

# 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-04188

**HEROS Number:** 900000010282091

State / Local Identifier: PR

**Project Location:** , Ponce, PR 00730

# **Additional Location Information:**

The project is located at latitude 18.012522, longitude -66.612463 at the address given above. Tax ID Number: 389-052-382-07-001

## 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 Surillo & Gonzalez Law Offices a notary business at 57-A C. Reina Isabel 2do piso Ponce, P.R. 00730. Structure built ca. 1955. The specific scope of work for this project includes payment of rent/mortgage, utilities, employee salaries, and the purchase of equipment including: Desktop Comp touch 27" (\$ 4,009.54), Desktop Comp PC HP24 16GB (\$ 4,315.02), Surface Pro 256GB (\$ 1,113.89), Surface Pro 128GB (\$ 992.35), Printer Epson 7840 (\$ 858.52), Printer Laser Jet M40 (\$ 403.51), Printer XEROX (\$ 4,504.00), APC Battery BackUp (\$ 539.60), Chair Jexxby (\$ 1,003.44), Chair Lenzca (\$ 602.07), Chair Oneil Shequelle (\$ 1,025.78), IPAD PRO 128GB 12.9" (\$ 1,225.39), and a new affixed generator with a transfer switch (built on existent platform) (\$ 8,360.27).

#### **Level of Environment Review Determination:**

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

#### **Funding Information**

<b>Grant Number</b>	HUD Program	Program Name
		CDBG-DR Puerto Rico Small Business Financing
B-17-DM-72-0001	Other	Program
		CDBG-DR Puerto Rico Small Business Financing
B-18-DP-72-0001	Other	Program

**Estimated Total HUD Funded Amount:** \$50,000.00

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

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A	
Floodplain Management	Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required.	N/A	

#### **Determination:**

This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR

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a	This project is not categorically excluded OR, if originally categorically e a full Environmental Assessment according to Part 58 Subpart circumstances (Section 58.35(c)).	-
Preparer	r Signature: Santa O. Raming Sebror Date:	November 15, 2022
Name /	Title/ Organization: Santa Ramírez Lebrón / / Department of Housing	g - Puerto Rico
Respons	sible Entity Agency Official Signature: <u>Janta O. Raniva Labrar</u>	Date: November 15, 2022
Name/ T	ritle: Santa D. Ramírez Lebrón / Permits and Environmental Compliance	e 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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# 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-04188

**HEROS Number:** 900000010282091

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

00928

State / Local Identifier: PR

**RE Preparer:** Santa Ramírez Lebrón

**Certifying Officer:** 

**Grant Recipient (if different than Responsible Entity):** 

**Point of Contact:** 

Consultant (if applicable): HORNE LLP

Point of Contact: Ricardo Lamoso Rivera

**Project Location:** , Ponce, PR 00730

#### **Additional Location Information:**

The project is located at latitude 18.012522, longitude -66.612463 at the address given above.

Tax ID Number: 389-052-382-07-001

#### **Direct Comments to:**

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

This project entails the award of a small business recovery grant to Surillo & Gonzalez Law Offices a notary business at 57-A C. Reina Isabel 2do piso Ponce, P.R. 00730. Structure built ca. 1955. The specific scope of work for this project includes payment of rent/mortgage, utilities, employee salaries, and the purchase of

equipment including: Desktop Comp touch 27" (\$ 4,009.54), Desktop Comp PC HP24 16GB (\$ 4,315.02), Surface Pro 256GB (\$ 1,113.89), Surface Pro 128GB (\$ 992.35), Printer Epson 7840 (\$ 858.52), Printer Laser Jet M40 (\$ 403.51), Printer XEROX (\$ 4,504.00), APC Battery BackUp (\$ 539.60), Chair Jexxby (\$ 1,003.44), Chair Lenzca (\$ 602.07), Chair Oneil Shequelle (\$ 1,025.78), IPAD PRO 128GB 12.9" (\$ 1,225.39), and a new affixed generator with a transfer switch (built on existent platform) (\$ 8,360.27).

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

Level of Environmental Review Determination:
Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

#### **Determination:**

	This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> for this (now) EXEMPT project; OR
<b>√</b>	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, <b>publish NOI/RROF</b> and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

#### **Approval Documents:**

PR-SBF-04188 SIG PAGE.pdf

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

#### **Funding Information**

Grant / Project	HUD Program	Program Name
Identification		
Number		

		CDBG-DR Puerto Rico Small Business Financing	
B-17-DM-72-0001	Other	Program	
		CDBG-DR Puerto Rico Small Business Financing	
B-18-DP-72-0001	Other	Program	

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

**Estimated Total Project Cost:** \$50,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6  Are formal compliance steps or mitigation required?		Compliance determination (See Appendix A for source determinations)	
STATUTES, EXECUTIVE ORE	DERS, AND REGULATIO	ONS LISTED AT 24 CFR §50.4 & § 58.6	
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	□ Yes ☑ No	The nearest airport RPZ/CZ is approximately 10,437.8 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 16,899.4 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 72000C1665J, effective on 11/18/2009:The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance	

		coverage must be continued for the life
		of the building irrespective of the
		transfer of ownership. The amount of
		coverage must at least equal the total
		project cost or the maximum coverage
		limit of the National Flood Insurance
		Program, whichever is less. With flood
		insurance the project is in compliance
		with flood insurance requirements.
STATUTES, EXECUTIVE OR	DERS, AND REGULATI	ONS LISTED AT 24 CFR §50.4 & § 58.5
Air Quality	☐ Yes ☑ No	Based on the project description, this
Clean Air Act, as amended,		project includes no activities that would
particularly section 176(c) & (d); 40		require further evaluation under the
CFR Parts 6, 51, 93		Clean Air Act. The project is in
		compliance with the Clean Air Act.
Coastal Zone Management Act	☐ Yes ☑ No	The project is located 2,377.5 feet from
Coastal Zone Management Act,		the coastal zone. This project is not
sections 307(c) & (d)		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. The project is
		in compliance with contamination and
		toxic substances requirements.
Endangered Species Act	☐ Yes ☑ No	The project is 16,198.9 feet from the
Endangered Species Act of 1973,		nearest endangered species critical
particularly section 7; 50 CFR Part		habitat. This project will have No Effect
402		on listed species due to the nature of
402		the activities involved in the project.
		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	IC3 E INU	project includes no activities that would
51 Subpart C		require further evaluation under this
31 3αυραιτ C		section. The project is in compliance
		with explosive and flammable hazard
Formlands Drotostics	☐ Yes ☑ No	requirements.
Farmland Protection	⊔ res ⊾ ino	This project does not include any
Farmland Protection Policy Act of		activities that could potentially convert

