Environmental Review for Activity/Project that is Categorically Excluded Subject to Section 58.5

Pursuant to 24 CFR 58.35(a)

Project Information

Project ID: PR-RGRW- 00000589

Project Name: Rodese AT

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Santa Isabel, PR

Preparer: Justin Neely

Certifying Officer Name and Title: Santa D. Ramírez Lebrón, Permits and Environmental

Compliance Specialist

Consultant: HORNE LLP

Project Location:

Site 1 Location centroid: Latitude 17.965326, longitude -66.409938 at the address

given above. Cadastral: 437-000-003-09-000

Site 2 Location centroid: Latitude 18.178177, longitude -66.739485 at the address

given above. Cadastral: 266-000-001-69-000

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

Applicant Name: Rodese AT Location: Site 1 - Bo. Playa Carr. 326 KM 1, Santa Isabel, PR 00757 Site 2 - Carr. 135 km 82.3 Bo. Capaez, Adjuntas, PR 00601 Scope: Site 1 - The purchase and installation of a generator of 150 KW (\$41,002.00) on an existing concrete slab (17.964160, -66.407776). Site 1 and 2 - Purchase of agriculture equipment including: tractor (\$77,800.00), grader harrow (\$12,900.00), and a plow harrow (\$11,900.00).

Level of Environmental Review Determination:

☐ Categorical Exclusion Subject to 58.5

Determination for Activities 24 CFR 58.35(a)

	58.35(a) (1). Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets);
	58.35(a) (2). Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons;
	58.35(a) (3). Rehabilitation of buildings and improvements when the following conditions are met:
	58.35(a) (3) (i)In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland;
	58.35(a) (3) (ii). In the case of multifamily residential buildings: (A) Unit density is not changed more than 20 percent; (B) The project does not involve changes in land use from residential to non-residential; and (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
\boxtimes	58.35(a) (3) (iii). In the case of non-residential structures, including commercial, industrial, and public buildings: (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; AND (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
	58.35(a) (4) (i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or
	58.35(a)(4)(ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site. 58.35(a) (iii) Paragraphs (a) (4) (i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a) (3) (i) of this section).
	58.35(a) (5). Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
	58.35(a) (6). Combinations of the above activities.

Funding Information

Grant Number	HUD Program	Funding Amount		
B-17-DM-72-0001	ReGrow PR CDBG-DR	\$0.00		
B-18-DP-72-0001	ReGrow PR CDBG-DR	\$143,602.00		

Estimated Total HUD Funded Amount: \$143,602.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$143,602.00

Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities

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 REGULATI	ONS LISTED AT 24 CFR 58.6
Airport Hazards 24 CFR Part 51 Subpart D	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project and will have no impact and is in compliance with the HUD's Airport Hazard regulations without further evaluation. Site 1 is located 46,621.2 feet from the nearest airport and site 2 is located 80,589.8 feet from the nearest airport. See the attached Airport maps.
Coastal Barrier Resources 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. Site 1 is located 352.3 feet from the nearest CBRS and site 2 is located 68,465 feet from the nearest CBRS. 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 maps.
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	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project Site 1 is located in flood zones A & AE, Panel 72000C2060J, 11/18/2009. Site 2 is located in flood zone A, Panel 72000C1090H 4/19/2005. The insurable property is located in a FEMA-designated Special Flood Hazard Area. With flood insurance the project is in compliance with flood insurance requirements. See the attached Flood Maps.

