presbiteriana	18.086045	-67.146782	Founded in 1903; the Building appears remodeled	0.19/sw
Cabo Rojo Alcaldía	18.08566	-67.146659	ca. 1907 with intervention in 1958	0.21/SW
Logia Masónica Cuna de Betances Nº42	18.085693	-67.145849	Classical elements	0.19/ssw
Teatro Excelsior	18.086106	-67.145973		0.17/SW

The subject building, known as the Plaza de Mercado, is located in a densely populated part of the Cabo Rojo Traditional Urban Center two blocks to the northeast of the historic plaza. The buildings in the blocks surrounding the subject building are comprised of one-story, frame vernacular Crillo-style homes and one- and two-story Neoclassical and Art Deco concrete buildings constructed between ca. 1910s and 1940s.

The subject building is a large indoor marketplace constructed circa 1908 in the Neoclassical style. It is a large concrete building that comprises almost an entire block. The building sits on a raised concrete slab foundation and has a W-shaped roof clad with rolled asphalt. The building has a classical cornice with dentils. The exterior elevations are divided into square and arched panels, with the walls stuccoed to look like stone. Three concrete steps lead to the main entrance in the center of the façade. The entrance is covered by a louvered metal canopy and features a metal panel flanked by two composite doors with jalousie windows. There is a secondary entrance at the rear of the building. A dual staircase leads to a double, aluminum-framed glass door in an arched opening. The entrance is covered with a metal louvered canopy. The arched



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats

openings repeated on each elevation appear to be filled with metal jalousie window units. The interior of the building appears to be divided into stalls for individual merchants, which seem to be new construction.

PR SHPO has identified the subject building as individually eligible for the National Register of Historic Places and contributes to the Cabo Rojo Traditional Urban Center.

DETERMINATION

The following historic properties have been identified within the APE:

- Direct Effect:
 - The subject building itself at Calle Carbonell Plaza de Mercado, Puesto #9, Cabo
 Rojo, 00623
- Indirect Effect:
 - Because all improvements will be to the building's interior, there is no Indirect Effect.

Based on the results of our historic property identification efforts, the Program has determined that project actions will have No Adverse Effect on the historic properties that compose the Area of Potential Effect. PR SHPO has determined the subject building to be individually eligible for the National Register for Historic Places and contributing to the Cabo Rojo Traditional Urban Center. All improvements will be made to the building's interior and will not be visible from the street. In addition, the new battery system will be placed in an enclosed room with other utility systems and will be minimally visible within the building's interior. Due to the placement of the new battery system with other utility systems, the proposed activities will not impact any character defining features of the property.



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats

State Historic Preservation Officer

RECOMMENDATION (PLEASE KEEP ON SAME PAGE AS SHPO ST	aff Section)
The Puerto Rico Department of Housing requests that the Puerto Following determination is appropriate for the undertaking (Choose C	
□ No Historic Properties Affected ☑ No Adverse Effect	nanges to the proposed
This Section is to be Completed by SHPO Sta	FF ONLY
The Puerto Rico State Historic Preservation Office has reviewed the a	
 □ Concurs with the information provided. □ Does not concur with the information provided. 	
Carlos Rubio-Cancela	
Cancertable Cancela	Date:



APPLICANT: Natalycious Sweet & Treats

PROJECT (PARCEL) LOCATION - AREA OF POTENTIAL EFFECT (APE)



PUERTO RICO DEPARTMENT OF HOUSING SMALL BUSINESS FINANCING PROGRAM



Application ID#: PR-SBF-01783-E

Address: Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, Puerto Rico





APPLICANT: Natalycious Sweet & Treats

PROJECT (PARCEL) LOCATION - AERIAL BASE

HOUSING

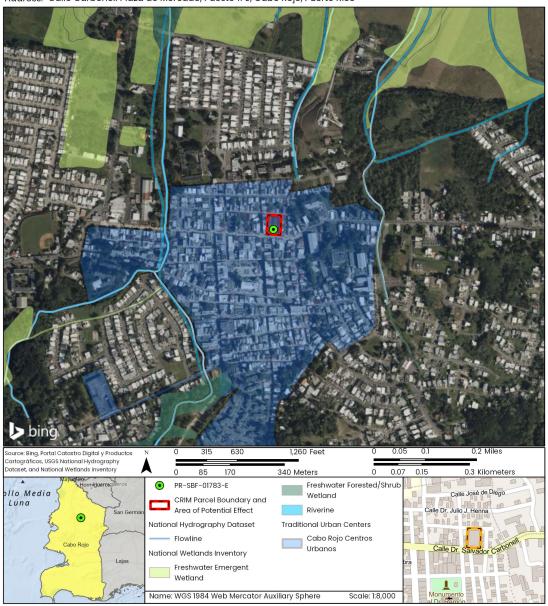
PUERTO RICO DEPARTMENT OF HOUSING SMALL BUSINESS FINANCING PROGRAM



Application ID#: PR-SBF-01783-E

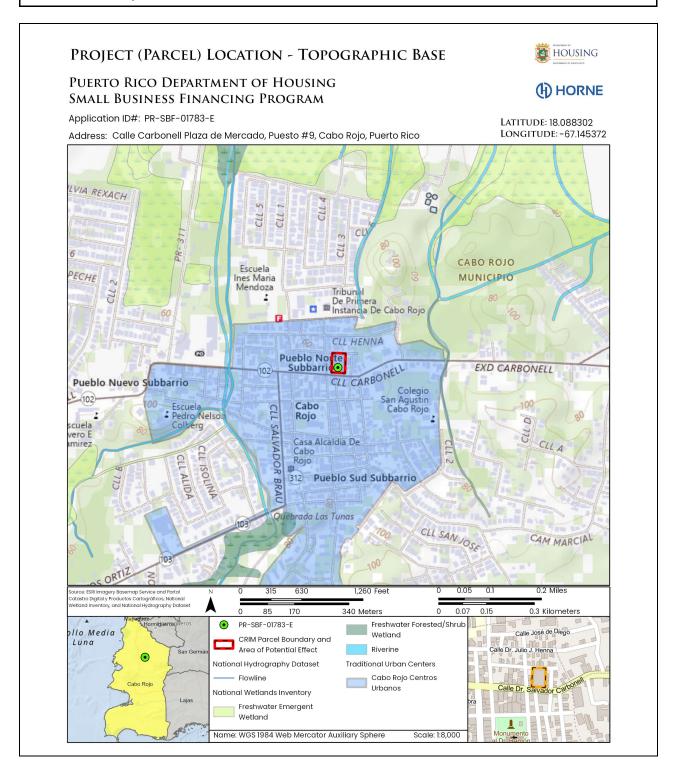
Address: Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, Puerto Rico