	1	1
1981, particularly sections 1504(b)		agricultural land to a non-agricultural
and 1541; 7 CFR Part 658		use. The project is in compliance with
		the Farmland Protection Policy Act.
Floodplain Management	☐ Yes ☑ No	Flood Map Number 72000C1665J,
Executive Order 11988, particularly		effective on 11/18/2009: This project is
section 2(a); 24 CFR Part 55		located in a 100-year floodplain. The 5-
		Step Process is applicable per
		55.12(a)(1-4). With the 5-Step Process
		the project will be in compliance with
		Executive Order 11988.
Historic Preservation	☐ Yes ☑ No	(c. 1955) Based on Section 106
National Historic Preservation Act of		consultation the project will have No
1966, particularly sections 106 and		Adverse Effect on historic properties.
110; 36 CFR Part 800		Conditions: None. Upon satisfactory
110, 50 0. 11 0.000		implementation of the conditions,
		which should be monitored, the project
		is in compliance with Section 106.
Noise Abatement and Control	☐ Yes ☑ No	Based on the project description, this
Noise Control Act of 1972, as		project includes no activities that would
amended by the Quiet Communities		require further evaluation under HUD's
Act of 1978; 24 CFR Part 51 Subpart		noise regulation. The project is in
B		compliance with HUD's Noise
В		regulation.
Sole Source Aquifers	☐ Yes ☑ No	Based on the project description, the
Safe Drinking Water Act of 1974, as	L TES EL NO	project consists of activities that are
amended, particularly section		unlikely to have an adverse impact on
1424(e); 40 CFR Part 149		groundwater resources. The project is in
1424(e), 40 Ci K rait 143		compliance with Sole Source Aquifer
		requirements.
Wetlands Protection	☐ Yes ☑ No	Based on the project description this
Executive Order 11990, particularly	L TES EL NO	project includes no activities that would
sections 2 and 5		require further evaluation under this
Sections 2 and 5		·
		section. The project is in compliance
Wild and Scenic Rivers Act	☐ Yes ☑ No	with Executive Order 11990. The project is located 56.8 Miles from
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968,	LI TES EL INO	the nearest Wild and Scenic River. This
-		
particularly section 7(b) and (c)		project is not within proximity of a
		NWSRS river. The project is in
		compliance with the Wild and Scenic
		Rivers Act.
HUD HO	DUSING ENVIRONMEN	ITAL STANDARDS
	ENVIRONMENTAL J	USTICE
Environmental Justice	☐ Yes ☑ No	No adverse environmental impacts were
Executive Order 12898		identified in the project's total
		environmental review. The project is in

	compliance with Executive Order 12898.
--	----------------------------------------

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A		
Floodplain Management	Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required.	N/A		

# **Project Mitigation Plan**

Buyer must purchase flood insurance because the grant exceeds \$10,000 and the site is located in a Special Flood Hazard Area. In accordance with Puerto Rican Permit requirements any generator above 10HP requires an Emergency Generators General Permit of the Puerto Rico Natural and Environmental Resources Department prior to installation.

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 10,437.8 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-04188 Airports(1).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 16,899.4 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-04188 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.



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

PR-SBF-04188 Flood Map.pdf

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

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

No

✓ Yes

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

✓ Yes, the community is participating in the National Flood Insurance Program.

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

Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards. No. The community is not participating, or its participation has been suspended.

#### **Screen Summary**

#### **Compliance Determination**

Flood Map Number 72000C1665J, effective on 11/18/2009:The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

#### **Supporting documentation**

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AIC I	villai	CUIIIDI	Ialice	21CD2	OI.	IIIILIE	zauvn	IEUU		



No

# **Air Quality**

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

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

Yes

✓ No

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

# **Screen Summary**

#### **Compliance Determination**

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

# **Supporting documentation**

Are formal compliance steps or mitigation required?

Yes

# **Coastal Zone Management Act**

General requirements	Legislation	Regulation
Federal assistance to applicant	Coastal Zone Management	15 CFR Part 930
agencies for activities affecting	Act (16 USC 1451-1464),	
any coastal use or resource is	particularly section 307(c) and	
granted only when such	(d) (16 USC 1456(c) and (d))	
activities are consistent with		
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 2,377.5 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-04188 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 58.5(i)(2)
proposed for use in HUD programs be free of		24 CFR 50.3(i)
hazardous materials, contamination, toxic		
chemicals and gases, and radioactive substances,		
where a hazard could affect the health and safety		
of the occupants or conflict with the intended		
utilization of the property.		

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

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

**ASTM Phase II ESA** 

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

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

✓ No

#### **Explain:**

Based on ECHO reports for the facilities, there is no impact for the intended use of this project. See attached table.

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

Yes

#### Screen Summary

#### **Compliance Determination**

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

# **Supporting documentation**

PR-SBF-04188 Toxics.pdf PR-SBF-04188 Toxics Table.xlsx

Are formal compliance steps or mitigation required?

Yes

# **Endangered Species**

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

# 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.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

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

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

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

#### **Screen Summary**

#### **Compliance Determination**

The project is 16,198.9 feet from the nearest endangered species critical habitat. This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

#### **Supporting documentation**

PR-SBF-04188 Endangered Species.pdf

Are formal compliance steps or mitigation required?

Yes

**Explosive and Flammable Hazards** 

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

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

✓	No
	Yes

2.	Does this project include any of the following activities: development, construction,
rehabil	itation 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 et	
federal activities that would	seq.)	
convert farmland to		
nonagricultural purposes.		

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

Yes



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

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

#### **Screen Summary**

#### **Compliance Determination**

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

#### Supporting documentation

PR-SBF-04188 Farmlands.pdf

Are formal compliance steps or mitigation required?

Yes

# Floodplain Management

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

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

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

✓ None of the above

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

# PR-SBF-04188 Flood Map.pdf

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

# Does your project occur in a floodplain?

No

✓ Yes

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

Floodway

Coastal High Hazard Area (V Zone)

√ 100-year floodplain (A Zone)

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

#### **8-Step Process**

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

**8-Step Process applies** 

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

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

55.12(a)(1)

55.12(a)(2)

55.12(a)(3)

✓ 55.12(a)(4)

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

#### Mitigation

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

Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required. Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

Permeable surfaces

Natural landscape enhancements that maintain or restore natural hydrology

Planting or restoring native plant species

Bioswales

Evapotranspiration

Stormwater capture and reuse

Green or vegetative roofs with drainage provisions

Natural Resources Conservation Service conservation easements or similar easements

Floodproofing of structures

Elevating structures including freeboarding above the required base flood elevations

✓ Other

#### **Screen Summary**

#### **Compliance Determination**

Flood Map Number 72000C1665J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.

#### Supporting documentation

#### PR-SBF-04188 5 step plan.docx

Are formal compliance steps or mitigation required?

Yes

## **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/CFR
Preservation Act	(16 U.S.C. 470f)	-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 of selecting consulting parties and initiating 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

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

The building at 57-A C. Reina Isabel 2do piso, Ponce PR; adjacent buildings, Ponce Traditional Urban Center and Historic Zone.