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5							
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project and will have no impact and is in compliance with the Clean Air Act without further evaluation.					
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. Site 1 is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities. Site 2 is located 56,909.4 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA maps.					
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab (17.964160, -66.407776) for an agricultural project and will have no impact and is in compliance with these citations without further evaluation. Furthermore, there are no toxic sites located within 500 feet of the project area. See the attached Toxics maps and Toxics table.					
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. This project and proposed activity will have No Effect on listed species due to					

		the nature of the activities involved in the project. The scope of work includes continued agricultural use of the property with no intention to cut down trees. This project is in compliance with the Endangered Species Act. See attached Endangered Species maps.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project and will have no impact and is in compliance with these citations without further evaluation.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. The slab is located on project site 1 at (17.964160, -66.407776), which is in shaded Zone X. The project is in compliance with Flood plain management requirements.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. Based on the project description, consultation with the Puerto Rico State Historic Preservation Office (SHPO) is not required. This property is not considered historic or contributing to an historic district (See attached Historical maps). Project clears under: Appendix B, Tier II,

		Allowance D.2.a for Archaeology and Appendix B, Tier I, Allowance B.1 for Historic Buildings & Structures. Therefore, this activity is in compliance.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No	This project consists only of purchase of agricultural equipment and a generator, and will have no impact and is in compliance with these citations without further evaluation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	There are no sole source aquifers in Puerto Rico. The project is in compliance with this citation without further evaluation.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. Based on the project description this project includes no activities that would require further evaluation under this section. Also, there are no wetlands located near the project locations. The project is in compliance with Executive Order 11990. See the attached Wetlands maps.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. Project site 1 is located 230,809 feet from the nearest Wild and Scenic River, and project site 2 is located 330,357.9 feet from the nearest Wild and Scenic River, therefore the project is in compliance with this section. See the attached maps.

ENVIRONMENTAL JUSTICE		
Executive Order 12898	Yes No	This project consists of the purchase of a tractor, grader harrow, plow harrow and generator that will be placed on an existing slab for an agricultural project. Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.

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

Summary of Findings and Conclusions:

The proposed activity has been found to not have any adverse effects on the environmental 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
	Buyer must purchase flood insurance on NFIP insurable property because the grant amount for the insurable property exceeds \$10,000 and the site is located in a Special Flood Hazard Area.
	For the 150-kW generator, it's required to comply
	with the emission control as established by state
	regulations. The owner must file for an Industrial/

Commercial Electric Generator General Permit.

Deleii	mindion.							
	This categorically excluded activity/project converts to Exempt, per 58.34(a)(12) because there are no circumstances which require compliance with any of the federal laws and authorities cited at §58.5. Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR							
	This categorically excluded activity/project cannot convert to Exempt because there are circumstances which require compliance with one or more federal laws and authorities cited at §58.5. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR							
	This project is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).							
Prepa	rer							
	SKNeely							
Signat	ture:	Date: 6/2/2022						
Name	e/Title/Organization: Justin Neely / Ma	nager/ HORNE LLP						
Respo	onsible Entity Agency Official Signature	e:						
	Santa O. Kaming Sebror	Date: June 29,2022						

Name/Title: Santa D. Ramírez Lebrón-Permits and Environmental Compliance Specialist

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

Figures



0.7 Legend 0.35 1.4 mi





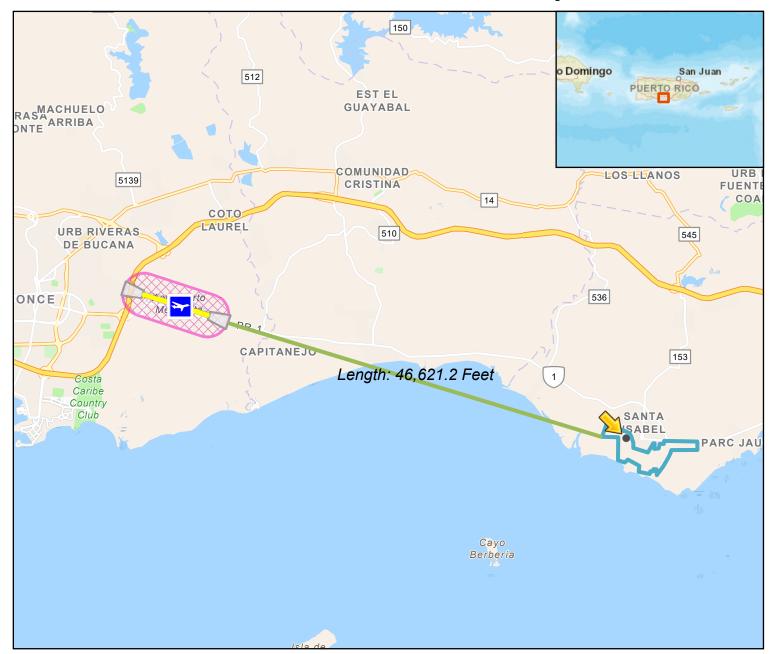
PR-RGRW-00000589 Site Map 266-000-0001-69-000