Latitude: 18.088302 Longitude: -67.145372





APPLICANT: Natalycious Sweet & Treats





APPLICANT: Natalycious Sweet & Treats

HISTORIC PROPERTIES - AERIAL BASE

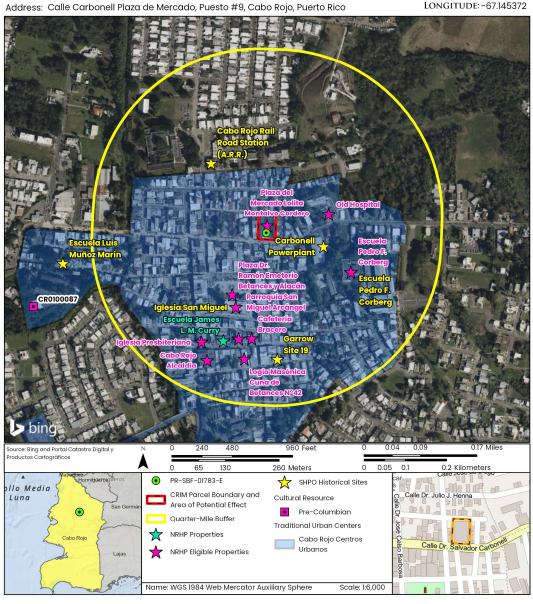
HOUSING

PUERTO RICO DEPARTMENT OF HOUSING SMALL BUSINESS FINANCING PROGRAM

(H) HORNE

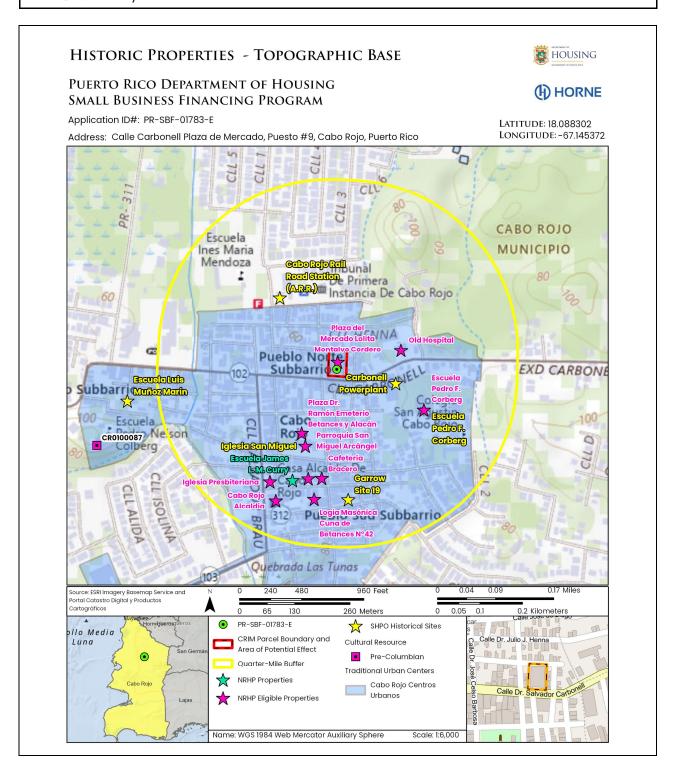
Application ID#: PR-SBF-01783-E

Latitude: 18.088302 Longitude: -67.145372





APPLICANT: Natalycious Sweet & Treats





PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats



РНОТО #: 1

DESCRIPTION (include direction): Façade facing south (photo direction north)

DATE: 3/25/2025



РНОТО #: 2

DESCRIPTION (INCLUDE DIRECTION): Left elevation facing west (photo direction north)

DATE: 3/25/2025



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats



РНОТО #: 3	DESCRIPTION (INCLUDE DIRECTION):
DATE: 3/25/2025	Rear elevation facing north (photo direction south)



РНОТО #: 4	DESCRIPTION (INCLUDE DIRECTION):
DATE: 3/25/2025	Right elevation facing east (photo direction northwest)



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats



DESCRIPTION (INCLUDE DIRECTION):

DATE: 3/25/2025 Street view facing north (photo direction south)



PHOTO #: 6	DESCRIPTION (INCLUDE DIRECTION):
DATE: 3/25/2025	Street view facing south (photo direction northwest)



PROGRAM ID NUMBER: PR-SBF-01783-E

APPLICANT: Natalycious Sweet & Treats



РНОТО #: 7	DESCRIPTION (INCLUDE DIRECTION):		
DATE: 3/25/2025	Room where battery system will be installed		



Рното #: 8	DESCRIPTION (INCLUDE DIRECTION):
DATE: 3/25/2025	Location of battery system



APPLICATION GENERAL INFORMATION



V1.0 | 2023-09-21

CDBG-DR PROGRAM

Small Business Financing (SBF) Program

ENVIRONMENTAL FIELD OBSERVATION REPORT

Application No.: PR-SBF-01783-E		Applicant Name: Natalia		lia Illan Rivera		
PROPERTY INFORMATION	ON					
Property Address: Calle Carbonell Plaza del Cabo Rojo, P.R. 00623	Mercado	, Puesto #9				
Latitude:		18.0883	Longitude:		-67.14537	
Property Type:		Commercial	Year Built:		2001	
Number of Buildings:		1	Are Utilities Connected?		Yes	
Property Remarks:						
Is there evidence of dame	Is there evidence of damage from a previous disaster?					
Damage Remarks:						
SIGNATURES OF INSPECTION REPORT						
Environmental Inspector:	Juan	C. Colón	Juon C	Co	3-28-2025	
	Printe	ed Name	Signature		Date	

ENVIRONMENTAL OBSERVATIONS		
Item	Observation	Remarks
Are there any signs of poor housekeeping on the site? (mounds of rubble, garbage, or solid waste or improperly stored household quantities of petroleum products, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged, abandoned, and/or dangerous vehicles or other motorized equipment; pits, pools, lagoons, or ponds of hazardous substances or petroleum products located on the site)	☐ Yes ☑ No	
Are there any 55-gallon drums or containers visible on the site?	☐ Yes ☑ No	
If drums located, are they leaking?	⊠ N/A □ Yes □ No	
Are there any signs of petroleum underground storage tanks (PUSTs) on the site?	Yes No	
Are there any UST locations visible from the site?	Yes No	
Are there any signs of above-ground storage tanks (ASTs) on the site, or immediate adjacent visible sites?	⊠ Yes □ No	(2) Gas Tanks at the Rear of the Property.
Are there any signs of surface staining?	Yes No	
Are there any ground water monitoring or injection wells on the site?	☐ Yes ☑ No	
Is there evidence of a faulty septic system on the site?	Yes No	
Is there any permanent standing water, such as a pond or stream, located on the site? (Do not include run-off or ponding from recent weather events.)	☐ Yes ☑ No	
Is there any distressed vegetation on the site?	Yes No	
Does the subject lot have water frontage?	Yes No	
Is there any visible apparent indication of other environmental conditions?	Yes No	
Is there any visible apparent evidence of deteriorated paint (chipping, peeling, cracking) present in the structure?	☐ Yes ☑ No	
Are there other unusual conditions on site? (Explain in attached supporting material. Please take photographs, if possible.)	Yes No	
Is the structure 45 years or older?	Yes No	
Is the applicant aware of any significant historical events or persons associated with the structure; or does the home have a historic marker?	⊠ Yes □ No	

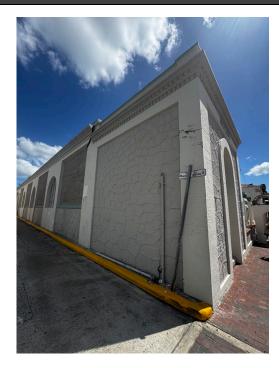
REQUIRED PHOTOS





Front of Property

Rear of Property



Left Side of Property



Right Side of Property

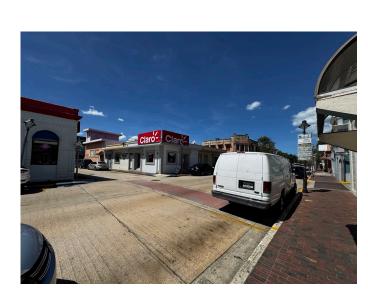
PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS





Front of Property

Front of Property



Front of Property Outwards



Front of Property Outwards





Rear of Property

Rear of Property





Rear of Property Outwards

Rear of Property Outwards





Left Side of Property

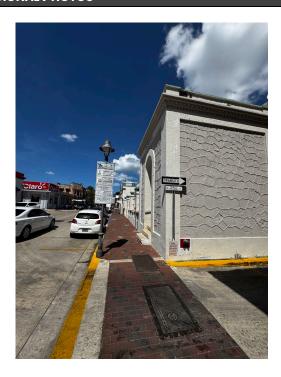
Left Side of Property



Left Side of Property Outwards



Left Side of Property Outwards



Right Side of Property



Right Side of Property



Right Side of Property Outwards



Right Side of Property Outwards

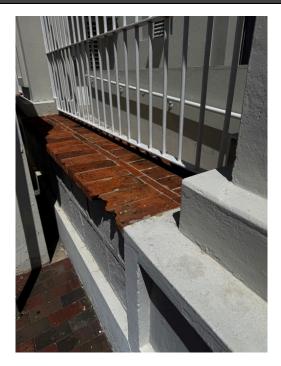








Historical Structure | Blocks



Historical Structure | Blocks can't be altered stated by the applicant





Inside Plaza del Mercado | Applicant Front of Property

Battery System Location | Battery will be affixed to the wall



Battery Location | There will be only new electric cables for the connection of the battery | There is no need of underground cables

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

Puerto Rico Department of Housing (PRDOH)
Small Business Financing (SBF) Program Project No. PR-SBF-01783-E
Natalycious Sweet & Treats

STEP 1: DETERMINE WHETHER THE ACTION IS LOCATED IN A FLOODPLAIN

The proposed project is intended to renovate the structure as part of the Economic Development portion of the CDBG-DR grant. The specific scope of work for this project includes the purchase of inventory, and the purchase of equipment including an affixed battery system, a vegetable processor, a fridge, a freezer, a mixer, and a spinner for the Small Business.

