

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-20748230

Project Name: Andy's Farm, Inc.

Responsible Entity: Puerto Rico Department of Housing

Grant Recipient (if different than Responsible Entity): Not Applicable

Program: Re-Grow Puerto Rico Urban-Rural Agriculture Program

State/Local Identifier: Puerto Rico / Municipio of San Sebastian

Preparer: Allison Cullett

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

Consultant (if applicable): Horne LLP

Direct Comments to: Pedro A. de León Rodríguez

Project Location: State Road 435, Km. 8.9, San Sebastian, PR 00685

Latitude 18.270167, longitude -66.927520 (coordinates of land to be purchased) Parcel cadastral # 185-000-001-07 and 185-000-001-08

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]: The specific scope includes the purchase of a coffee farm. The land has been used as a coffee farm for the last 6 or 7 years and the intended use of the farm is to continue the coffee farm.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (Re-Grow) will build agricultural capacity and is focused on promoting and increasing food security island wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the purchase of farmed land to continue to farm. This agricultural use is in keeping with the overall objectives of the economic development program.

Existing Conditions and Trends [24 CFR 58.40(a)]: The existing area for the proposed purchase of farmed land to be used for agricultural purposes.

Funding Information

Grant Number	HUD Program	Funding Amount
B-18-DP-72-0001	CDBG-DR, Re-Grow Puerto Rico Urban-Rural Agriculture Program	\$41,279,480

Estimated Total HUD Funded Amount: \$50,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$50,000

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport, nor is it within an airport Runway Protection Zone (RPZ). The nearest airport RPZ/CZ is approximately 71,861 feet away. The project is in compliance with Airport Hazards requirements. See the attached Airports map.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. It is 81,245 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. See the attached CBRS map.
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 <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is located in a Zone X, Panel 72000C0570H, effective 4/19/2005. The project does not require flood insurance or is excepted from flood insurance; therefore, is in compliance with flood insurance requirements. See the attached Flood Map.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5		
Clean Air	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project consists only of purchase of farmed land for agricultural purpose, and is not located in a non-attainment

<p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>		<p>municipality of Puerto Rico. Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is not located in and does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 74,595 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Site contamination was evaluated through online data search and no toxic sites are located within 3,000 feet of the project area. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. See the attached Toxics map.</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project and proposed activity will have No Effect on listed species due to the nature of the activities involved in the project. There is no intent to cut down trees or change in land use. Additionally, the project has no critical habitats in the area. This project is in compliance with the Endangered Species Act. See attached Critical Habitats map.</p>
<p>Explosive and Flammable Hazards 24 CFR Part 51 Subpart C</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project does not include development of a hazardous facility and does not include increasing residential density. The project is in</p>

		compliance with explosive and flammable hazard requirements.
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The scope includes the acquisition of land to continue agriculture use. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project does not occur in a floodplain, nor an ABFE. The project site is located in a Zone X, Panel 72000C0570H, 4/19/2005. The project is in compliance with Flood plain management requirements. See attached flood map and ABFE map.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project falls under stipulations I.A.7.i and I.A.7.j of the Programmatic Agreement and does not require further consultation with PR SHPO. Therefore, this project is in compliance with historic preservation section.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project does not include new construction and is the acquisition of an existing farm with no intent to change land use. The project is in compliance with HUD's Noise regulation.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no sole source aquifers in Puerto Rico. The project is in compliance with this citation without further evaluation.</p>
<p>Wetlands Protection</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on the project description this project includes no activities that would require further evaluation under this</p>

Executive Order 11990, particularly sections 2 and 5		section. There is no ground disturbance to take place in the project scope. The project is in compliance with Executive Order 11990. See the attached Wetlands map.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not within the proximity of a NWSRS river. The nearest Wild and Scenic River is 393,579 feet east of the project site. Therefore, this project is in compliance with the Wild and Scenic Rivers Act. See the attached map.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

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

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation												
LAND DEVELOPMENT														
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed action is continued agricultural use of property which is compatible with zoning and existing land use. There is no urban design associated with this rural, agricultural site.												
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The soil is currently being used for agriculture purposes. It will continue to be used to agriculture purposes. There is no ground disturbance or change in land use. The landslide data indicates low to moderate landslide susceptibility.												
Hazards and Nuisances including Site Safety and Noise	2	There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected.												
Energy Consumption	2	The project should not trigger any additional energy consumption since the project is acquisition of an existing agricultural farm and will not require any expansion to existing power facilities.												
<table border="1"> <thead> <tr> <th data-bbox="207 1291 500 1417">Environmental Assessment Factor</th> <th data-bbox="500 1291 667 1417">Impact Code</th> <th data-bbox="667 1291 1427 1417">Impact Evaluation</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="207 1417 1427 1486">SOCIOECONOMIC</td> </tr> <tr> <td data-bbox="207 1486 500 1591">Employment and Income Patterns</td> <td data-bbox="500 1486 667 1591">2</td> <td data-bbox="667 1486 1427 1591">The project is not anticipated to have a significant impact on Employment and Income Patterns.</td> </tr> <tr> <td data-bbox="207 1591 500 1768">Demographic Character Changes, Displacement</td> <td data-bbox="500 1591 667 1768">2</td> <td data-bbox="667 1591 1427 1768">The proposed project will not alter the demographic characteristics of San Sebastian, PR. The project will allow for displaced community members to return to agricultural activities.</td> </tr> </tbody> </table>			Environmental Assessment Factor	Impact Code	Impact Evaluation	SOCIOECONOMIC			Employment and Income Patterns	2	The project is not anticipated to have a significant impact on Employment and Income Patterns.	Demographic Character Changes, Displacement	2	The proposed project will not alter the demographic characteristics of San Sebastian, PR. The project will allow for displaced community members to return to agricultural activities.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The proposed project will have no impact on educational or cultural facilities.
Commercial Facilities	2	The proposed project will have no impact on commercial facilities. The project is the purchase of an existing agricultural site intended to continue to be farmed.
Health Care and Social Services	2	The proposed project will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The proposed project will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable.
Wastewater / Sanitary Sewers	2	The proposed project will have no impact on Wastewater / Sanitary Sewers. There will be little to no additional runoff associated with the project.
Water Supply	2	The proposed project will have no impact on water supply. The land to be purchased is already being used for agricultural purposes. The land will continue to be used for the same agricultural purposes with no intent to change.
Public Safety - Police, Fire and Emergency Medical	2	The proposed project will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The proposed project will have no impact to Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.