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

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
57-A C. Reina Isabel 2do piso,			
Ponce PR	Eligible	Yes	✓ Not Sensitive
Ponce Historic Zone	Listed	Yes	✓ Not Sensitive
Ponce Traditional Urban			
Center	Eligible	Yes	✓ Not Sensitive

#### **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:**

The generator installation will not Adversely Affect the characteristics that make the building contribute to the Ponce Traditional Urban Center and Historic Zone.

#### Does the No Adverse Effect finding contain conditions?

Yes (check all that apply)

✓ No

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

**Adverse Effect** 

#### **Screen Summary**

#### **Compliance Determination**

(c. 1955) Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. Upon satisfactory implementation of the conditions, which should

be monitored, the project is in compliance with Section 106.

# **Supporting documentation**

PR-SBF-04188 Ponce SHPO Consulation Package No Adverse Effect.pdf

Are formal compliance steps or mitigation required?

Yes

## **Noise Abatement and Control**

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

✓ None of the above

#### **Screen Summary**

# **Compliance Determination**

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

#### **Supporting documentation**

Are formal compliance steps or mitigation required?

Yes

# **Sole Source Aquifers**

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

1.	Does the project consist solely of	f acquisition, l	easing, or rel	habilitation of	an existing
building	g(s)?				

✓ Yes

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

No

#### **Screen Summary**

# **Compliance Determination**

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.

# **Supporting documentation**

Are formal compliance steps or mitigation required?

Yes

## **Wetlands Protection**

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

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

✓ No

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

Yes

# **Screen Summary**

#### **Compliance Determination**

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

## **Supporting documentation**

# PR-SBF-04188 Wetlands.pdf

Are formal compliance steps or mitigation required?

Yes

# 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 designated	(c) (16 U.S.C. 1278(b) and (c))	
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**

The project is located 56.8 Miles from the nearest Wild and Scenic River. This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

# **Supporting documentation**

# PR-SBF-04188 W S Rivers.pdf

Are formal compliance steps or mitigation required?

Yes

## **Environmental Justice**

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

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

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

Yes



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

# **Screen Summary**

#### **Compliance Determination**

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

#### **Supporting documentation**

Are formal compliance steps or mitigation required?

Yes



# 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-04188
Surillo & Gonzalez Law Offices

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

The proposed project is intended to renovate the building as part of the Economic Development portion of the CDBG-DR grant. The renovation is intended to install an affixed generator and transfer switch with no ground disturbance. The project is located at 57-A C. Reina Isabel 2do piso Ponce, P.R. 00730. The Tax Parcel ID of the site is 389-052-382-07-001. The Latitude is 18.012522 and the Longitude is -66.612463. The project is located entirely within the 100-year floodplain. The property is shown as being within Zone AO on the Official Flood Insurance Rate Map (FIRM) Panel no. 72000C1665J, effective November 18, 2009.

Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the 100-year floodplain and for this reason, EO 11988 applies. The subject unit occupies 4,642 square feet of the floodplain. An evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the floodplain is required.

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

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

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

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

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

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

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

 Option A (Proposed Action) – This option would involve renovation of the non-residential building. The building is not undergoing substantial improvement and the footprint is not being increased; therefore, elevation is not required. The proposal does include installation of an affixed generator and transfer switch on an existent platform with no ground disturbance.

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

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

#### Step 6: Reevaluate the Proposed Action.

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

#### Step 7: Determination of No Practicable Alternative.

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

#### **Step 8: Implement the Proposed Action**

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



#### GOVERNMENT OF PUERTO RICO

#### STATE HISTORIC PRESERVATION OFFICE

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

Friday, October 21, 2022

#### Lauren Bair Poche

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

SHPO: 09-19-22-05 ECONOMIC DEVELOPMENT BANK OF PUERTO RICO, SURILLO & GONZALEZ LAW OFFICES, 57-A CALLE REINA ISABEL SEGUNDO PISO, PONCE, PUERTO RICO/ PR-SBF-04188

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 concurs with your finding that the proposed project will have **no adverse effect** upon historic properties.

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 Office

CARC/GMO/MDT





September 19, 2022

Carlos A. Rubio Cancela Director Ejecutivo Oficina Estatal de Conservación Histórica Cuartel de Ballajá (Tercer Piso)

Puerto Rico Disaster Recovery, CDBG-DR Program: Small Business Financing Program (SBF)

Case PR-SBF-04188, Surillo & Gonzalez Law Offices, 57-A C. Reina Isabel 2do piso, Ponce, Puerto Rico - No Adverse Effect

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 and the subrecipient for the Small Business Financing Program (SBF), the Economic Development Bank for Puerto Rico, we are submitting documentation for the proposed installation of a transfer switch, generator, and generator platform at the above-referenced location which has been identified as being within the National Register of Historic Places eligible Ponce Traditional Urban Center and Ponce Historic Zone.

The building itself is a contributing resource to the eligible district, however, the new items should not be visible from the public right-of-way. As such, the proposed scope of work will have *No Adverse Effect* on Historic Properties.

We look forward to your response. Please contact me with any questions or concerns by email at lauren.poche@horne.com or phone at 225-405-7676.



Kindest regards,

Lauren Bair Poche, MA

Architectural Historian, Historic Preservation Senior Manager

Enclosures

SMALL BUSINESS FINANCING PROGRAM (SBF)
Section 106 NHPA Effect Determination

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices

**Project Location:** 57-A C. Reina Isabel 2do piso, Ponce PR, 00730

**Project Coordinates:** 18.012522 -66.612463

**TPID** (Número de Catastro): 389-052-382-07-001

Type of Undertaking:

Substantial Repair/Improvements

☐ New Construction

Construction Date (AH est.): ca. 1955 Property Size (acres): 0.12

**SOI-Qualified Architect/Architectural Historian**: Andrea McCarthy

**Date Reviewed**: 9/13/2022

**SOI-Qualified Archaeologist**: n/a

Date Reviewed: n/a

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.

GOVERNMENT OF PUERTO RICO

#### **Project Description (Undertaking)**

The proposed undertaking includes improvements to the subject property located at the Program has determined that the Direct APE for this project is 57-A C. Reina Isabel 2do Piso, in the municipality of Ponce. The project scope includes installing a new generator and transfer switch on the building. Both will be located on the left side of the building, with the transfer switch attached to the front section of the lower left elevation, and the new generator platform located towards the rear of the left side.

#### **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 building itself. The Indirect/Visual APE is defined as the viewshed of the proposed project, which includes the other buildings on the same block, as well as the Ponce Traditional Urban Center and Ponce Historic Zone within which the building is located. The buildings on the block are similar in scale to the subject property, two-story concrete commercial buildings that abut to the sidewalk. To the left of the building, there is an empty, paved lot.

SMALL BUSINESS FINANCING PROGRAM (SBF)
Section 106 NHPA Effect Determination

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant: Surillo & Gonzalez Law Offices** 



No ground disturbance is anticipated.