The project is located at Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, PR 00623. The Tax Parcel ID of the site is 332-017-015-02. The Latitude is 18.088302 and the Longitude is -67.145372. The floodplain was determined using the 0.2-Percent-Annual-Chance (500-Year) Flood Approach. The project is located entirely within the floodplain. The property is shown as being within Zone A on the Advisory Base Flood Elevation (ABFE) Map.

Executive Order (EO) 11988 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the floodplain and for this reason, EO 11988 applies. The subject unit occupies 18,000 square feet of the floodplain. An evaluation of direct and indirect impacts associated with the construction, occupancy, and modification of the floodplain is required. The project does not involve new construction and is not located in a wetland as determined by the National Wetland Inventory (NWI) Mapper, thus EO 11990 does not apply.

The project is a renovation of a non-residential structure. The renovation is not considered a substantial improvement in accordance with 24 CFR 55.2(b)(12) nor will the footprint be increased; therefore, per 24 CFR 55.14(d), public notification of the proposed activity (Step 2), identification and evaluation of practicable alternatives (Step 3) and the determination of no practicable alternative and publication of a final notice (Step 7) do not need to be conducted.

STEP 2: NOTIFY THE PUBLIC FOR EARLY REVIEW OF THE PROPOSAL AND INVOLVE THE AFFECTED AND INTERESTED PUBLIC IN THE DECISION-MAKING PROCESS.

The project is a renovation of a non-residential structure. The renovation is not considered a substantial improvement, and the structure footprint is not being increased; therefore, per 24 CFR 55.14(d), public notification of the proposed activity (Step 2 of the 8-Step Process) does not need to be conducted.

STEP 3: IDENTIFY AND EVALUATE PRACTICABLE ALTERNATIVES TO LOCATING IN THE FLOODPLAIN.

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint increasing, therefore, per 24 CFR 55.14(d), identification, and evaluation of practicable alternatives to the proposed activity (Step 3 of the 8-Step Process) does not need to be conducted.

STEP 4: IDENTIFY POTENTIAL DIRECT AND INDIRECT IMPACTS ASSOCIATED WITH FLOODPLAIN DEVELOPMENT.

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

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement, and the footprint will not increase. The proposal does include a minor renovation of an affixed battery system with no ground disturbance. There will be no anticipated impacts to lives and property as this is a minor improvement to a non-residential structure. As the footprint of the structure will not change there are no anticipated impacts to floodplain characteristics or natural and beneficial values.

STEP 5: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to and from the floodplain or wetland and to restore and preserve their natural and beneficial functions and values.

The PRDOH and the Puerto Rico Permits Management Office requires elevation or floodproofing of all "substantially damaged or improved" structures in the floodplain. When followed, these regulations will reduce the threat of flooding damage to properties located in the floodplain and reduce the impact of development on the floodplain. Applicants are required to adhere to the most recent floodplain elevation levels when considering

reconstruction of their "substantially damaged or improved" property. It is noted; however, that because the property is not to be improved substantially and the footprint of the structure is not increased, floodplain management options are not required. The footprint of the structure will not be increased, to minimize the potential harm to or within the floodplain.

STEP 6: HUD OR THE RESPONSIBLE ENTITY SHALL CONSIDER THE TOTALITY OF THE PREVIOUS STEPS AND THE CRITERIA IN THIS SECTION TO MAKE A DECISION AS TO WHETHER TO APPROVE, APPROVE WITH MODIFICATIONS, OR REJECT THE PROPOSED ACTION. ADVERSE IMPACTS TO FLOODPLAINS AND WETLANDS MUST BE AVOIDED IF THERE IS A PRACTICABLE ALTERNATIVE.

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

Option B would mean the applicant does not receive funding. Due to the great need for economic revitalization after hurricanes Irma and Maria, this would put undue hardship on the applicant; because of this option A was selected.

STEP 7: DETERMINATION OF NO PRACTICABLE ALTERNATIVE.

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint of the structure expanding; therefore, per 24 CFR 55.14(d), the determination of no practicable alternative and publication of a final notice (Step 7 of the 8-Step Process) does not need to be conducted.

STEP 8: IMPLEMENT THE PROPOSED ACTION

Step eight is the implementation of the proposed action. There is a continuing responsibility on HUD (or on the responsible entity authorized by 24 CFR part 58) and the recipient (if other than the responsible entity) to ensure that the mitigating measures identified in the steps above are implemented.

Name	Registry ID	Address	Lat	Long
CABO ROJO PROFESSIONAL D	110004895962	50 CARBONEL ST	18.088177	-67.146434
CABO ROJO PROFESSIONAL D	110004895962	50 CARBONEL ST	18.088177	-67.146434
CABO ROJO PROFESSIONAL D	110004895962	50 CARBONEL ST	18.088177	-67.146434
DEPT OF ED - INES MARIA M I	110007802182	CALLE BARBOSA FRENTE	18.087871	-67.146667
DEPT OF ED - INES MARIA M I	110007802182	CALLE BARBOSA FRENTE	18.087871	-67.146667
BOQUERON COUNTRY CLUB	110037118106	ROAD 307, KM 8.1	18.0882	-67.146884
BORINCANO DRY CLEANING	110029528580	52 CALLE BRAU	18.088258	-67.147367
CABO ROJO	110054103126	NO. 28 BETANCES STREET	18.086	-67.145065
CABO ROJO	110054103126	NO. 28 BETANCES STREET	18.086	-67.145065
CABO ROJO SS 804215	110004892616	CALLE SALVADOR BRAU 65	18.08632	-67.14698
PUEBLO NUEVO SS 804231	110007817942	CALLE CARBONELL ESQ	18.08833	-67.14871
ESCUELA LUIS MUNOZ MARIN	110007812199	BARRIO PUEBLO NUEVO	18.08797	-67.14913
CENTRO DE TRANSMICIONES	110028288154	1 CALLE JOSE DE DIEGO	18.091846	-67.1442
CABO ROJO GROUND WATER	110039147919	CROSS STR. CALLE BARBOSA &	18.090725	-67.148325
RADIADORES W/PAPO QUINO	110028288225	ROAD 103, KM 5.4	18.090646	-67.142131
EXTASY Q PRINTS	110028288136	CENTRO COMERCIAL ANA MAR	18.091954	-67.146955
EXTASY Q PRINTS	110028288136	CENTRO COMERCIAL ANA MAR	18.091954	-67.146955
EXTASY Q PRINTS	110028288136	CENTRO COMERCIAL ANA MAR	18.091954	-67.146955
CENTRO DE ACOPIO (OBRAS F	110028288207	CALLE PERIFERAL NORTE FINAL	18.094688	-67.143873
PUERTO RICO INDUSTRIAL DE	110007813036	PR 103 KM 7.3	18.088948	-67.137747
PUERTO RICO INDUSTRIAL DE	110007813036	PR 103 KM 7.3	18.088948	-67.137747
AUTO PIEZAS JAVY	110028288145	ROAD 103, KM 7.1	18.082573	-67.15072
PRIDCO	110071100876	ROAD 103, KM 7.3	18.079709	-67.151145
EATON CUTLER-HAMMER ELE	110071100875	ROAD 103, KM 7.4	18.080195	-67.153548
JUNNY AUTO PAINT	110028288163	ROAD 100, KM 8.0	18.084627	-67.15659
D'ELEGANT FANTASTIC DRY C	110028288234	ROAD 308/ CENTRO COMMERC	18.081696	-67.156884