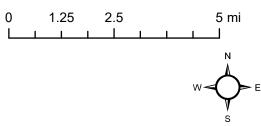
Legend 0 0.07 0.15 0.3 mi

437-000-003-09-000

PR-RGRW-00000589 Airports 13







Runway Protection Zones

Major Civil and Military Airports

Major Major

Minor Airport

Rodese AT Carr. 135 km 82.3 Bo. Capaez, Adjuntas, PR 00601

266-000-001-69-000

PR-RGRW-00000589 Airports 2





Military Airports 15,000ft Buffer

Civilian Airports 2,500ft Buffer

Military Accident Protection Zones APZ 2

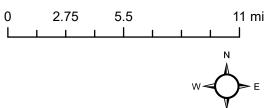
Military Accident Protection Zones APZ 1

Runway Protection Zones

Airport Runways

Major

Minor Airport

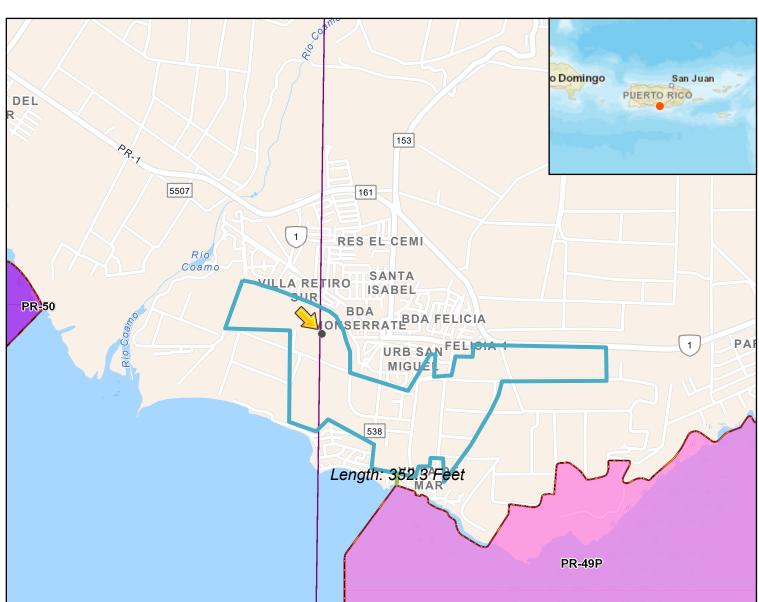


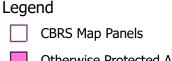
Runway Protection Zones

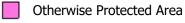
Major Civil and Military Airports

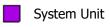
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PR-RGRW-00000589 CBRS 1