Transportation and Accessibility	2	The proposed project will have no impact to Transportation and Accessibility nor any infrastructure on Puerto Rico.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The proposed project will be the purchase of an existing agriculture property and will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	The proposed project will not impact vegetation and wildlife as the agricultural purposes will be continued through the purchase of land. No trees will be cut or ground disturbance made.
Other Factors		Not Applicable.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): Not applicable.

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

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

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

National Park Service, National Registry of Natural Landmarks.
www.nature.nps.gov/nnl/docs/NNLRegistry.pdf

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

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

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

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

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

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

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

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

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

List of Permits Obtained: None required.

Public Outreach [24 CFR 58.43]:

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the purchase of these parcels and existing farmland that is to be continued farming for agricultural purposes.

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

The 'Alternative' action would mean that the applicant would continue to rent the farm instead of purchase it. They may not be allowed to continue farming as they have been for the last several years. As a result, this applicant may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The Alternative action would not allow for this economic development for this applicant.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to purchase the farmland which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, this applicant may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for this economic development for this applicant.

Summary of Findings and Conclusions: The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with any agency. There are no environmental review topics addressed that result in the need for formal compliance steps or the requirement for mitigation.

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

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

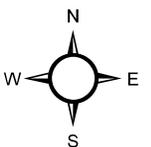
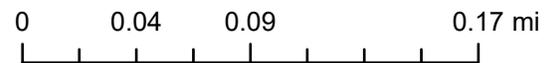
Law, Authority, or Factor	Mitigation Measure