Type	Distance (ft)	Echo Report	Impact?
AIR	370.9747	https://echo.epa.gov/detailed-facility-report?fid=110004	No
RCRAINFO	370.9747	https://echo.epa.gov/detailed-facility-report?fid=110004	No
SEMS	370.9747	https://echo.epa.gov/detailed-facility-report?fid=110004	No
RCRAINFO	475.271534	https://echo.epa.gov/detailed-facility-report?fid=110007	No
RCRAINFO	475.271534	https://echo.epa.gov/detailed-facility-report?fid=110007	No
NPDES	525.704529	https://echo.epa.gov/detailed-facility-report?fid=110037	No
SEMS	692.325566	https://echo.epa.gov/detailed-facility-report?fid=110029	No
NPDES	841.532389	https://echo.epa.gov/detailed-facility-report?fid=110054	No
NPDES	841.532389	https://echo.epa.gov/detailed-facility-report?fid=110054	No
RCRAINFO	909.624657	https://echo.epa.gov/detailed-facility-report?fid=110004	No
RCRAINFO	1158.49921	https://echo.epa.gov/detailed-facility-report?fid=110007	No
RCRAINFO	1309.73252	https://echo.epa.gov/detailed-facility-report?fid=110007	No
SEMS	1350.51658	https://echo.epa.gov/detailed-facility-report?fid=110028	No
SEMS	1351.17814	https://echo.epa.gov/detailed-facility-report?fid=110039	No
SEMS	1411.78053	https://echo.epa.gov/detailed-facility-report?fid=110028	No
AIR	1435.951	https://echo.epa.gov/detailed-facility-report?fid=110028	No
RCRAINFO	1435.951	https://echo.epa.gov/detailed-facility-report?fid=110028	No
SEMS	1435.951	https://echo.epa.gov/detailed-facility-report?fid=110028	No
SEMS	2377.12631	https://echo.epa.gov/detailed-facility-report?fid=110028	No
RCRAINFO	2658.29296	https://echo.epa.gov/detailed-facility-report?fid=110007	No
RCRAINFO	2658.29296	https://echo.epa.gov/detailed-facility-report?fid=110007	No
SEMS	2787.01132	https://echo.epa.gov/detailed-facility-report?fid=110028	No
SEMS	3706.87812	https://echo.epa.gov/detailed-facility-report?fid=110071	No
SEMS		https://echo.epa.gov/detailed-facility-report?fid=110071	_
SEMS		https://echo.epa.gov/detailed-facility-report?fid=110028	_
SEMS	4660.3018	https://echo.epa.gov/detailed-facility-report?fid=110028	No





Self-Certification

https://www.fws.gov/office/caribbean-ecological-services

Endangered Species Act Certification

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

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

The Puerto Rico Department of Housing (PRDOH) certifies that the following project **Natalycious Sweet & Treats (PR-SBF-01783-E)**, under the CDBG-DR Small Business Finance Puerto Rico Program, consisting of the purchase of inventory, and the purchase of equipment including an affixed battery system, a vegetable processor, a fridge, a freezer, a mixer, and a spinner, located at Calle Carbonell Plaza de Mercado, Puesto #9, Cabo Rojo, PR 00623, complies with:

Check	Project Criteria
	 Activities related to the resurfacing existing streets or roads; maintenance of existing upland gabion or reinforced concrete retention walls; construction, reconstruction or repair of gutters and sidewalks along existing roads.
	 Repair, replace, improve, reconstruct and/or rehabilitate facilities in already established public transportation systems (signs, sidewalks and ramps, bus stops and existing routes).
	3. Repair, replace, improve, reconstruct, rehabilitate and/or expanding existing public transportation facilities located in urban or developed areas.
	4. Construction of new facilities for public transportation systems (e.g. school bus stops, city buses, trolleybuses, public car stops, public car terminal) in urban or developed areas.
	 Repair, replace, improve, reconstruct, or rehabilitate existing bridges or rip-rap. We recommend following FWS rip-rap guidance for design: https://www.fws.gov/media/guidance-repair-replacement-and-clean-

	structures-streams-and-waterways-puerto-rico-and-us
	6. Reconstruction, or emergency repairs, of existing structures, including but not limited to buildings, facilities and homes.
	7. Demolition of dilapidated single-family homes or buildings.
	8. Rebuilding of demolished single-family homes or buildings.
	9. Retrofitting existing buildings.
	10. Construction of residential and/or commercial facilities.
	11. Construction, repair, replace, improve, reconstruct, and/or rehabilitate recreational facilities.
	12. Addition of concrete pads to the existing footprint of a residential and/or commercial structure, provided that the resulting addition is less than 20% of the size of the existing structure.
	13. Improvement or renovations to existing structures (exterior and interior) renovations resulting in an exterior increase greater than 20%.
\boxtimes	14. Improvements or renovations to existing structures (exterior and interior renovations) resulting in an exterior increase of less than 20%.
	15. Acquisition of residential and/or commercial properties in urban or developed areas for the relocation of families and/or activities.
	16. Construction, reconstruction, rehabilitation and/or expansion of cemeteries.
	17. Installation/drilling of new water well and associated utility infrastructure, either above ground or underground.
	18. Establishment of power facilities, including but not limited to associated aboveground and/or underground infrastructure.
	19. Construction of electrical system infrastructure and associated components, including but not limited to associated aboveground and/or underground infrastructure.
	20. Construction of land based small electric generating facilities, including those fueled with wind, sun, or biomass, capable of producing no more than 10 MW.
	21. Activities within existing Right of Ways (ROWs) related to water and sanitary infrastructure; communication infrastructure; roads, bridges and highways without the removal of native vegetation and/or major earth movement.
	22. Construction of rooftop or urban telecommunications systems and associated components, including but not limited to associated aboveground and/or underground infrastructure.

	23. Establishment of temporary debris storage (TDS) facilities.
	24. Establishment and/or closure of solid waste management facilities. But not new landfills .
	25. Installation of water storage systems (cisterns) and associated infrastructure, either above ground or underground, including but not limited to installations on existing or new concrete pads, or existing or new roofs.
\boxtimes	26. Installation of solar panels, battery storage systems and/or associated utility infrastructure, either above ground or underground, on existing or new concrete pads, existing or new roofs, ground or pole mounted.
	27. Installation of generators on existing or new concrete slabs, and associated utility infrastructure, either above ground or underground.
	28. Repair of existing agricultural structures including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with less than 20% expansion of footprint.
	29. New construction of agricultural structures in established farms including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with or without underground and/or aboveground infrastructure utility connections.
	30. Construction of fences, cattle corrals, concrete slabs.
	31. Installation of storage containers on new concrete slab.
	32. New construction or work which expands the footprint of an existing structure and occurs entirely on disturbed, regularly maintained, upland property, including the staging of equipment.

Angel G. López-Guzmán

Deputy Director

Permits and Environmental Compliance Division

Puerto Rico Department of Housing

Disaster Recovery Office, CDBG-DR/MIT

Address: P.O. Box 21365 San Juan, PR 00928

Telephone and Ext: 787-274-2527 ext. 4320

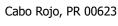
Email: environmentcdbg@vivienda.pr.gov

Attachments:

1. Project Site Map (Location Map)

USFWS Self-Certification PR-SBF-01783-E Page 4 / 3

- 2. Project Site Photos
- 3. Copy of the Blanket Clearance Letter
- 4. Others, as necessary to demonstrate compliance with the criteria (e.g. Explanatory Memorandum, Critical Habitat Map, National Wetlands Inventory Map, etc.)





18.088302, -67.145372 PR-SBF-01783-E Endangered Species



Endangered Species Habitat

U.S. Fish and Wildlife Service

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location





Local office

Caribbean Ecological Services Field Office

(939) 320-3135

(787) 851-7440

CARIBBEAN_ES@FWS.GOV

MAILING ADDRESS

NOT FOR CONSULTATIO

Post Office Box 491 Boqueron, PR 00622-0491

PHYSICAL ADDRESS
Office Park I
State Road #2 Km 156.5, Suite 303}
Mayaguez, PR 00680

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

- 1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
- 2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Reptiles

NAME STATUS

Puerto Rican Boa Chilabothrus inornatus

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6628

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The <u>data</u> in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the <u>Supplemental Information on Migratory Birds and Eagles document</u> to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds

- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC
 https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey, banding, and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (<u>Bald and Golden Eagle Protection Act</u> requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the

Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior <u>authorization</u> by the Department of Interior U.S. Fish and Wildlife Service (FWS).