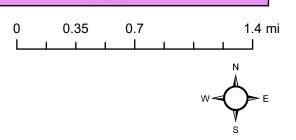












U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program

266-000-001-69-000



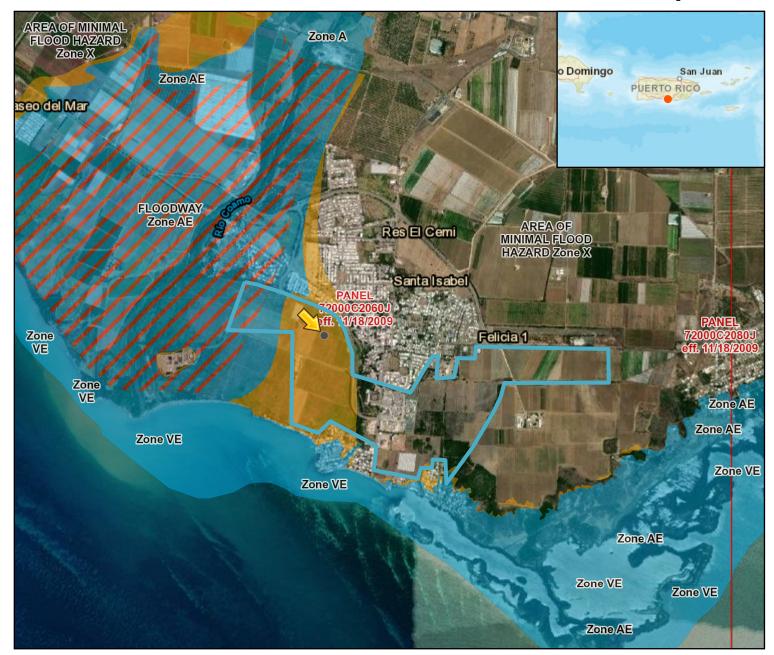
PR-RGRW-00000589 CBRS 2



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program

PR-RGRW-00000589 Flood Map 1





1% Annual Chance Flood Hazard

Regulatory Floodway

Special Floodway

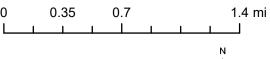
Area of Undetermined Flood Hazard

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

Rodese AT Carr. 135 km 82.3 Bo. Capaez, Adjuntas, PR 00601

PR-RGRW-00000589 Flood Map 266-000-002 269-000





1% Annual Chance Flood Hazard

Regulatory Floodway

Special Floodway

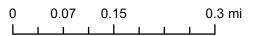
Area of Undetermined Flood Hazard

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

Rodese AT Bo. Playa Carr. 326 KM 1 Santa Isabel, PR 00757 437-000-003-09-000

PR-RGRW-00000589 CZM 1



Coastal Zone Management Act

Rodese AT
Carr. 135 km 82.3 Bo. Capaez,
Adjuntas, PR 00601
266-000-001-69-000

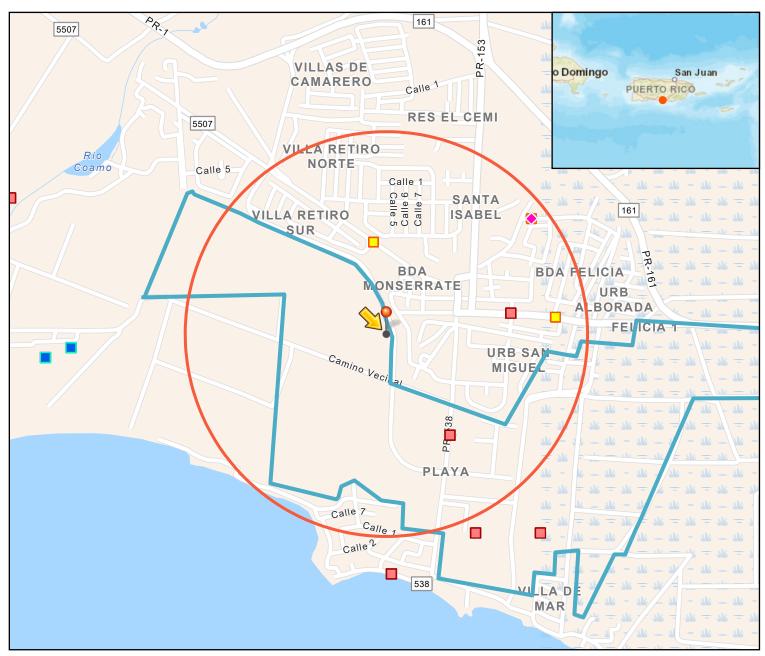
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Coastal Zone Management Act