PR-RGRW-20748230 Site Map

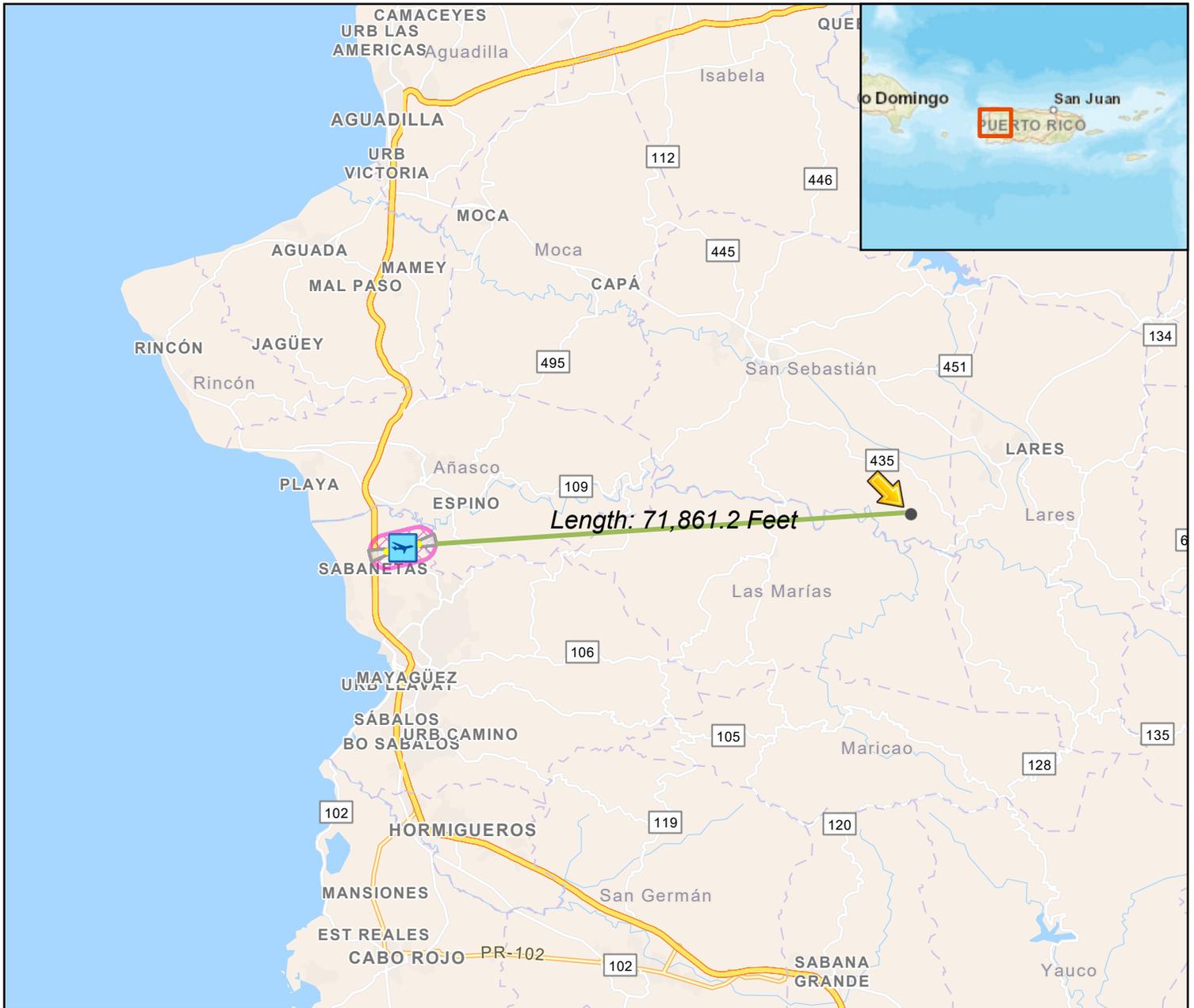


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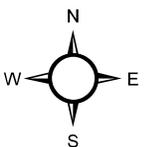
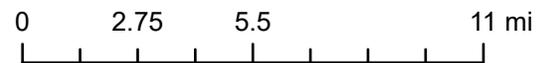


PR-RGRW-20748230 Airports



Legend

- Military Airports 15,000ft Buffer
- Civilian Airports 2,500ft Buffer
- Military Accident Protection Zones APZ 2
- Military Accident Protection Zones APZ 1
- Runway Protection Zones
- Airport Runways
- Major
- Minor Airport