#### 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 Ponce Traditional Urban Center and Historic Zone. The subject property is a two-story reinforced concrete commercial structure. While a building appears at this location as early as 1930, the architectural elements on this structure suggest a construction date closer to circa 1955. Across the lower elevation, the building has an aluminum and glass storefront with double entry doors in the center that provide access to the lower level. Access to the upper floor is provided by an aluminum door to the far left. The upper floor has a bank of aluminum and glass windows. Across the left elevation, there are metal jalousie windows on all bays of the lower level, but only the rear bays of the upper level. A set of concrete stairs is located at the rear of the building. A metal cyclone fence delimits the property on the left side, leaving a parking bay to the left of the structure.

GOVERNMENT OF PUERTO RICO

As previously mentioned, there is a paved, empty lot to the left of the building. However, the majority of the other buildings on the block are two-story commercial structures that likely date to the turn of the century bases on colonial and Italianate detailing. Several National Register-listed buildings are located within the project vicinity. The following buildings are within 500 ft of the building, but are not visible from the subject property:

- Residencia Salazar Candal (listed on 6/9/1988)
- Parque de Bombas de Ponce (listed 7/12/1984)
- Catedral de Nuestra Señora de Guadalupe (listed 12/10/1984)
- Banco de Crédito y Ahorro Ponceño (listed 6/25/1987)
- Banco de Ponce (listed 6/25/1987)

The cathedral is flanked by the Plaza Muñoz Rivera to the north and the Plaza Degetau to the south.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM SMALL BUSINESS FINANCING PROGRAM (SBF)

Section 106 NHPA Effect Determination

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant: Surillo & Gonzalez Law Offices** 



While the subject property does not have an architectural association with the structures on the block, it does provide insight into the mid-century influences throughout the district. Therefore, this building contributes to the Ponce Traditional Urban Center and Historic Zone.

#### **Determination**

The following historic properties have been identified within the APE:

- Direct Effect:
  - o The subject property located at 57-A C. Reina Isabel 2do piso, Ponce PR.
- Indirect Effect:
  - The adjacent buildings as well as the Ponce Traditional Urban Center and Historic Zone.

The generator installation will not Adversely Affect the characteristics that make the building contribute to the Ponce Traditional Urban Center and Historic Zone. The generator will have low visibility and will not adversely affect the National Register eligible Ponce Traditional Urban Center and Historic Zone. 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.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM SMALL BUSINESS FINANCING PROGRAM (SBF) Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO
Subrecipient: Economic Development Bank for Puerto Rico	
Program ID Number: PR-SBF-04188	
Applicant: Surillo & Gonzalez Law Offices	

#### Recommendation

The Puerto Rico Department of Housing requests that the Puerto Rico SHPO concur that the following determination is appropriate for the undertaking (Choose One):
□ No Historic Properties Affected
☑ No Adverse Effect
Condition (if applicable):
□ Adverse Effect
Proposed Resolution (if appliable)

#### This Section is to be Completed by SHPO Staff Only

, ,	, , , , , , , , , , , , , , , , , , ,
The Puerto Rico State Historic Preservation Office has reviewed and:	d the above information
□ <b>Concurs</b> with the information provided.	
□ <b>Does not concur</b> with the information provided.	
Comments:	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM SMALL BUSINESS FINANCING PROGRAM (SBF)

**Section 106 NHPA Effect Determination** 

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices

**Project Location - Aerial Base Puerto Rico Department of Housing Small Business Financing Program** 

Application ID#: PR-SBF-04188

Address: 57-A C. Reina Isabel 2do Piso, Ponce, PR 00730



Latitude: 18.0125 Longitude: -66.6125







Puerto Rico 2017 Disaster Recovery, CDBG-DR Program

SMALL BUSINESS FINANCING PROGRAM (SBF)
Section 106 NHPA Effect Determination

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices

#### Project Location - Topographic Base Puerto Rico Department of Housing Small Business Financing Program

Application ID#: PR-SBF-04188

Address: 57-A C. Reina Isabel 2do Piso, Ponce, PR 00730



Latitude: 18.0125 Longitude: -66.6125





SMALL BUSINESS FINANCING PROGRAM (SBF)

**Section 106 NHPA Effect Determination** 

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices

**Historic Properties - Aerial Map Puerto Rico Department of Housing Small Business Financing Program** 

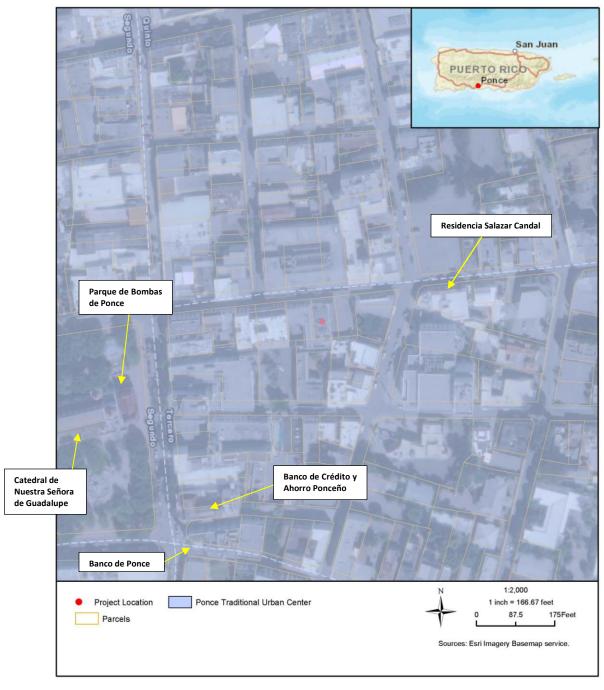
Application ID#: PR-SBF-04188

Address: 57-A C. Reina Isabel 2do Piso, Ponce, PR 00730



Latitude: 18.0125 Longitude: -66.6125





SMALL BUSINESS FINANCING PROGRAM (SBF)

**Section 106 NHPA Effect Determination** 

Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices

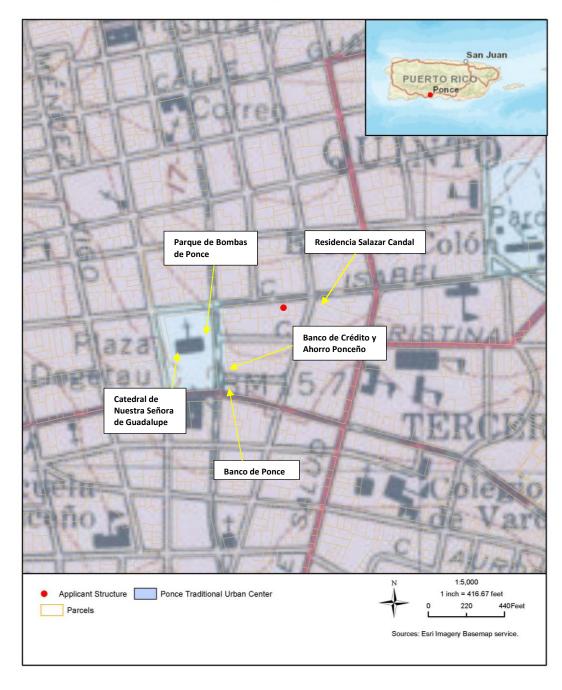
# GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING