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

The <u>data</u> in this location indicates that no migratory birds of concern have been observed in this area. This does not mean <u>birds of concern</u> are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the <u>Supplemental Information on Migratory Birds and Eagles document</u> to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine what migratory birds of concern may be present (e.g. your local FWS field office, state surveys, your own surveys).

Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary.

Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

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

The Migratory Bird Resource List is comprised of <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the <u>Bald and Golden Eagle Protection Act</u> and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

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

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

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

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

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

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

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

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

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

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Details about birds that are potentially affected by offshore projects

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

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided. please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> 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 at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> 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>U.S. Army Corps of Engineers District</u>.

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

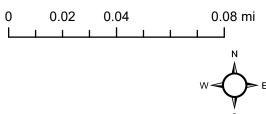
Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

OTFOR



PR-SBF-01783-E Site Map





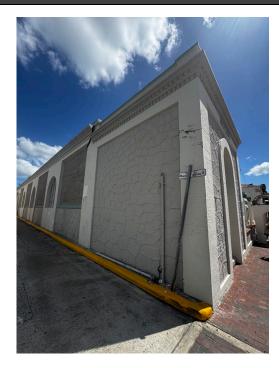
REQUIRED PHOTOS





Front of Property

Rear of Property



Left Side of Property



Right Side of Property

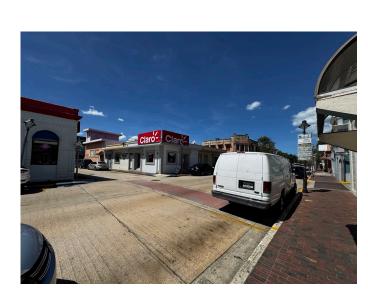
PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS





Front of Property

Front of Property



Front of Property Outwards



Front of Property Outwards





Rear of Property

Rear of Property





Rear of Property Outwards

Rear of Property Outwards





Left Side of Property

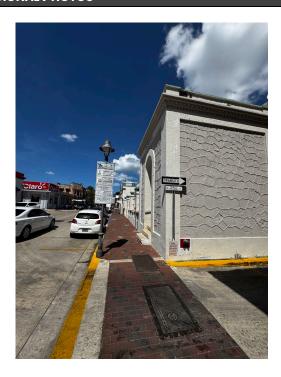
Left Side of Property



Left Side of Property Outwards



Left Side of Property Outwards



Right Side of Property



Right Side of Property



Right Side of Property Outwards



Right Side of Property Outwards

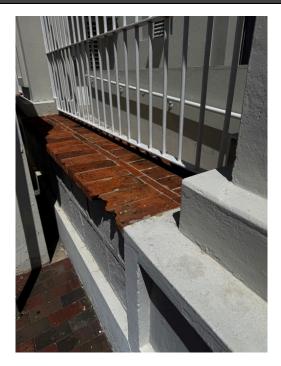








Historical Structure | Blocks



Historical Structure | Blocks can't be altered stated by the applicant





Inside Plaza del Mercado | Applicant Front of Property

Battery System Location | Battery will be affixed to the wall

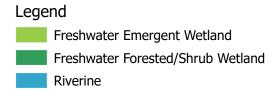


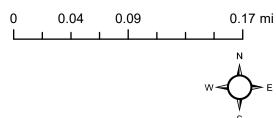
Battery Location | There will be only new electric cables for the connection of the battery | There is no need of underground cables



PR-SBF-01783-E Wetlands







National Wetlands Inventory

U.S. Fish and Wildlife Service



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/BKT/HUD

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

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

Dear Mr. Maldonado:

On January 14, 2013, the U.S. Fish and Wildlife Service (USFWS) in coordination with the U.S. Department of Housing and Urban Development (HUD), signed the Blanket Clearance Letter (BCL) to expedite the consultation process, for federally sponsored projects. On March 20, 2025, the USFWS and the Puerto Rico Department of Housing (PRDOH) acting as the responsible entity designated by HUD decided to review and update the BCL to ensure that new available information regarding the consultation process is included. This letter replaces the January 14, 2013, Blanket Clearance Letter for HUD sponsored projects.

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

The USFWS issued regulations in 1986 detailing the consultation process. As part of this consultation process, the USFWS reviews development projects to assist Federal agencies on the compliance of the ESA. Since HUD typically allocate grant funds for rural and urban development projects, obligations under the ESA, as well as the National Environmental Policy Act (NEPA), require HUD to perform consultation and an environmental impact review prior to the project's

authorization. Primarily, these projects involve repair or reconstruction of existing facilities associated with developed land.

In order to expedite the consultation process, the Caribbean Ecological Services Field Office (CESFO) has developed this BCL to cover for activities and projects that typically result in no adverse effects to federally-listed species under our jurisdiction. The proposed project criteria discussed below are subject to the following conditions:

- 1. The project is located within an urban or developed area.
 - An urban or developed area is defined as an area that 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 neighborhood 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 applicant¹.
- 2. If the project is located in a rural area, and the project is located within a disturbed area that does not require additional clearing of forested (trees) areas.
- 3. The project is not located within (or adjacent to) drainages, rivers, streams, wetlands, aquatic systems, or coastal areas.
- 4. If the project is located in a rural area, and the project is not located immediately adjacent to forested areas (e.g., 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 trees²).
- 5. The lighting associated to the facilities is not visible directly or indirectly from the shoreline or beach area.

Proposed projects that **do not** meet the above conditions **Do Not Qualify** for review under the Blanket Clearance Letter developed for compliance with Section 7 of the Endangered Species Act.

Last Revised: April 2025

¹ This is the definition used by the USFWS in IPaC.

¹ Ibid.

Project Criteria:

1. Activities related to the resurfacing existing streets or roads; maintenance of existing upland gabion or reinforced concrete retention walls; construction, reconstruction or repair of gutters and sidewalks along existing roads.

- 2. Repair, replace, improve, reconstruct and/or rehabilitate facilities in already established public transportation systems (Signs, sidewalks and ramps, bus stops and existing routes).
- 3. Repair, replace, improve, reconstruct, rehabilitate and/or expanding existing public transportation facilities located in urban or developed areas.
- 4. Construction of new facilities for public transportation systems (e.g. School bus stops, city buses, trolleybuses, public car stops, Public car terminal) in urban or developed areas.
- 5. Repair, replace, improve, reconstruct, or rehabilitate existing bridges or rip-rap. (follow FWS rip-rap guidance for design).
- 6. Reconstruction, or emergency repairs, of existing structures, including but not limited to buildings, facilities and homes.
- 7. Demolition of dilapidated single-family homes or buildings.
- 8. Rebuilding of demolished single-family homes or buildings.
- 9. Retrofitting existing buildings.
- 10. Construction of residential and/or commercial facilities.
- 11. Construction, repair, replace, improve, reconstruct, and/or rehabilitate recreational facilities.
- 12. Addition of concrete pads to the existing footprint of a residential and/or commercial structure, provided that the resulting addition is less than 20% of the size of the existing structure.
- 13. Improvement or renovations to existing structures (exterior and interior) renovations resulting in an exterior increase greater than 20%.
- 14. Improvements or renovations to existing structures (exterior and interior renovations) resulting in an exterior increase of less than 20%.
- 15. Acquisition of residential and/or commercial properties in urban or developed areas for the relocation of families and/or activities.
- 16. Construction, reconstruction, rehabilitation and/or expansion of cemeteries.