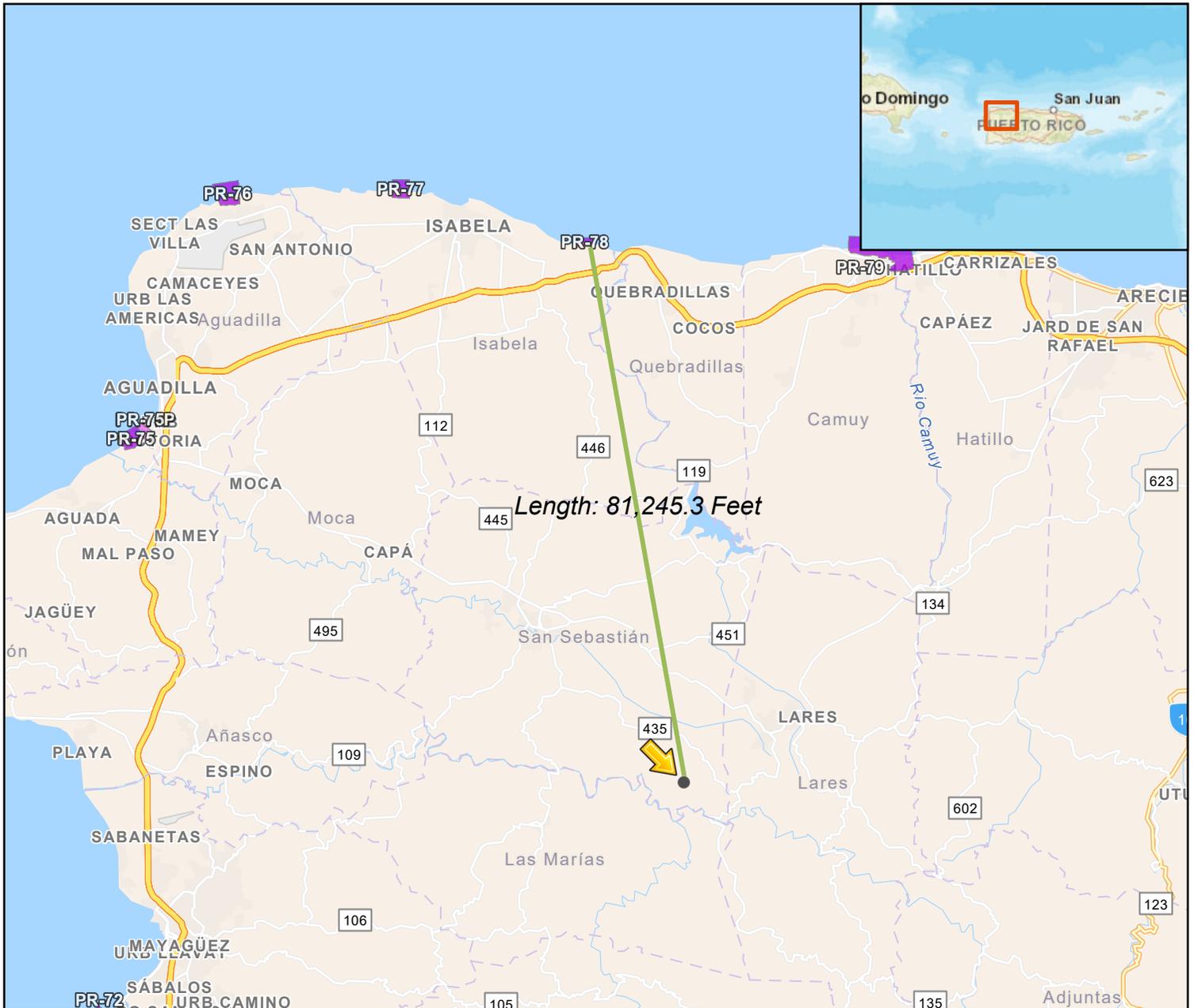


Runway Protection Zones

Major Civil and Military Airports

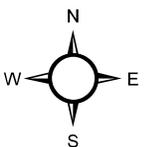
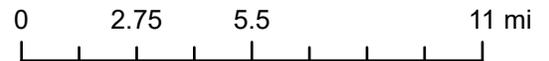


PR-RGRW-20748230 CBRS



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- Otherwise Protected Area
- System Unit



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program

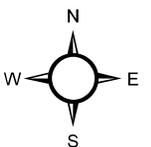
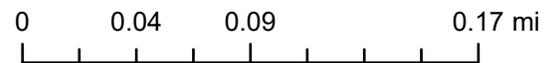


PR-RGRW-20748230 Flood Map



Legend

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



FEMA Map Service

Flood Insurance Rate Maps



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

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

Data is current as of April 30, 2022

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

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

Change the State:

Important Notes

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

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
PUERTO RICO								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11 12 13 14 15 16 17 18 19 20 21 22	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	92 93 94 95 96 97 98 99 00 01 02 03 04 05 06 07 08 09	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	18 19 20 21 22	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22	//		Part	52,441	72/137

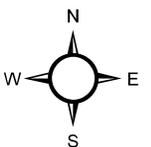
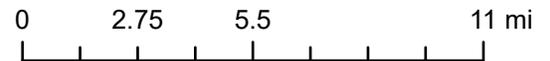