#### Historic Properties - Topographic Map Puerto Rico Department of Housing Small Business Financing Program

Application ID#: PR-SBF-04188

Address: 57-A C. Reina Isabel 2do Piso, Ponce, PR 00730





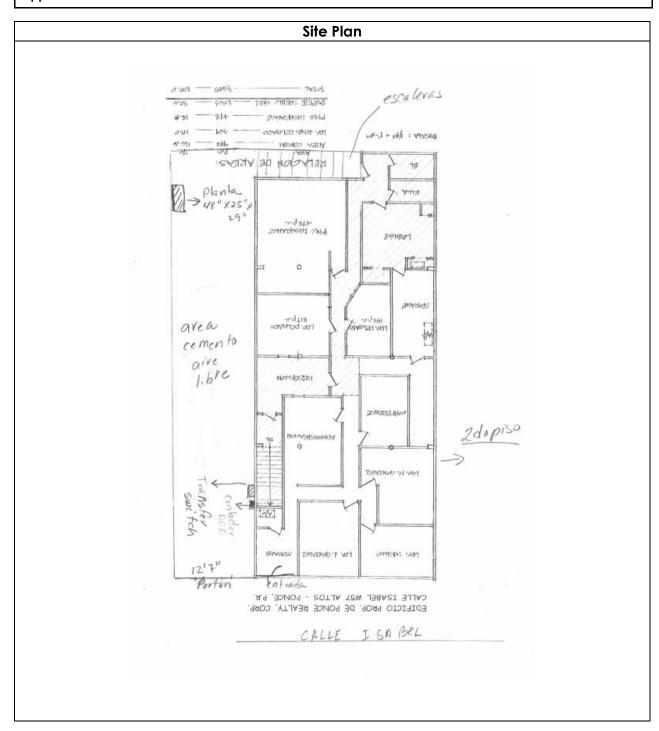
## PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM SMALL BUSINESS FINANCING PROGRAM (SBF) Section 106 NHPA Effect Determination



Subrecipient: Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

Applicant: Surillo & Gonzalez Law Offices



SMALL BUSINESS FINANCING PROGRAM (SBF)

**Section 106 NHPA Effect Determination** 

**Subrecipient:** Economic Development Bank for Puerto Rico

**Program ID Number:** PR-SBF-04188

Applicant: Surillo & Gonzalez Law Offices





**Photo #:** 1

**Description (include direction):** North facing façade of building, photo towards south

**Date:** 9/8/2022

Resource Finance Corporation Follows of the Control of the Control

**Photo #:** 2

**Description (include direction):** Left side elevation, photo towards the south

**Date:** 9/8/2022

SMALL BUSINESS FINANCING PROGRAM (SBF)

**Section 106 NHPA Effect Determination** 

**Subrecipient:** Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices





**Photo #:** 3

**Description (include direction):** Left elevation and street scape, facing west.

**Date:** 9/8/2022



Photo #: 4

**Description (include direction):** Location where generator will be placed, on left side of building. Photo facing south.

**Date:** 9/8/2022

SMALL BUSINESS FINANCING PROGRAM (SBF)

**Section 106 NHPA Effect Determination** 

**Subrecipient:** Economic Development Bank for Puerto Rico

Program ID Number: PR-SBF-04188

Applicant: Surillo & Gonzalez Law Offices





**Photo #:** 5

**Description (include direction):** Streetscpe facing west (subject property on left). Source: Google Earth Pro

**Date:** 9/8/2022



**Photo #:** 6

Date

9/8/2022

**Description (include direction):** Streetscpae facing east (subject property on the far right). Source: Google Earth Pro

# PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM SMALL BUSINESS FINANCING PROGRAM (SBF) Section 106 NHPA Effect Determination

Subrecipient: Economic Development Bank for Puerto Rico

**Program ID Number:** PR-SBF-04188

**Applicant:** Surillo & Gonzalez Law Offices





13 de enero de 2020

Arq. Carlos A. Rubio Cancela Director Ejecutivo Oficina Estatal de Conservación Histórica Cuartel de Ballajá (Tercer Piso) Calle Norzagaray, Esquina Beneficiencia San Juan, Puerto Rico

Re: Autorización para Someter Documentos

Estimado Arq. Rubio Cancela:

El Departamento de Vivienda y Desarrollo Urbano (HUD, por sus siglas en inglés) de los Estados Unidos aprobó una asignación de fondos tipo Subvención en Bloque para el Desarrollo Comunitario (CDBG-DR, por sus siglas en inglés) el 9 de febrero de 2018. El objetivo de esta asignación es atender necesidades insatisfechas a consecuencia del paso de los huracanes Irma y María ocurrido en septiembre de 2017.

Para cumplir con los requisitos ambientales que establece HUD, el Departamento de Vivienda de Puerto Rico contrató a Horne Federal, LLC para proporcionar servicios de revisión de registros ambientales, entre otros, que respaldarán los objetivos de la agencia para el Programa CDBG-DR.

En el ánimo de agilizar los procesos se autoriza a Horne Federal, LLC, a presentar ante la Oficina Estatal de Preservación Histórica, documentación de los casos relacionada al Programa CDBG-DR en representación del Departamento de Vivienda.

Cordialmente.