17. Installation/drilling of new water well and associated utility infrastructure, either above ground or underground.

- 18. Establishment of power facilities, including but not limited to associated aboveground and/or underground infrastructure.
- 19. Construction of electrical system infrastructure and associated components, including but not limited to associated aboveground and/or underground infrastructure.
- 20. Construction of land based small electric generating facilities, including those fueled with wind, sun, or biomass, capable of producing no more than 10 MW. *
- 21. Activities within existing Right of Ways (ROWs) related to water and sanitary infrastructure; communication infrastructure; roads, bridges and highways without the removal of native vegetation and/or major earth movement.
- 22. Construction of rooftop or urban telecommunications systems and associated components, including but not limited to associated aboveground and/or underground infrastructure.
- 23. Establishment of temporary debris storage (TDS) facilities.
- 24. Establishment and/or closure of solid waste management facilities. But not new landfills.
- 25. Installation of water storage systems (cisterns) and associated infrastructure, either above ground or underground, including but not limited to installations on existing or new concrete pads, or existing or new roofs.
- 26. Installation of solar panels, battery storage systems and/or associated utility infrastructure, either above ground or underground, on existing or new concrete pads, existing or new roofs, ground or pole mounted.
- 27. Installation of generators on existing or new concrete slabs, and associated utility infrastructure, either above ground or underground.
- 28. Repair of existing agricultural structures including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with less than 20% expansion of footprint.
- 29. New construction of agricultural structures in established farms including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with or without underground and/or aboveground infrastructure utility connections.
- 30. Construction of fences, cattle corrals, concrete slabs.
- 31. Installation of storage containers on new concrete slab.

32. New construction or work which expands the footprint of an existing structure and occurs entirely on disturbed, regularly maintained, upland property, including the staging of equipment.

*Comply with USFWS wind energy guidelines if more than one wind turbine, consider painting one blade black to help birds see the blades. https://www.fws.gov/media/land-based-wind-energy-guidelines

Determination:

Based on the nature of the projects described above and habitat characteristics described on project criteria, we have determined that the actions and type of projects described above may be conducted within this BCL without adversely affecting federally-listed species under our jurisdiction. Thus, consultation under Section 7 of the Endangered Species Act is not required.

For all projects, HUD and its funded partners (municipalities) are expected to implement Best Management Practices to enhance the conservation of our trust resources (i.e.; listed species, wetlands, aquatic habitats, migratory birds and marine mammals) and avoid impacts from project development to aquatic habitat such as erosion and stream sedimentation. The Service provides the following recommendations that have proven to help achieve this effort.

Water Crossing Structures:

- 1. Use of bottomless culverts or single span bridges instead of traditional box or RCP culverts or any other water crossing structure that impacts the stream bottom, particularly in streams which support native fish. The use of bottomless culverts or a short span bridge would provide a more stable crossing and would not alter the stream habitat. However, if bottomless structures or bridges are not feasible due to cost or engineering constraints, we recommend the following criteria be used to maintain good habitat in the streams:
 - **a.** The stream should not be widened to fit the bridge since this can lead to sedimentation during low flows and possible bank erosion during high flows. Rather, the bridge should be designed to fit the stream channel at the point of crossing. Culverts should be sized to carry natural bank full flow. Additional flow can be capture by culverts placed at a higher elevation so as not to impact bank full flows.
 - **b.** Bridge abutments, wing walls or any other structures should not intrude into the active stream channel.
 - c. All culvert footings must be countersunk into the stream channel at both the invert and outlet ends at a minimum of 10% of the culvert height. This will align the water crossing structure with the slope of the stream.
 - **d.** Waterways must not be blocked as to impede the free movement of water and fish. Materials moved during construction, such as grubbing, earth fills, and earth cut

Last Revised: April 2025

materials must not be piled where they can fall back into the stream and block the drainage courses.

- e. Appropriate erosion and/or sedimentation controls measures are to be undertaken to protect water quality until riverbanks are re-vegetated. It has been our experience that appropriate erosion and/or sedimentation control measures are not implemented properly by project contractors. In order to function properly, silt fences need to be buried 6" (proper depth is marked by a line on the silt fence) and suppolted at regular intervals by wood stakes. For that reason we are recommending that the enclosed drawing of proper silt fence installation is included in all final project construction plans.
- **f.** Upon completion of a water crossing construction, any temporary fill, must be removed from the construction area and disposed in a landfill.

For a detailed guide to water crossing structures, the Service developed a detailed guide to water crossing structures for regulatory review by permitting agencies, protect damaged structures, reduce future damages, and prevent or minimize damage to natural resources. The document is titled "Guidance for Repair, Replacement, and Clean-up Projects in Streams and Waterways of Puerto Rico and U.S. Virgin Islands" and is available at:

 $\underline{https://www.fws.gov/media/guidance-repair-replacement-and-clean-structures-streams-and-waterways-puerto-rico-and-us}$

Limitations:

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

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

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

To obtain additional information on threatened and endangered species, you may visit our website https://www.fws.gov/office/caribbean-ecological-services where you will also find the Map of the Species by Municipality and the Map of Critical Habitat. These maps provide information on the species/habitat relations within a municipality and could provide the applicants an insight if the proposed action is covered under this BCL or may affect a species, thus requiring individual review

The USFWS has also developed a web based tool called the Information for Planning and Consultation (IPaC). Please visit https://ipac.ecosphere.fws.gov/ and familiarize yourself with the features we offer. We encourage you to begin your project planning process by requesting an Official Species List for your individual project that will include all species that may occur in the vicinity of the action area and includes a map of the action area. The site will also identify designated critical habitat, or other natural resources of concern that may be affected by your proposed project. Best management practices or conservation measures are available at the site for some species, but we expect the site to continue growing in its offering.

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. It is our mission to work with others, to conserve, protect and enhance fish wildlife and plants and their habitats for the continuing benefit of our people. If you have any additional questions regarding this BCL, please do not hesitate to contact us at (786) 244-0081 or via email at caribbean_es@fws.gov.

Sincerely,

Lourdes Mena Field Supervisor

Radon Attachments



August 20, 2024

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

Vía email: guerrero.carmen@epa.gov

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

The Puerlo Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerlo 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.

Community Planning and Development (CPD) Notice CDP-23-103. This Notice emphasizes the importance of radon testing and milligation in ensuring safe living environments, particularly in HUD-assited properties. PRDOH, as the grantee of the Community Development Block Grant for Disaster Recovery and Miligation (CDBG-DR/MII), is responsible for ensuring compliance with environmental requirements under CDBG-DR/MII programs. To fulfill our obligations under this Notice, we must compile comprehensive and up-to-date information on radon levels, testing practices, and any miltigation efforts within the Islands of Puerto Rico. Rico.

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

 $\underline{Radon\ testing\ data} - Results\ from\ radon\ testing\ conducted\ within\ your\ agency's\ purview,\ including\ details\ on\ location,\ testing\ methods,\ and\ recorded\ radon\ levels.$

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



August 20, 2024

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

Vía email: silvina.cancelos@upr.edu

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Radon lesting 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. Cordeto Dávila, Río Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365 Tel. (767) 274-2527 | https://doi.org/10.1002/j.com/noenda.pr.g.gg/

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 miligation.

<u>Policies and quidelines</u> – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

<u>Historical data</u> – 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.

llmn (rez Rodfiguez, Esq.

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.

<u>Policies and auidelines</u> – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or

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

Sincerely.

My Rodríguez, Esq.

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



August 20, 2024

Dr. Jessica Irizarry 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 Inis Notice emphasizes the importance of radon testing and miligation in ensuring safe living environments, particularly in HUD-assisted properties. PRDOH, as the grantee of the Community Development Block Grant for Biosaster Recovery and Miligation (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 miligation efforts within the islands of Puerto Rico.

Specifically, we are seeking for possible availability of the following

 $\frac{Radon\ testing\ data}{Results} - Results\ from\ radon\ testing\ conducted\ within\ your\ agency's\ purview,\ including\ details\ on\ location,\ testing\ methods,\ and\ recorded\ radon\ levels.$

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.vijenda.pr.gov



August 20, 2024

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

Via email: anais.rodriquez@drna.pr.gov

RE: Request for Information regarding available data on radon testing

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

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

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

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

D. Rodríguez, Esq

CD8G-DR/MIT Pro Request for Information in relation with HUD CPD-23-103 for Puerli

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

William O. Rodríguez Rodríguez, Esq.

Secretary

Mr. Luis Márquez, <u>secretariaaire@drna.pr.gov</u> Eng. Amarilys Rosario, <u>aire@drna.pr.gov</u> Mrs. Elid Ortega, <u>eortega@drna.pr.gov</u>



August 20, 2024

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

Vía email: drcarlos.mellado@salud.pr.gov

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

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

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

Barbosa Ave. #606, Building Juan C. Cordero Dávila, Río Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365 Tel. (787) 274-2527 | https://doi.org/10.1007/j.com/noses/21365 San Juan, PR 00928-1365



August 20, 2024

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

Vía email: hsweyers@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.