PR-RGRW-20748230 CZM



Legend

 Coastal Zone Management Act Boundary

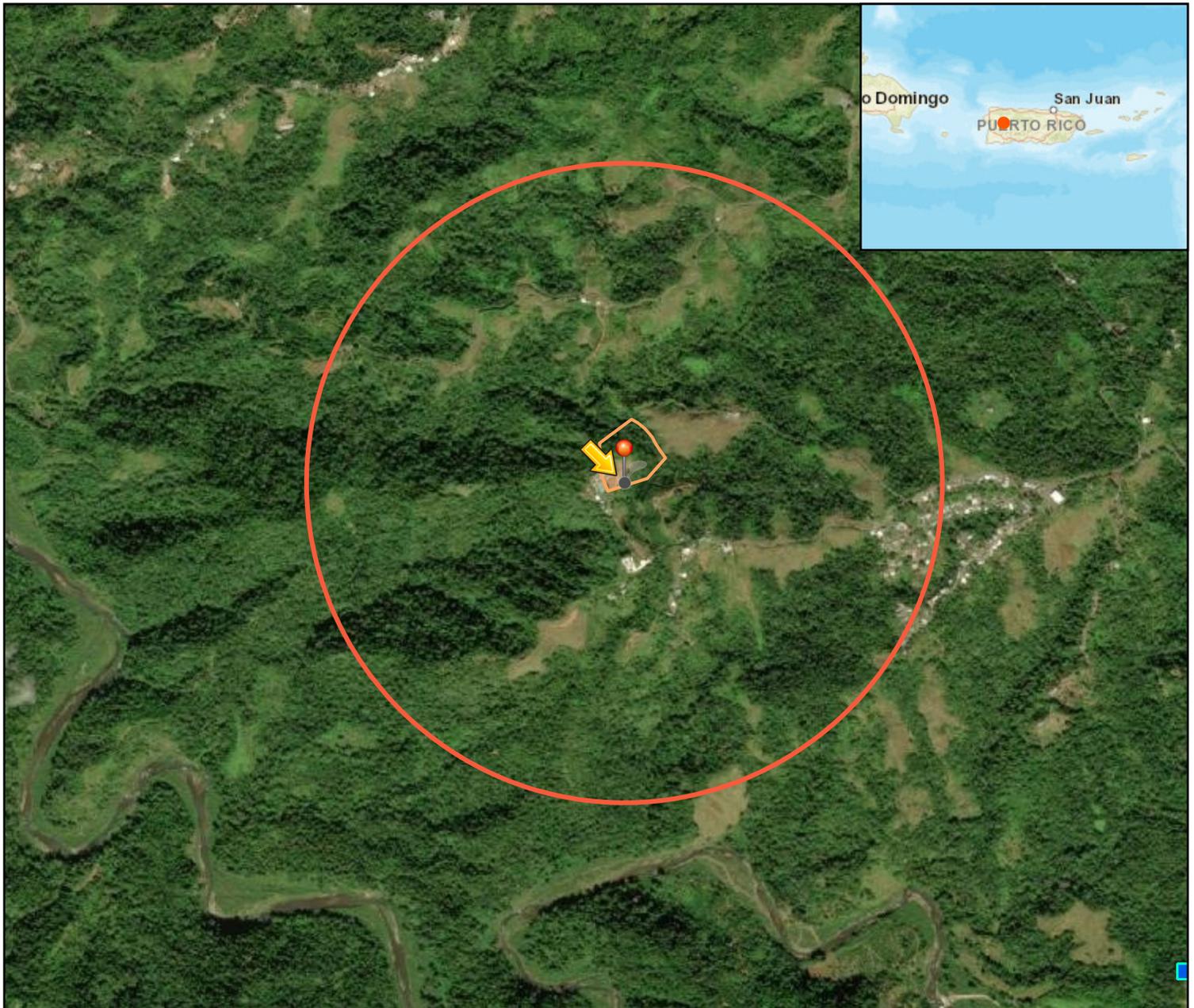


NOAA

Coastal Zone Management Act

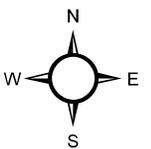
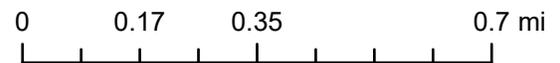


PR-RGRW-20748230 Toxics



Legend

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



Envirofacts Facility Locations

EPA

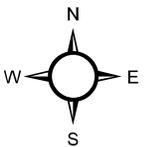
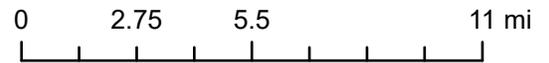


PR-RGRW-20748230 Endangered Species



Legend

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



Endangered Species Habitat

U.S. Fish and Wildlife Service

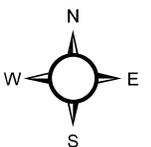
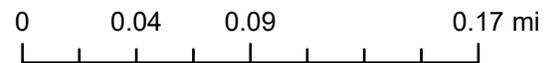


PR-RGRW-20748230 Farmlands



Legend

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

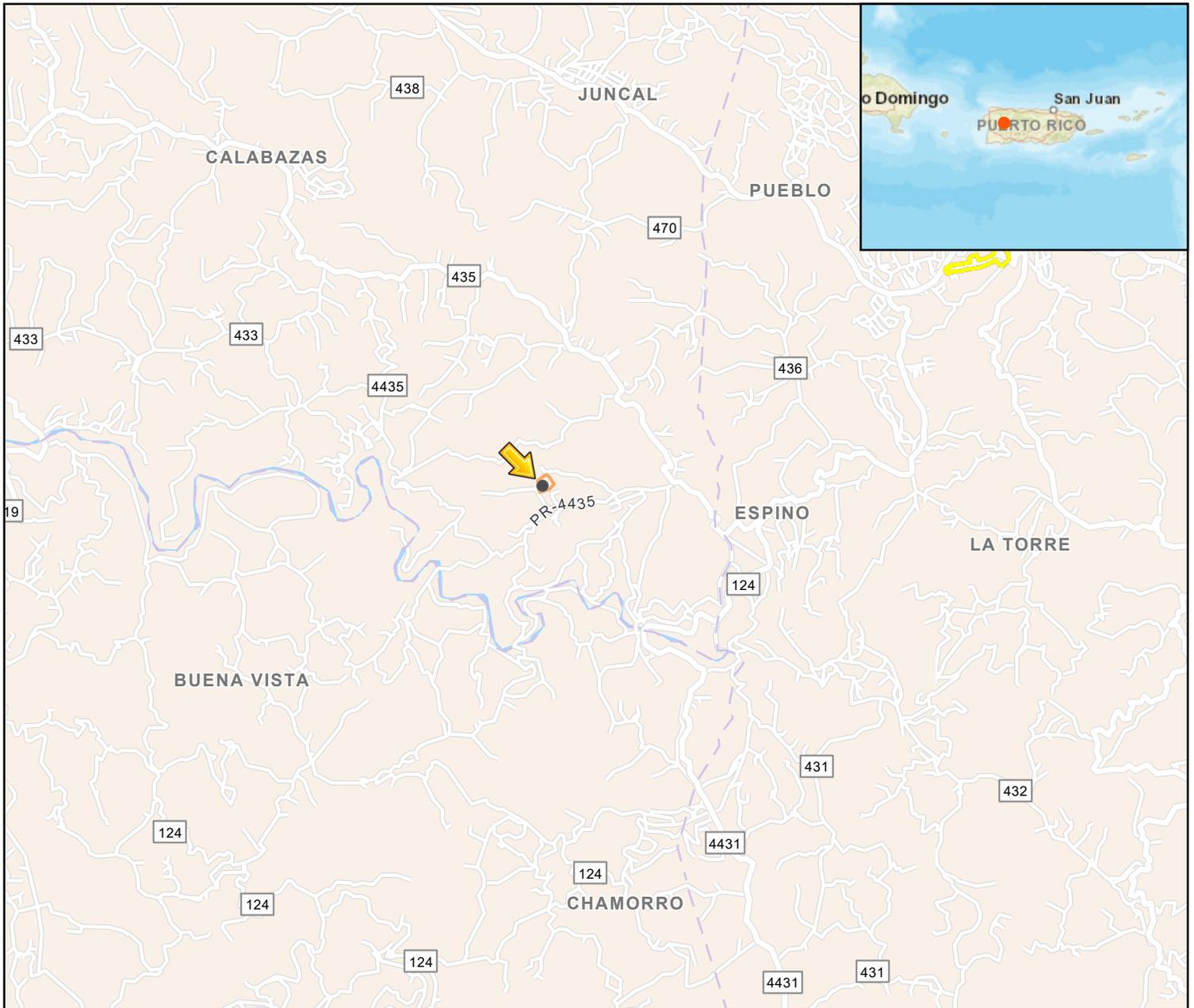


USGS USA Soils

Farmland dataset



PR-RGRW-20748230 Historic

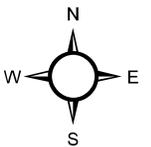
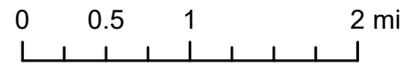