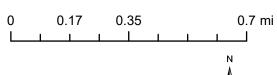
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PR-RGRW-00000589 Toxics 1





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





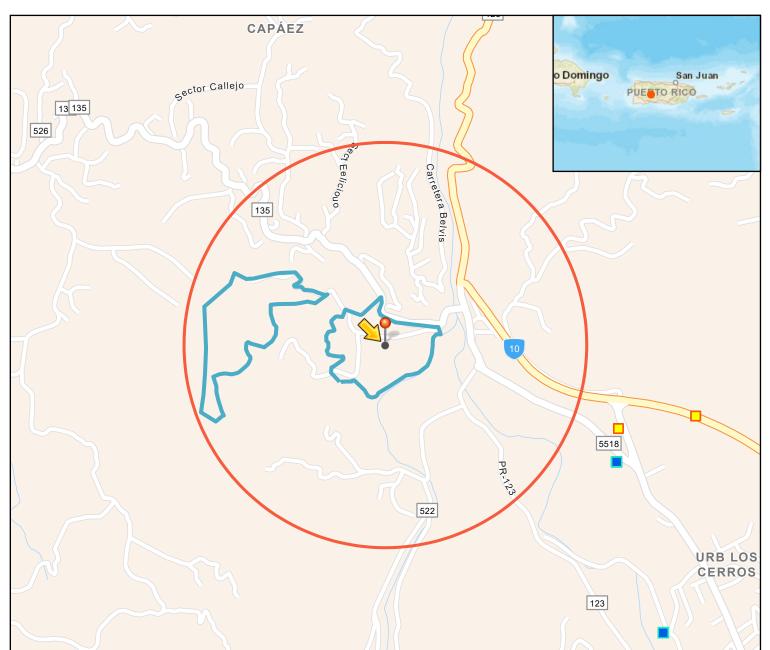
Envirofacts Facility Locations

EPA

266-000-001-69-000

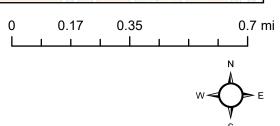


PR-RGRW-00000589 Toxics 2





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

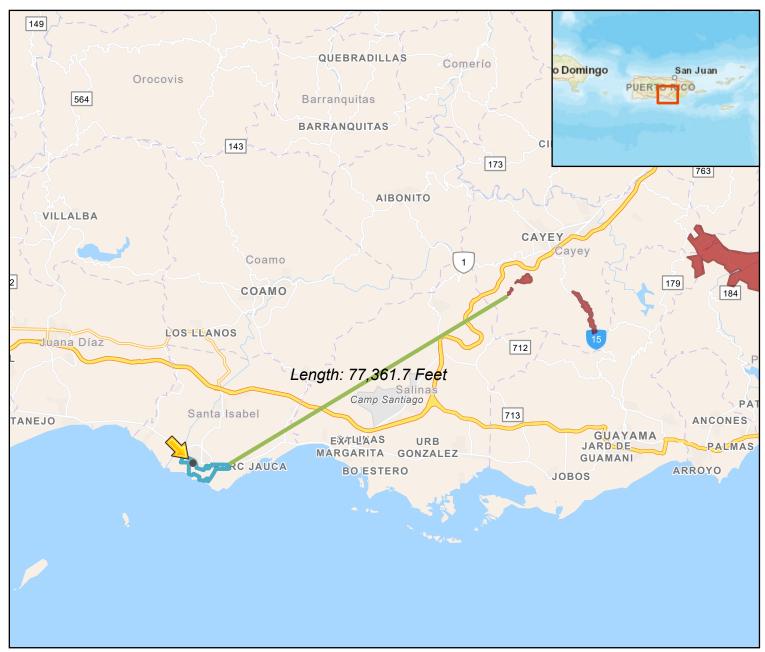


Envirofacts Facility Locations

EPA

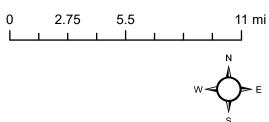
Rodese AT Bo. Playa Carr. 326 KM 1 Santa Isabel, PR 00757 437-000-003-09-000