Dennis G. González Ramos, PE MEM

Subsecretario

Programa CDBG-DR



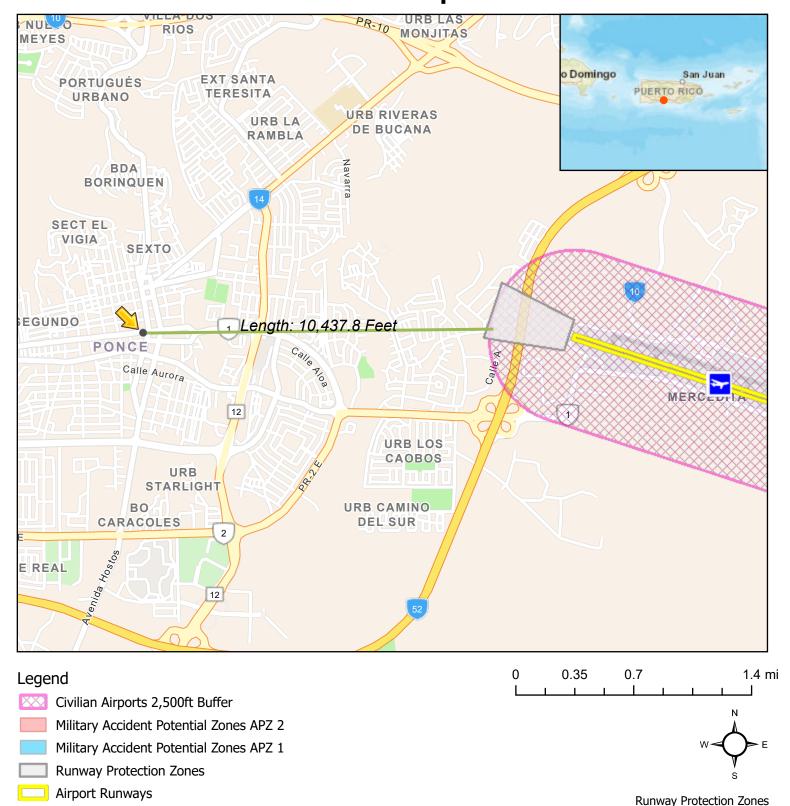
Major Civil and Military Airports



Major

Minor Airport

### PR-SBF-04188 Airports





### PR-SBF-04188 CBRS



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program



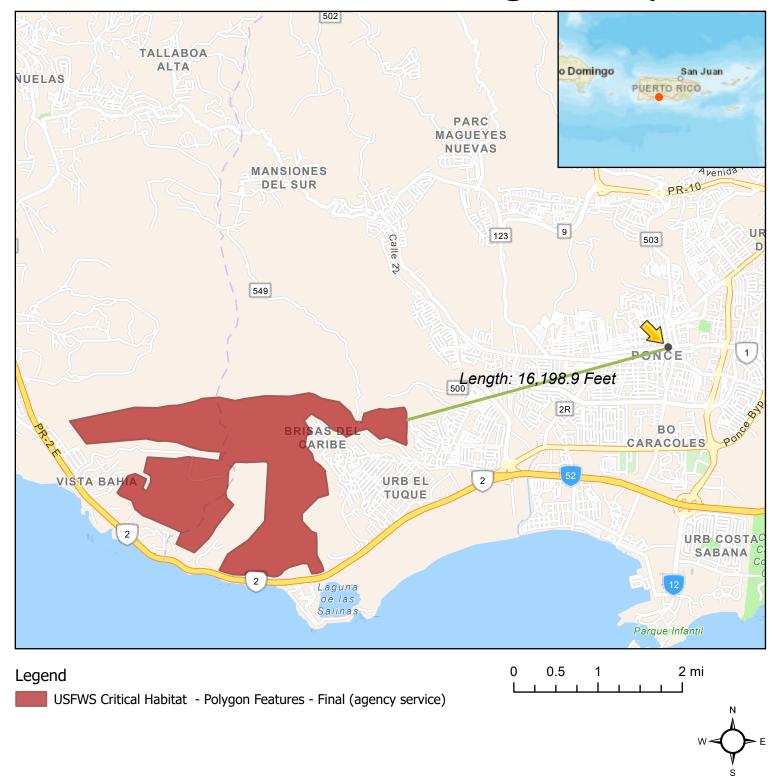
### PR-SBF-04188 CZM



Coastal Zone Management Act



# PR-SBF-04188 Endangered Species



**Endangered Species Habitat** 

U.S. Fish and Wildlife Service

Surillo & Gonzalez Law Offices 57-A C. Reina Isabel 2do piso Ponce, P.R. 00730 18.012522, -66.612463

### PR-SBF-04188 Farmlands

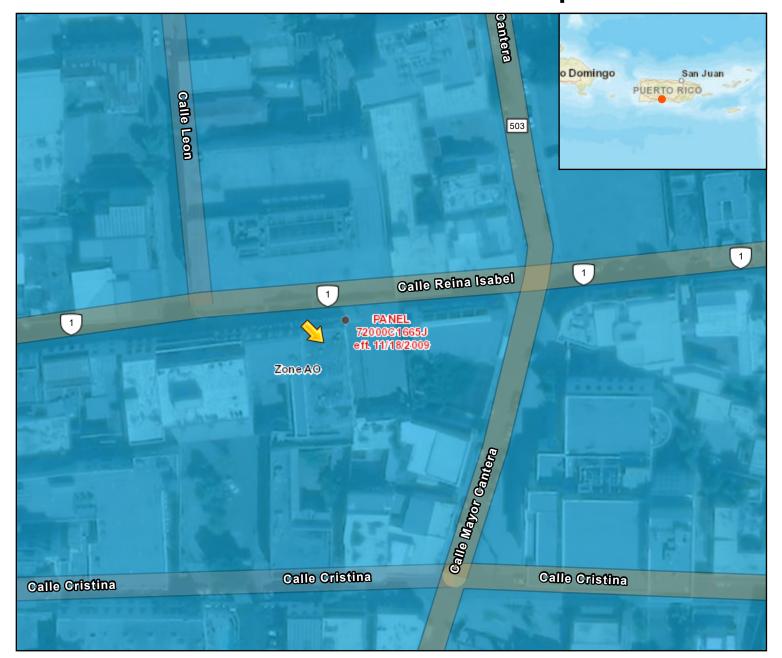




Farmland dataset

Surillo & Gonzalez Law Offices 57-A C. Reina Isabel 2do piso Ponce, P.R. 00730 18.012522, -66.612463