Legend

- National Historic Landmark
- National Register of Historic Places
- National Historic Landmark
- National Register of Historic Places
- Traditional Urban Centers

National Register Of Historic Places Points

National Register of Historic Places Polygons



National Register of Historic Places

Local Historic Areas digitized by Horne

STIPULATIONS

To the extent of its legal authority, and in coordination with other Signatories, FEMA shall ensure that the following measures are implemented:

I. GENERAL

A. Applicability

1. The execution of this Agreement supersedes the terms of the Programmatic Agreement among FEMA, SHPO, the Puerto Rico Emergency Management Agency, and the Puerto Rico Office of Management and Budget dated May 9, 2011, and the subsequent letter from the SHPO dated July 11, 2011, approving additional Allowances.
2. For FEMA Undertakings that also are within the jurisdiction of the Federal Communications Commission (FCC) and within the scope of its Section 106 Programmatic Agreements for communication facilities, FEMA defers Section 106 review in accordance with the ACHP Program Comment of October 23, 2009, amended September 24, 2015 (<http://www.ach.gov/docs/pc-wireless-communication.pdf>). The approval of funding for the FEMA Undertaking shall be conditioned upon the compliance of the sub-recipient with FCC's applicable Section 106 review. FEMA shall notify the SHPO when it applies the ACHP Program Comment to an Undertaking. FEMA remains responsible for any FEMA Undertakings it determines are outside the jurisdiction of FCC.
3. In the event of a Stafford Act major disaster or emergency declaration (Declaration), State, and local governments may lack the capability to perform or to contract for emergency work, and instead request that the work be accomplished by a Federal agency. Through a mission assignment (MA), FEMA may direct appropriate Federal agencies to perform the work. This Agreement shall apply to such Federal assistance undertaken by or funded by FEMA pursuant to Titles IV and V of the Stafford Act and 44 CFR Part 206.
4. FEMA may utilize this Agreement to fulfill its Section 106 responsibilities and those of other Federal agencies that designate FEMA, or another Federal agency, as the lead Federal agency pursuant to 36 CFR § 800.2(a)(2) with appropriate notification to the other Signatories and the ACHP regarding Undertakings that fall within the scope of this Agreement. When FEMA is not designated as the lead Federal agency, all Federal agencies, including FEMA, remain individually responsible for their compliance with Section 106. FEMA may also recognize another Federal agency as lead Federal agency for specific Undertakings as appropriate.
5. If another Federal program or Federal agency has concluded Section 106 consultation review and approved an Undertaking within the past five (5) years,

FEMA has no further requirement for Section 106 review regarding that Undertaking provided that FEMA:

- a. confirms that the scope and effect [as defined by 36 CFR § 800.16(i)] of its Undertaking are the same as that of the Undertaking reviewed by the previous agency;
- b. determines that the previous agency complied with Section 106 appropriately, and;
- c. adopts the findings and determinations of the previous agency.

FEMA shall document these findings in its project file in order to confirm that the requirements of Section 106 have been satisfied. Should FEMA, in consultation with SHPO determine that the previous Section 106 review was insufficient or involved interagency disagreements about eligibility, effect, and/or treatment measures, FEMA shall conduct additional Section 106 consultation in accordance with the terms of this Agreement.

6. With the written concurrence of the Signatories, other Federal agencies providing financial assistance for the same type of activities covered under the terms of this Agreement as outlined in Appendix A may satisfy their Section 106 responsibilities for such activities by accepting and complying in writing with the terms of this Agreement.
 - a. Other Federal agencies may include States and units of local government who have assumed environmental responsibilities of the U.S. Department of Housing and Urban Development and, acting as the Responsible Entity pursuant to 24 CFR Part 58, are responsible for environmental review, decision-making and action.
 - b. In such situations, the other Federal agency shall notify the Signatories in writing of its intent to use this Agreement to achieve compliance with its Section 106 requirements, and consult with the Signatories regarding its Section 106 compliance responsibilities. Resumes of staff who meet the Secretary of the Interior Professional Qualification Standard(s) and will review Second Tier projects in accordance with Appendix B of this Agreement shall be provided to the SHPO.
 - c. When amendments are made to the body of this Agreement, the other Federal Agencies utilizing the Agreement shall notify the Signatories in writing of its intent to use the Agreement as amended. Written notification by the other Federal agencies is not required when amendments are made to Appendices A, B C, D, E and F.