PR-RGRW-00000589 ES 1





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



Endangered Species Habitat

U.S. Fish and Wildlife Service

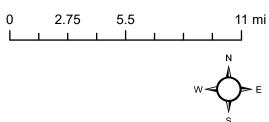
Rodese AT Carr. 135 km 82.3 Bo. Capaez, Adjuntas, PR 00601 266-000-001-69-000

PR-RGRW-00000589 ES 2





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

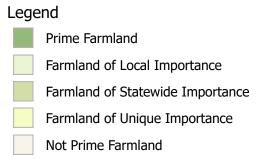


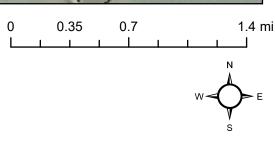
Endangered Species Habitat

U.S. Fish and Wildlife Service

PR-RGRW-00000589 Farmlands $\mathbf{1}^{437-000-003-09-000}$





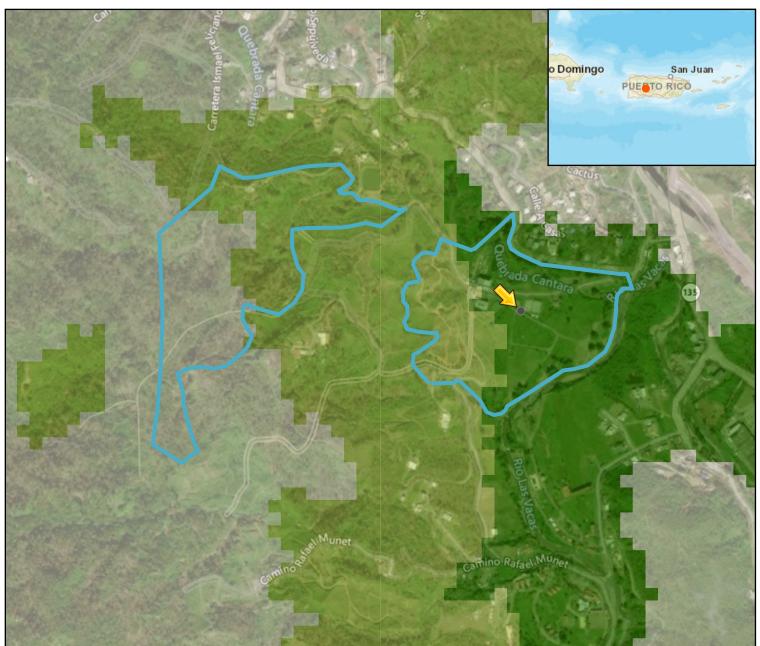


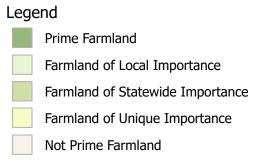
USGS USA Soils

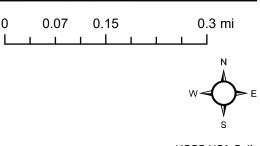
Farmland dataset



PR-RGRW-00000589 Farmlands 2 2







USGS USA Soils

Farmland dataset

PR-RGRW-00000589 Historic $\overset{\scriptscriptstyle 437\text{-}000\text{-}003\text{-}09\text{-}000}{1}$