# PR-SBF-04188 Flood Map





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

0 0.01 0.02 0.04 mi



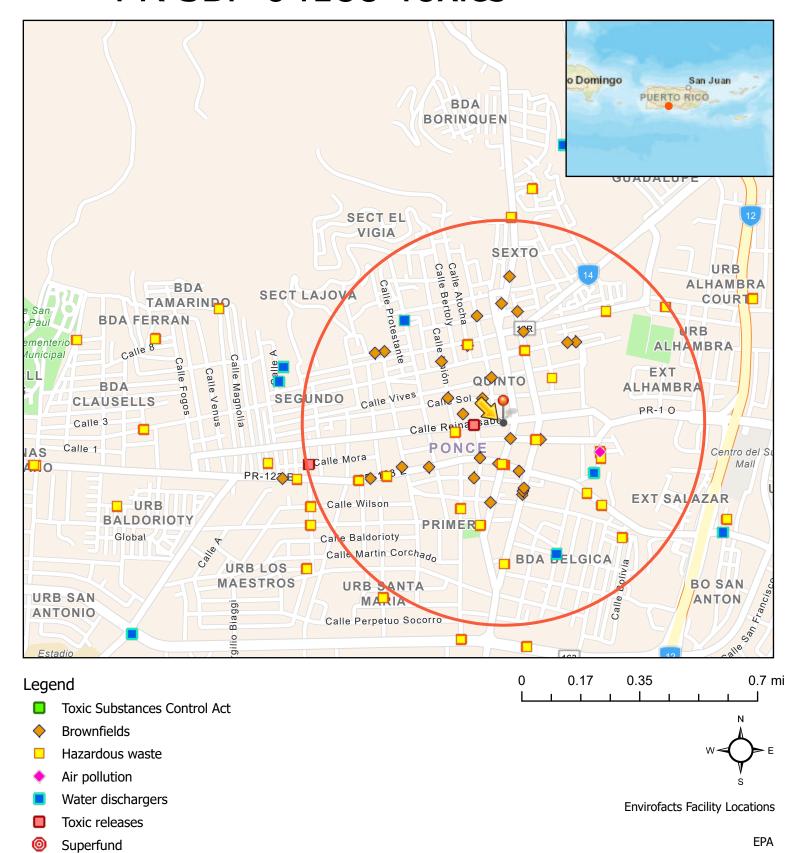
FEMA Map Service

Flood Insurance Rate Maps

https://hazards.fema.gov/gis/nfhl/rest/services/public/NFHL/MapServer

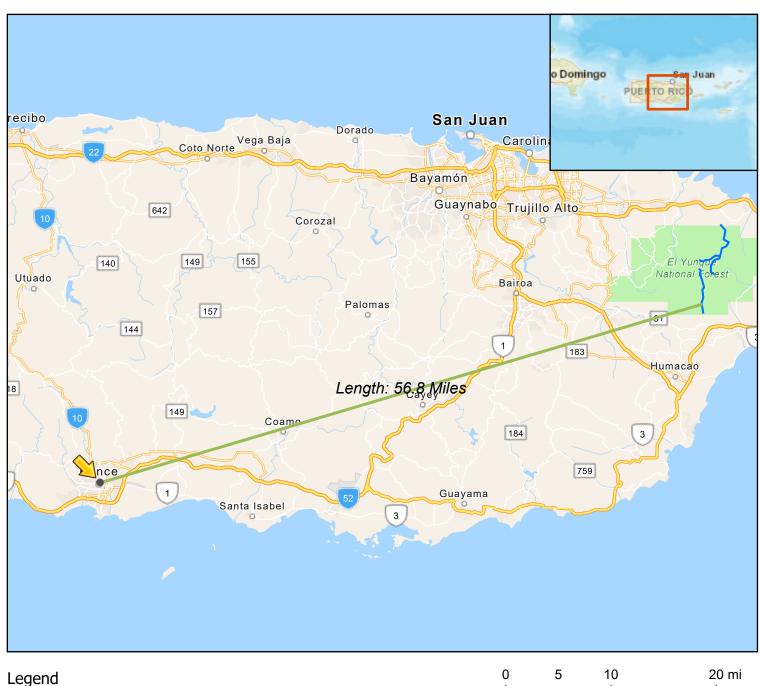


### PR-SBF-04188 Toxics

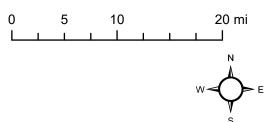




### PR-SBF-04188 W & S Rivers



Wild and Scenic River Lines

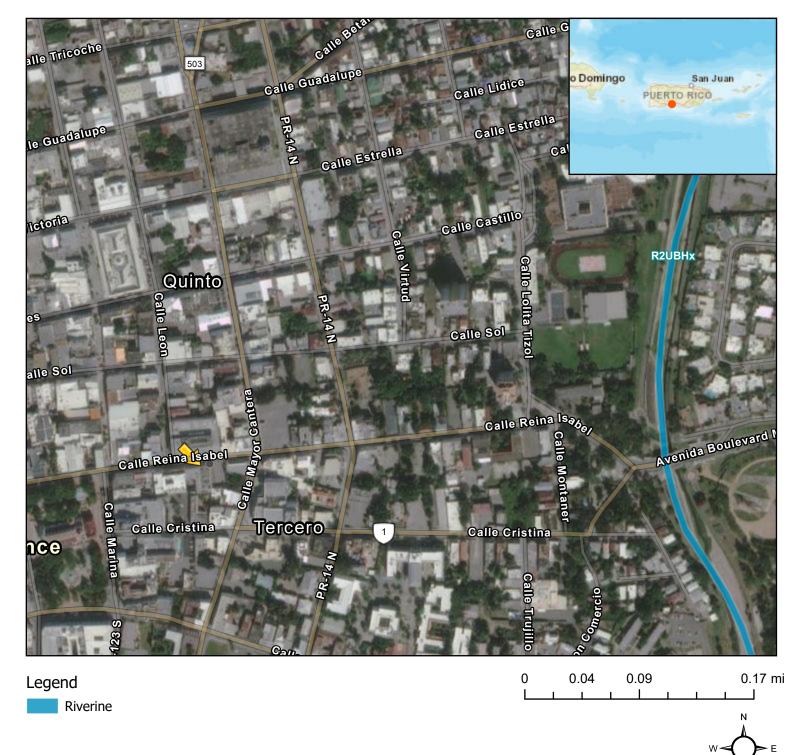


National Wild and Scenic River System

National Park Service

Surillo & Gonzalez Law Offices 57-A C. Reina Isabel 2do piso Ponce, P.R. 00730 18.012522, -66.612463

### PR-SBF-04188 Wetlands



National Wetlands Inventory

U.S. Fish and Wildlife Service

https://www.fws.gov/wetlandsmapservice/rest/services/Wetlands/MapServer

FRS ID	Name
	19 CALLE MAYOR
	FIESTA SWEETENERS CORP
	HAZO54 - PROPIEDAD COMERCIAL #2
	DEPT OF ED - PONCE HIGH SCHOOL
	HAZ065 - RESIDENCIA DE ESTUDIANTES
	HAZ046 - MUEBLERÍA #1 (ITALIANA)
	LUMA PONCE REGIONAL OFFICE
	HAZ077 - FOX DELICIAS THEATER/MALL
	HAZ041-CASA FAM. ZALDO DE NEBOT
	HAZO45 - HOTEL PORRATA
	HAZO49 FARMACIA MOSCOSO
	FARMACIA EL AMAL #1
	HAZ103 - CASINO CAFÉ
	HAZO53 - PROPIEDAD COMERCIAL #1
	HAZO24-BAZAR ATOCHA
	PRPHA - CARIBE HOUSING PROJECT
	HAZO60-#58 CALLE SALUD
	HAZ061-#56 CALLE SALUD
	HAZ062-#54 CALLE SALUD
	B M A PONCE PUERTO RICO
	WALGREENS 499
	HAZ052 - EDIFICIO AURORA & MAYOR
	HAZO40-CASA VIVES
	US POSTAL SERVICE ATOCHA STATION
	HAZO42-CENTRO ESPAÑOL DE PONCE
	HAZO20-CINEMA VICTORIA
	HAZO25-TWO STORY BUILDING
110064017521	
	HOLLYWOOD CLEANERS
	HOLLYWOOD CLEANERS
110070523785	HAZO98 - RESIDENCIA ESTRELLA ESQ. CRISTOBOL COLON
	MUNICIPALITY OF PONCE
110014362313	E G & G TECHNICAL SVCS
110004889238	SCA-BULK CARRIBBEAN LTD
110011753012	CALGON INTERAMERICAN CORP
110070523787	HAZ037 - CASA SAN MIGUEL
110012259741	BETZDEARBORN INC
110070523769	HAZ030-CASA FERRÉ
110070258846	PET023 FORMER TEXACO (#817)
110070523774	HAZO39-CASA ESQ TRICOCHE Y SALUD
110004892162	ESSO STANDARD OIL CO - PR
110070523784	HAZ094 - CASA MAYOR #3
110007810707	PUERTO RICO INDUSTRIAL DEV CO
110070523771	HAZO31-CASA FRONTISPICIO #18
110014442415	LABORATORIO CLINICO ANALITICO INC
110037118222	CUARTEL UNIDAD MARITIMA