7. FEMA has determined that the following types of activities have limited or no potential to affect historic properties and FEMA has no further Section 106 responsibilities with regards to them, pursuant to 36 CFR § 800.3(a)(1):
 - a. Pursuant to 44 CFR § 206.110(m), assistance to individuals and households provided under 44 CFR Part 206, Subpart D and Section 408 of the Stafford Act, including funding for owner occupied home repair, content replacement, personal property, transportation and healthcare expenses, is exempt from the provisions of Section 106. For ground disturbing activities, and construction related to 44 CFR §§ 206.117(b)(1)(ii) (temporary housing), 206.117(b)(3) (replacement housing), 206.117(b)(4) (permanent housing construction), 206.117(c)(1)(vi) (repair or replacement of privately owned access routes), and repair of multi-family housing units, FEMA shall conduct Section 106 review.
 - b. Administrative actions such as personnel actions, travel, procurement of services, supplies (including vehicles and equipment) for the support of day-to-day and emergency operational activities, and the temporary storage of goods provided storage occurs within existing facilities or on previously disturbed soils.
 - c. Granting of variances, and actions to enforce Federal, State, or local codes, standards or regulations.
 - d. Monitoring, data gathering, and reporting in support of emergency and disaster planning, response and recovery, and hazard activities.
 - e. Research and development of hazard warning systems, hazard mitigation plans, codes and standards, and education/public awareness programs.
 - f. Assistance provided for planning, studies, design and engineering costs that involve no commitment of resources other than staffing and associated funding.
 - g. Assistance provided for training, management and administration, exercises, and mobile/portable equipment purchases; with the exception of potential ground-disturbing activities and modification of existing structures.
 - h. Community Disaster Loans for funding to perform governmental functions for any eligible jurisdiction in a designated disaster area that has suffered a substantial loss of tax and other revenue.
 - i. Funding the administrative action of acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements.
 - j. Funding the administrative action of acquiring properties in acquisition projects, including the real estate transaction

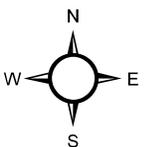
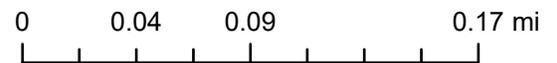