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

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

Sincerely.

Ladriguez Rodriguez, Esq.

Mr. Raúl Hernández Doble, rhernandez2@salud.pr.gov

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

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

Sincerely

Ariauez Rodriguez, Esq.

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); Rzeszotarski, 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. Rodríguez 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
Geociences 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- Randon 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

<a href="mailto:Aarivera@vivie

<<u>Reyes.Brenda@epa.gov</u>>; Povetko, Oleg <<u>Povetko.Oleg@epa.gov</u>>

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



September 23, 2024

VIA EMAIL

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

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

Dear Honorable Secretary Rodríguez Rodríguez

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 pC/L (piccouries per liter), perhaps locally reaching very high levels above 50 pC/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 Irms 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, Aguadalli, stabela, Questradillas, Barecloneta and Vega Baja. The quality assurance protocols were anchored in American National Standards institute/American Association of Radon Scientists and Technologists (ANSI/AARS) standards of practice (ANSI/AARS) 1939. 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 ystems. 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 and on sampling professionals led by one such professional form 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. Typical radon testing technology used in mainland United States (charcoal canisters or electric-powered levels.

Mapping radon in Puerto Rico proved to be a complicated endeavor given the COVID-19 pandemic in wapping fault in Puter to Nico proved to de Econipactace encessor given the COVID-19 panietin. In 2020. EPA and UPM 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.

CITY VIEW PLAZA II BUILDING, 7TH FLOOR ROUTE 165 GUAYNABO, PR 00968

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

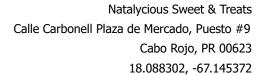
Digitally signed by CARMEN GUERRERO PEREZ Date: 2024.09.23 09:41:39 -04'00'

Carmen R. Guerrero Pérez Director

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: aarivera@vivienda.pr.gov Cesar O. Rodriguez: cesarrodriguez@drna.pr.gov Marita Rosa Olivares: maritzarosaolivares@drna.pr.gov

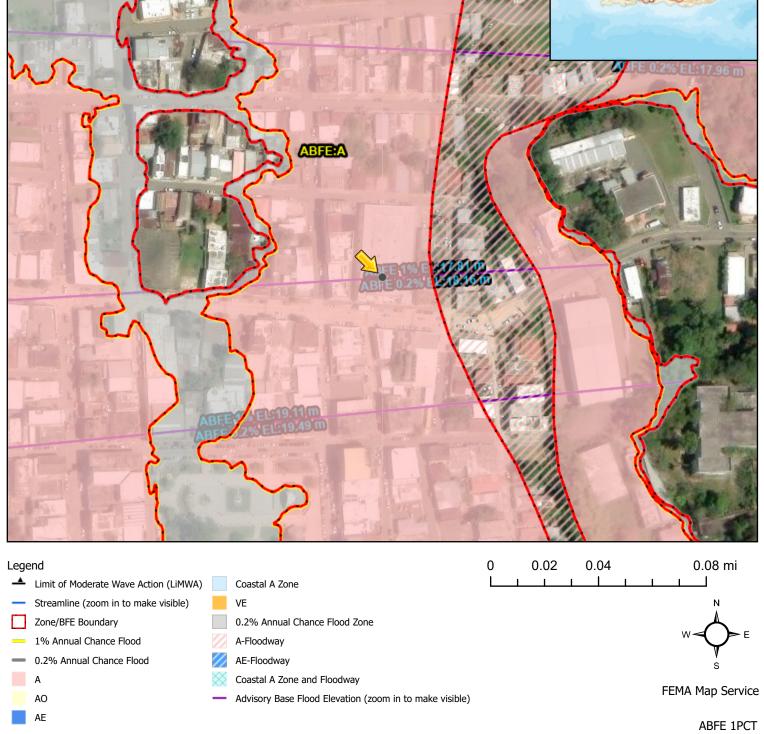
¹ Reference: USGS. Geologic Radon Potential of Guam and Puerto Rico, Report 93-292-K. Washington, DC: USGS. Retrieved 9/11/2024, from https://pubs.usgs.gov/of/1993/0292k/report.pdf.





PR-SBF-01783-E ABFE

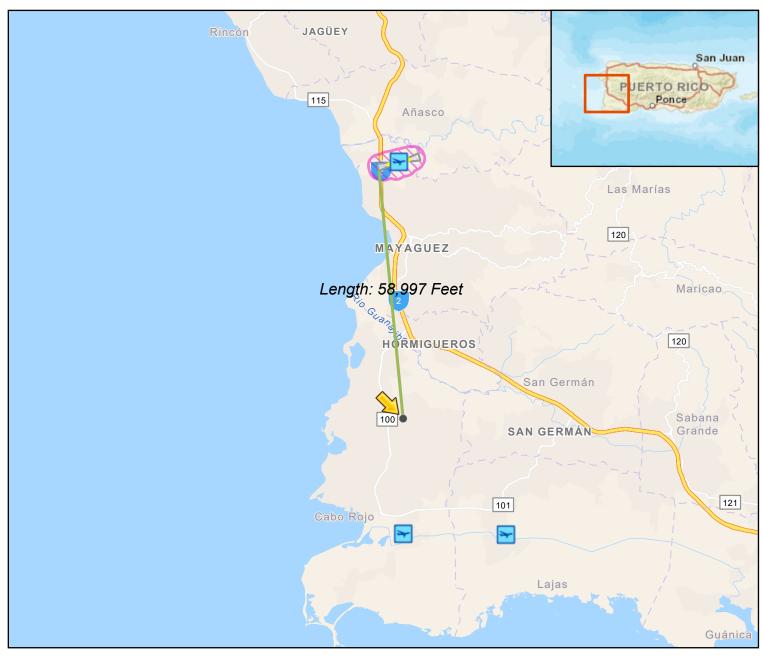








PR-SBF-01783-E Airports



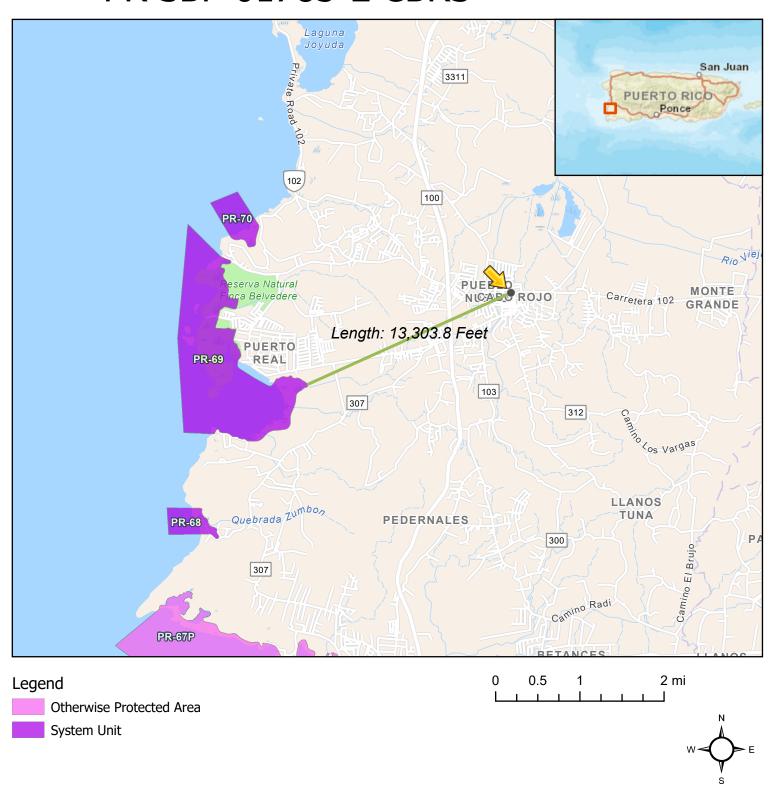


Runway Protection Zones

Major Civil and Military Airports



PR-SBF-01783-E CBRS



U.S. Fish and Wildlife Service

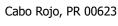
Coastal Barrier Resources Act Program



PR-SBF-01783-E CZM



Coastal Zone Management Act



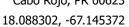


18.088302, -67.145372 PR-SBF-01783-E Endangered Species



Endangered Species Habitat

U.S. Fish and Wildlife Service





PR-SBF-01783-E Farmlands

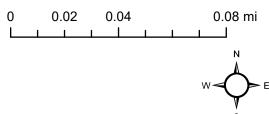


Legend

ClassName

Prime Farmland

Not Prime Farmland



USGS USA Soils

Farmland dataset



Natalycious Sweet & Treats
Calle Carbonell Plaza de Mercado, Puesto #9
Cabo Rojo, PR 00623
18.088302, -67.145372