110070051054	CONSTRUCTION ROAD PR-9 TO INTERSECTION ROAD PR-123
110059659016	HAZ022 - GLASS MANUNUFACTURING PLANT
110070523783	HAZ092 - ALMACÉN INDUSTRIAL
110070523772	HAZ032-CASA FRONTISPICIO #30
110013298001	COLEGIO LA MILAGROSA
110014362297	ANCIANI BODY SHOP
110001661069	TALLER LA CARIDAD

Location	Municipio	Lat
HAZ034-CASA MARTORELL	PONCE	18.01187
RD #1 KM 125 H 2 BO TENERIAS	PONCE	18.012424
41 CALLE SOL	PONCE	18.01352
CALLE CRISTINA	PONCE	18.01183
47 CALLE CRISTINA	PONCE	18.01183
99 CALLE LUNA, ESQ. CALLE COMERCIO	PONCE	18.010845
CALLE VILLA 185	PONCE	18.01083
86 CALLE REINA DELICIAS MALL	PONCE	18.012888
27 CALLE MARINA	PONCE	18.011103
33 CALLE MARINA	PONCE	18.011087
1 CALLE CASTILLO ESQ. LEON.	PONCE	18.014367
67 CALLE UNION	PONCE	18.012136
89B CALLE COMERCIO	PONCE	18.010551
98 CALLE UNION	PONCE	18.01354
27 CALLE LUNA	PONCE	18.01028
10 VIRTUD ST	PONCE	18.014349
58 CALLE SALUD	PONCE	18.009854
56 CALLE SALUD	PONCE	18.00973
54 CALLE SALUD	PONCE	18.00959
CALLE ESTRELLA #60	PONCE	18.01547
CALLE ESTRELLA 65	PONCE	18.01547
36 CALLE AURORA, ESQ CALLE MAYOR	PONCE	18.009266
88 CALLE ATOCHA	PONCE	18.015681
93 ATOCHA ST	PONCE	18.01571
130 CALLE VILLA	PONCE	18.01071
114 CALLE UNIÓN	PONCE	18.01502
#67 CALLE GUADALUPE	PONCE	18.016233
8169 CALLE CONCORDIA CON	PONCE	18.00902
35 COMERCIO STREET	PONCE	18.01135
35 COMERCIO	PONCE	18.01135
CALLE ESTRELLA FINAL DE CALLE CRISTOBOL COLÓN	PONCE	18.015786
COMERCIO STREET PLAZA (IN FRONT OF LAS)	PONCE	18.01047
42 COMERCIO ST	PONCE	18.01107
42 COMERCIO ST PLAYA	PONCE	18.01107
COMERCIO ST 42	PONCE	18.01107
25 CALLE ESTRELLA, ESQ CALLE LOLITA TRIZOL	PONCE	18.015832
42 CALLE COMERCIO PLAYA	PONCE	18.00965
49 CALLE LEON	PONCE	18.01688
148 CALLE VILLA / CORNER OF CALLE TORRE	PONCE	18.010721
130 CALLE SALUD, ESQ. TRICOCHE	PONCE	18.017054
CALLE VILLA 139	PONCE	18.010433
3 CALLE CANTERA MAYOR	PONCE	18.017383
RD 133 KM 0.6	PONCE	18.009152
20 CALLE FRONTISPICIO	PONCE	18.01544
1326 SALUD CALLE STE 309	PONCE	18.00676
CALLE LA CRUZ,PONCE PLAYA	PONCE	18.00716

PR-9 (AVE. LAS AMERICAS) TO PR-123	PONCE	18.0167
153 CALLE VILLA	PONCE	18.01025
40 CALLE MAYOR CANTERA	PONCE	18.018498
30 CALLE FRONTISPICIO	PONCE	18.01536
9 GUADALUPE ST	PONCE	18.01708
MORENA ST 46D	PONCE	18.00783
CALLE ESPERANZA	PONCE	18.01083

Long	Type
-66.61217	ACRES
-66.61	TRIS
-66.61335	ACRES
-66.61	RCRAINFO
-66.61	ACRES
-66.612671	ACRES
-66.61252	RCRAINFO
-66.614213	ACRES
-66.613467	ACRES
-66.613463	ACRES
-66.612967	ACRES
-66.614532	RCRAINFO
-66.611793	ACRES
-66.61484	ACRES
-66.61372	ACRES
-66.610377	RCRAINFO
-66.611593	ACRES
-66.61162	ACRES
-66.61166	ACRES
-66.61155	RCRAINFO
-66.61155	RCRAINFO
-66.613015	ACRES
-66.613996	ACRES
-66.614	RCRAINFO
-66.61565	ACRES
-66.61513	ACRES
-66.611604	ACRES
-66.6143	RCRAINFO
-66.60832	AIR
-66.60832	RCRAINFO
-66.609713	ACRES
-66.60858	NPDES
-66.60828	RCRAINFO
-66.60828	RCRAINFO
-66.60828	RCRAINFO
-66.609352	ACRES
-66.60888	RCRAINFO
-66.61361	ACRES
-66.616826	ACRES
-66.611856	
-66.617003	RCRAINFO
-66.608246	
	RCRAINFO
-00.01018	INI DES

-66.6167	NPDES
-66.61815	ACRES
-66.612202	ACRES
-66.61797	ACRES
-66.60806	RCRAINFO
-66.60737	RCRAINFO
-66.62081	TRIS

Report	Distance (ft)
https://echo.epa.gov/detailed-facility-report?fid=110070523773	259.86
https://echo.epa.gov/detailed-facility-report?fid=110002085403	438.81
https://echo.epa.gov/detailed-facility-report?fid=110070523780	473.28
https://echo.epa.gov/detailed-facility-report?fid=110007803644	544.23
https://echo.epa.gov/detailed-facility-report?fid=110070523781	606.6
https://echo.epa.gov/detailed-facility-report?fid=110070523777	614.67
https://echo.epa.gov/detailed-facility-report?fid=110004894570	616.3
https://echo.epa.gov/detailed-facility-report?fid=110070523782	620.38
https://echo.epa.gov/detailed-facility-report?fid=110059659043	622.73
https://echo.epa.gov/detailed-facility-report?fid=110070523776	626.79
https://echo.epa.gov/detailed-facility-report?fid=110059658883	690.21
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https://echo.epa.gov/detailed-facility-report?fid=110011755012	1,547.61 1,615.71
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https://echo.epa.gov/detailed-facility-report?fid=110037118222	2,104.11
inteport Control chargost actained racinity-report: na-11003/110222	2,104.11

https://echo.epa.gov/detailed-facility-report?fid=110070051054	2,111.08
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