PR-RGRW-20748230 Wetlands



Legend

 Riverine

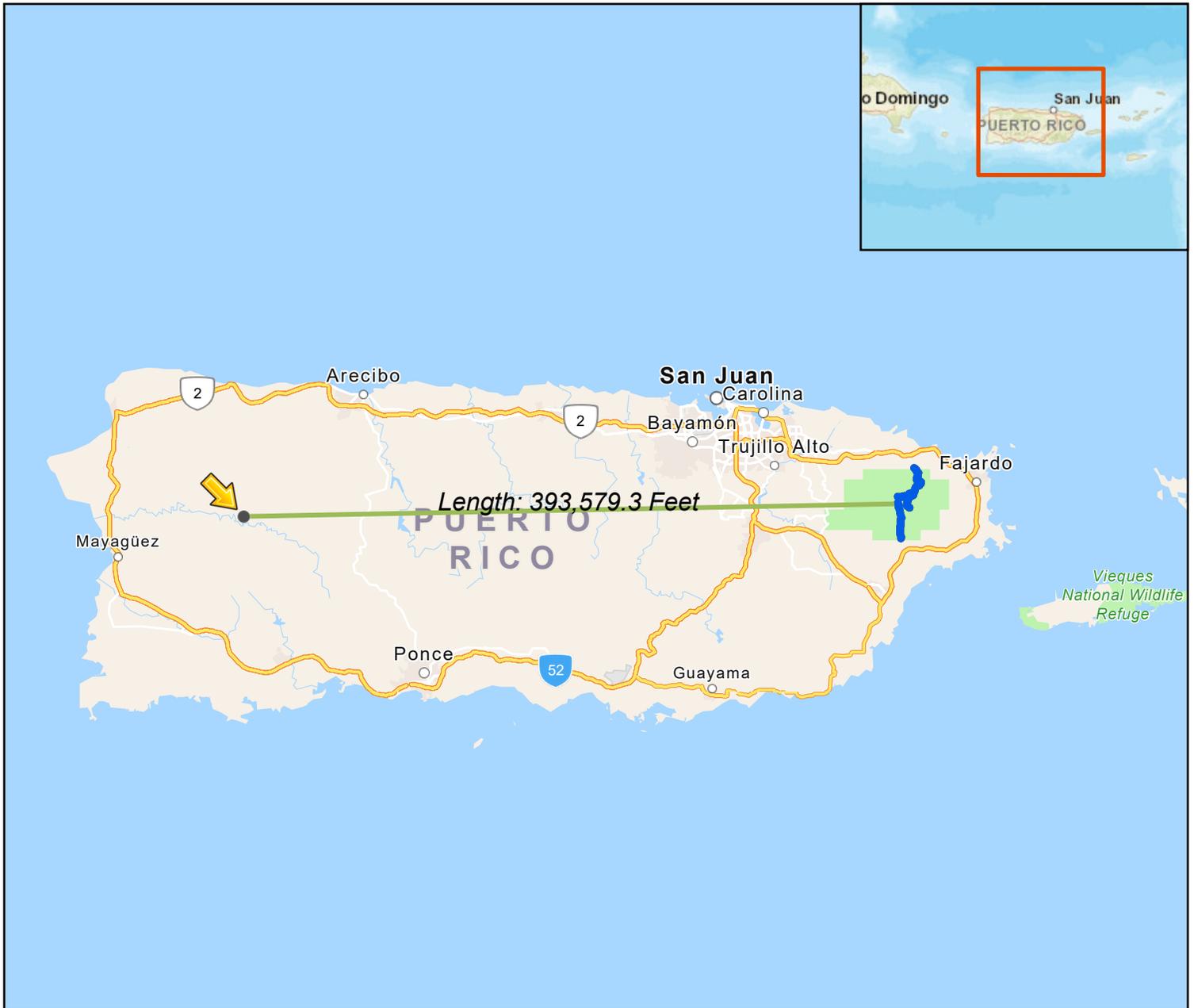


National Wetlands Inventory

U.S. Fish and Wildlife Service

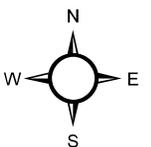
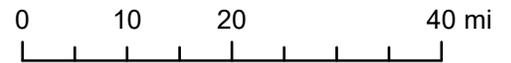


PR-RGRW-20748230 Wild & Scenic Rivers



Legend

 National Wild and Scenic River Line

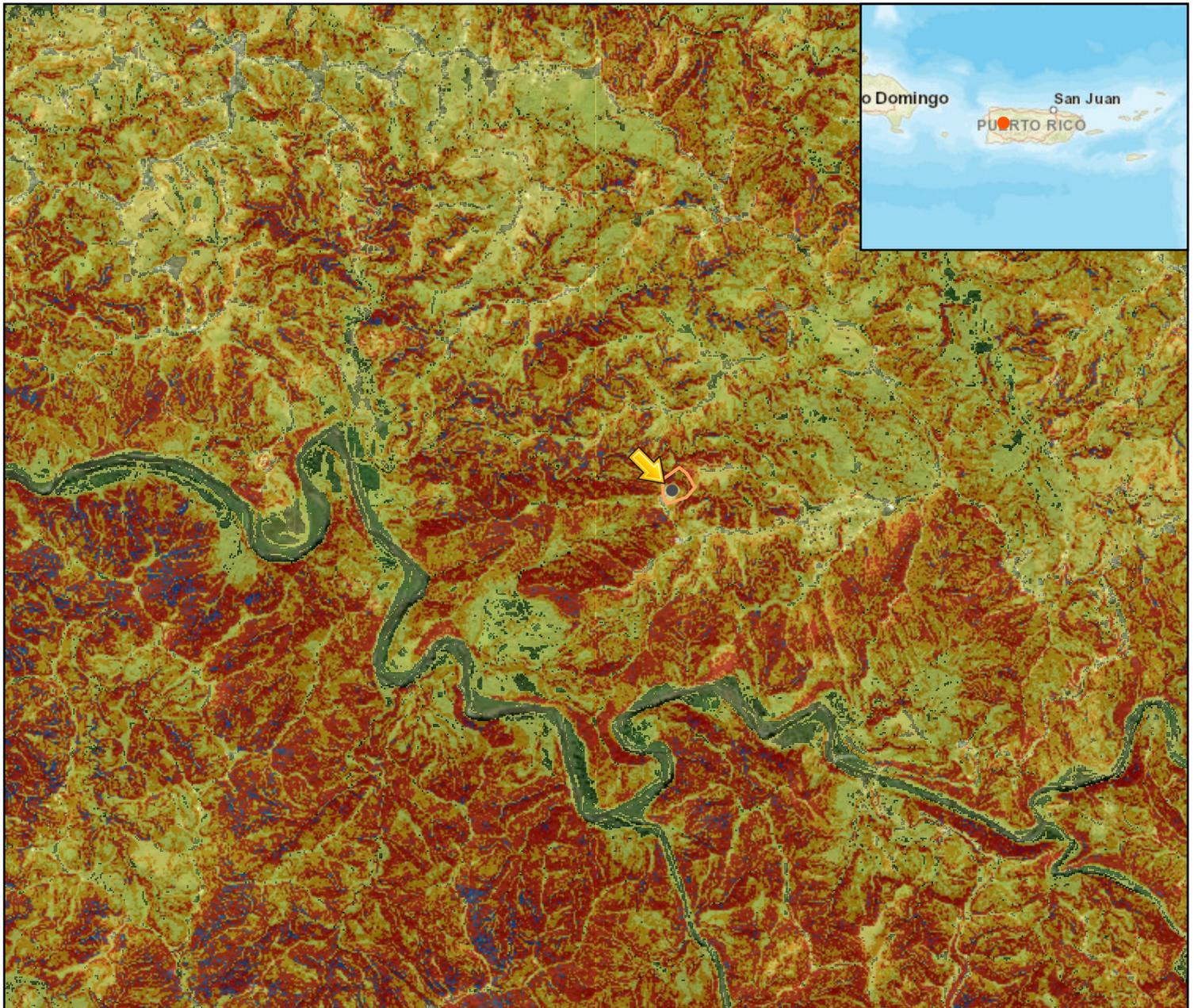


National Wild and Scenic River System

National Park Service

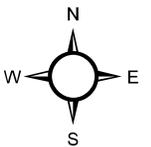


PR-RGRW-20748230 Landslide



Legend

- Low
- Moderate
- High
- Very High
- Extremely High



Landslide Susceptibility

USGS