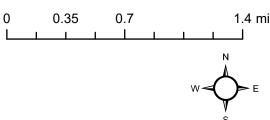
Legend

- 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

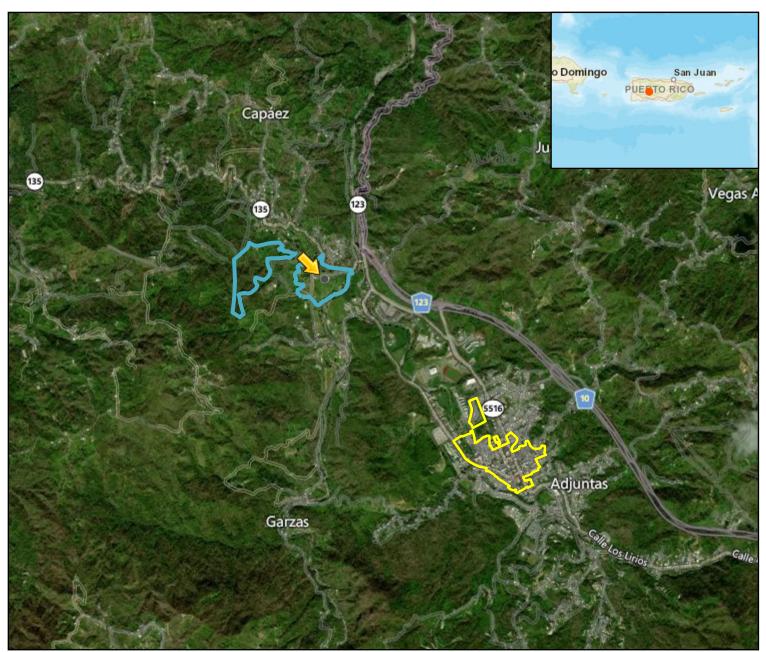


National Register of Historic Places

Local Historic Areas digitized by Horne

Rodese AT Carr. 135 km 82.3 Bo. Capaez, Adjuntas, PR 00601

PR-RGRW-00000589 Historic 26-000-001-69-000



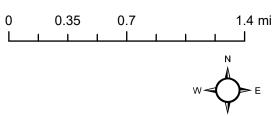


- National Historic Landmark
- National Register of Historic Places
- National Historic Landmark
- National Register of Historic Places

Traditional Urban Centers

National Register Of Historic Places Points

National Register of Historic Places Polygons

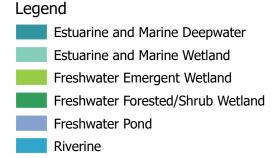


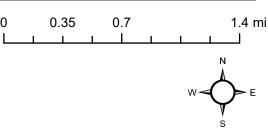
National Register of Historic Places

Local Historic Areas digitized by Horne

PR-RGRW-00000589 Wetlands $1^{437-000}$







National Wetlands Inventory

U.S. Fish and Wildlife Service

Rodese AT Carr. 135 km 82.3 Bo. Capaez, Adjuntas, PR 00601

PR-RGRW-00000589 Wetlands 2 2 2



Legend Riverine 0.07 0.15 0.3 mi

National Wetlands Inventory

U.S. Fish and Wildlife Service

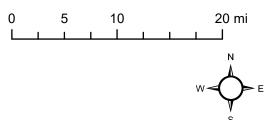
Rodese AT Bo. Playa Carr. 326 KM 1 Santa Isabel, PR 00757 437-000-003-09-000

PR-RGRW-00000589 W&S 1



Legend

National Wild and Scenic River Line



National Wild and Scenic River System

National Park Service

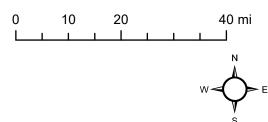
Rodese AT
Carr. 135 km 82.3 Bo. Capaez,
Adjuntas, PR 00601
266-000-001-69-000