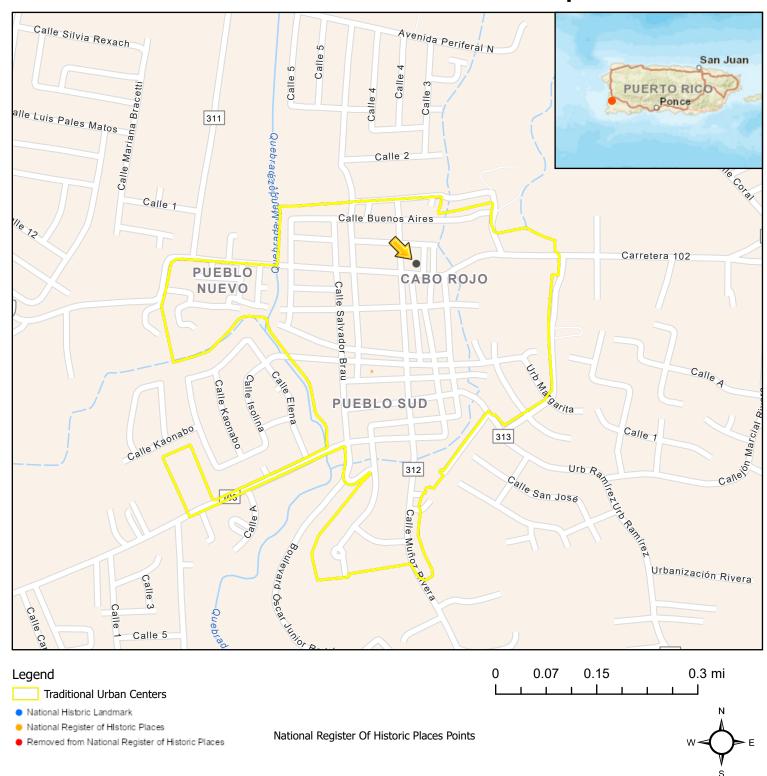
PR-SBF-01783-E FIRM







PR-SBF-01783-E Historic Map



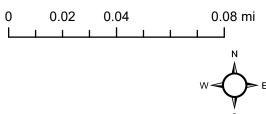
National Register of Historic Places

Local Historic Areas digitized by Horne



PR-SBF-01783-E Site Map





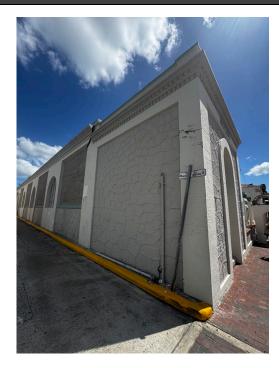
REQUIRED PHOTOS





Front of Property

Rear of Property



Left Side of Property



Right Side of Property

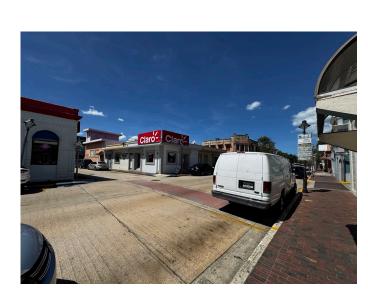
PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS





Front of Property

Front of Property



Front of Property Outwards



Front of Property Outwards





Rear of Property

Rear of Property





Rear of Property Outwards

Rear of Property Outwards





Left Side of Property

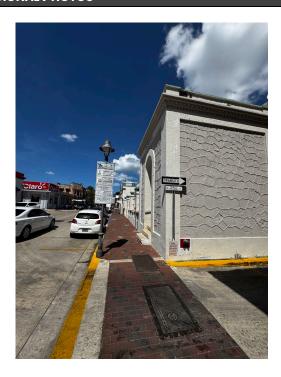
Left Side of Property



Left Side of Property Outwards



Left Side of Property Outwards



Right Side of Property



Right Side of Property



Right Side of Property Outwards



Right Side of Property Outwards

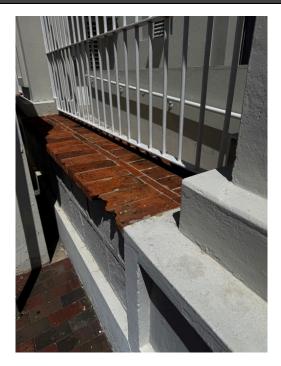








Historical Structure | Blocks



Historical Structure | Blocks can't be altered stated by the applicant





Inside Plaza del Mercado | Applicant Front of Property

Battery System Location | Battery will be affixed to the wall



Battery Location | There will be only new electric cables for the connection of the battery | There is no need of underground cables



Natalycious Sweet & Treats
Calle Carbonell Plaza de Mercado, Puesto #9
Cabo Rojo, PR 00623
18.088302, -67.145372

PR-SBF-01783-E SSA



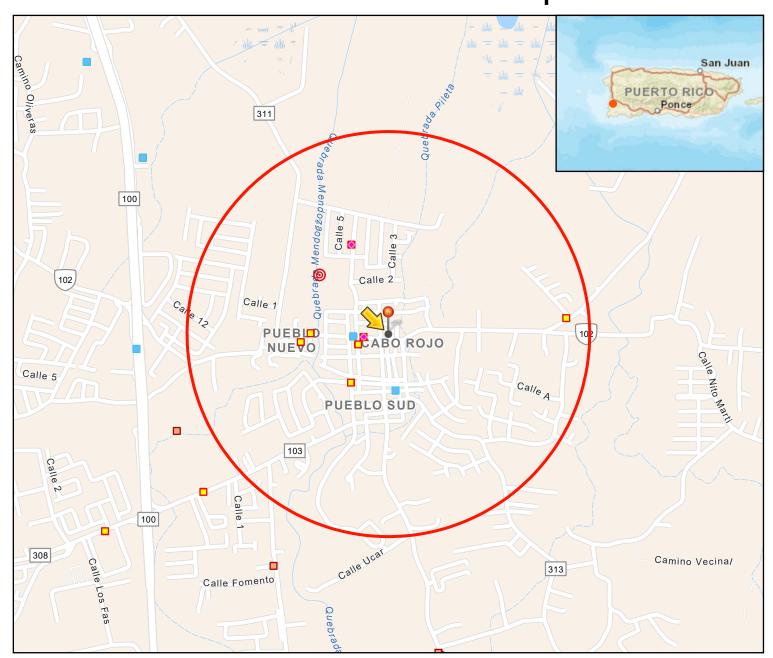
W → E

Sole Source Aquifers

https://www.arcgis.com/apps/mapviewer/index.html?url= https://services.arcgis.com/cJ9YHowT8TU7DUyn/ArcGIS/rest/services/Sole_Source_Aquifers_August_2019/ FeatureServer/0&source=sd



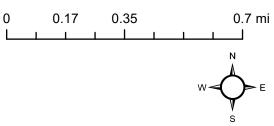
PR-SBF-01783-E Toxics Map





3000ft Buffer

- Hazardous waste
- Air pollution
- Water dischargers
- Toxic releases
- Superfund



Envirofacts Facility Locations

EPA

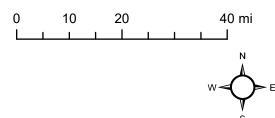


PR-SBF-01783-E W & S Rivers



Legend

Wild and Scenic Rivers



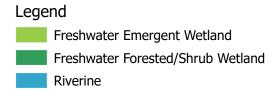
National Wild and Scenic River System

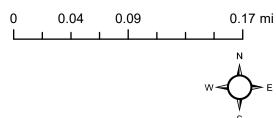
National Park Service



PR-SBF-01783-E Wetlands







National Wetlands Inventory

U.S. Fish and Wildlife Service