PR-RGRW-00000589 W&S 2





National Wild and Scenic River Line



National Wild and Scenic River System

National Park Service

CaseID	Registry_ID	PGM_SYS_ID	Name	Location	Municipio	Latitude	Longitude Ty	pe Report	Distance	Impact
PR-RGRW-00000589	110023047059	PRR000017939	ESSO STANDARD OIL CO PR CO-429	71 BALDORIOTY CALLE	SANTA ISABEL	17.96792	-66.40833 R0	RA https://echo.epa.gov/detailed-facility-report?fid=110023047059	1379.41695	1 No
PR-RGRW-00000589	110042087256	PR0000007213300009	HAMILTON SUNDSTRAND DE PUERTO RICO	PR-538, KM. 0.7	SANTA ISABEL	17.960035	-66.405047 AI	https://echo.epa.gov/detailed-facility-report?fid=110042087256	1771.90480	4 No
PR-RGRW-00000589	110042087256	00757SNDSTRD537	HAMILTON SUNDSTRAND DE PUERTO RICO INC.	RD 538 KM 0.7 FELICIA INDUSTRIAL PARK	SANTA ISABEL	17.960035	-66.405047 TF	S https://echo.epa.gov/detailed-facility-report?fid=110042087256	1771.90480	4 No
PR-RGRW-00000589	110007807702	PRD105743116	PUERTO RICO IND DEVELOPMENT CO	RD PR 538 KM 0.7 FELICIA WARD	SANTA ISABEL	17.960035	-66.405047 RG	RA https://echo.epa.gov/detailed-facility-report?fid=110007807702	1771.90480	4 No
PR-RGRW-00000589	110042087256	PRD987380078	HAMILTON SUNDSTRAND DE PUERTO RICO, INC.	FELICIA INDUSTRIAL PARK STREET B LOT 9	SANTA ISABEL	17.960035	-66.405047 R0	RA https://echo.epa.gov/detailed-facility-report?fid=110042087256	1771.90480	4 No
PR-RGRW-00000589	110007822428	PRR000011759	OCULAR SCIENCES PUERTO RICO	PR RD 538 KM 0.7 LOT 3	SANTA ISABEL	17.960035	-66.405047 RG	RA https://echo.epa.gov/detailed-facility-report?fid=110007822428	1771.90480	4 No
PR-RGRW-00000589	110042087256	PRNOEJ00B	HAMILTON SUNDSTRAND DE PUERTO RICO, INC.	FELICIA INDUSTRIAL PARK	SANTA ISABEL	17.960035	-66.405047 NI	DES https://echo.epa.gov/detailed-facility-report?fid=110042087256	1771.90480	4 No
PR-RGRW-00000589	110009436413	00757PRDCTCALLE	WESTINGHOUSE ELECTRIC CORP PRODUCTOS ELECTRONICOS/PEI #1	CALLE MUNOZ RIVERA 112	SANTA ISABEL	17.965006	-66.402443 TF	S https://echo.epa.gov/detailed-facility-report?fid=110009436413	1878.90018	8 No
PR-RGRW-00000589	110009436413	PRD105815013	NORTHROP GRUMMAN PEI SITE 1	CALLE MUNOZ RIVERA #112	SANTA ISABEL	17.965006	-66.402443 RG	RA https://echo.epa.gov/detailed-facility-report?fid=110009436413	1878.90018	8 No
PR-RGRW-00000589	110004890994	PRO007001589	FONTANEZ SERVICE STATION	104 MUNOZ RIVERA	SANTA ISABEL	17.964845	-66.400527 RG	RA https://echo.epa.gov/detailed-facility-report?fid=110004890994	2531.50040	6 No
PR-RGRW-00000589	110007813679	PR0000007213300019	DYETEX PR, INC.	SANTA ISABEL INDUSTRIAL PARK	SANTA ISABEL	17.968882	-66.401556 AI	https://echo.epa.gov/detailed-facility-report?fid=110007813679	2759.46274	3 No
PR-RGRW-00000589	110007813679	PRN008003451	DYE TEX PUERTO RICO INC	RD 558 A ST	SANTA ISABEL	17.968882	-66.401556 RG	RA https://echo.epa.gov/detailed-facility-report?fid=110007813679	2759.46274	3 No