



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

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

Project Information

Project Name: PR-RGRW-01675

HEROS Number: 900000010408077

State / Local Identifier:

Project Location: , Orocovis, PR 00720

Additional Location Information:

The project is located at latitude 18.236421, longitude -66.360854 at the address given above. Tax ID Number: 220-000-001-11-901

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

This project (PR-RGRW-01675) entails the award of a grant to Hacienda Cattleya Inc, an agricultural business, at carr 772 km 10.6 Bo Botijas 1, Orocovis, PR 00720. Tax ID Number: 220-000-001-11-901. Coordinates (latitude 18.236421, longitude -66.360854). The specific scope of work for this project includes the purchase of land. The land was previously used to plant plantains and yams and will continue after purchase. No ground disturbance or tree removal. Project funding amount: \$150,000.00

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(5)

Funding Information

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

Estimated Total HUD Funded Amount: \$150,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$150,000.00

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Endangered Species Act	<p>The Service recommends that PRDOH implement the following conservation measures in case an encounter with the Puerto Rican parrot occur:</p> <ol style="list-style-type: none"> 1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (February-June), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. 2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., 	N/A	

	<p>foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.</p> <p>3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: jose_cruz-burgos@fws.gov</p>		
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Determination:

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

Preparer Signature:  Date: 8/28/2024

Name / Title/ Organization: Priscilla Toro Rivera / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature:  Date: August 28, 2024

Name/ Title: Mónica M. Machuca Ríos / Permits and Environmental Compliance Specialist

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

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

Project Information

Project Name: PR-RGRW-01675

HEROS Number: 900000010408077

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

State / Local Identifier:

RE Preparer: Priscilla Toro Rivera

Certifying Officer: Monica M. Machuca Rios

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): HORNE LLP

Point of Contact: Justin Neely

Project Location: , Orocovis, PR 00720

Additional Location Information:

The project is located at latitude 18.236421, longitude -66.360854 at the address given above. Tax ID Number: 220-000-001-11-901

Direct Comments to:

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

This project (PR-RGRW-01675) entails the award of a grant to Hacienda Cattleya Inc, an agricultural business, at carr 772 km 10.6 Bo Botijas 1, Orocovis, PR 00720. Tax ID Number: 220-000-001-11-901. Coordinates (latitude 18.236421, longitude -66.360854). The specific scope of work for this project includes the purchase of land. The land was previously used to plant plantains and yams and will continue after purchase. No ground disturbance or tree removal. Project funding amount: \$150,000.00

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

[PR-RGRW-01675 IUGF.pdf](#)

Level of Environmental Review Determination:

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

58.5:

58.35(a)(5)

Determination:

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

Approval Documents:

[PR-RGRW-01675 Sig Page.pdf](#)

7015.15 certified by Certifying Officer

on:

7015.16 certified by Authorizing Officer

on:

Funding Information

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

Estimated Total HUD Funded, Assisted or Insured Amount: \$150,000.00

Estimated Total Project Cost: \$150,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 104,326.1 feet away. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 81,797.7 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1155H, effective on 4/19/2005: Based on the

<p>1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>		<p>project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. This project grant is for the purchase of land; therefore, it does not include insurable personal property.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 89,878.8 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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 exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements. A google earth review of the area shows no visible hazards. The past land use for the last 10-15 year is farmland. Additionally, the project is not located in a Karst Restricted Zone, Buffer Zone or Special Karst Zone (APE-ZC)</p>

<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>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.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>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.</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Flood Map Number 72000C1155H, effective on 4/19/2005: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Orocovis; therefore, PFIRM information was not available for the area and therefore not considered in the review.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>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.</p>

<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is located 199,663.1 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.</p>
<p>HUD HOUSING ENVIRONMENTAL STANDARDS</p>		
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.</p>

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
<p>Endangered Species Act</p>	<p>The Service recommends that PRDOH implement the following conservation measures in case an encounter with the Puerto Rican parrot occur:</p> <p>1. All personnel will be advised that there are civil and criminal penalties for harming, harassing,</p>	<p>N/A</p>		

	<p>or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (February-June), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.</p> <p>2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.</p> <p>3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was</p>			
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	<p>found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: jose_cruz-burgos@fws.gov</p>			
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Project Mitigation Plan

The Service recommends that PRDOH implement the following conservation measures in case an encounter with the Puerto Rican parrot occur:

1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (February-June), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.
2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.
3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at:
 Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120
 Email: jose_cruz-burgos@fws.gov

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 104,326.1 feet away. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-01675 Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 81,797.7 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-01675 CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

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

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

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

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

Yes

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

Yes

- ✓ No

Screen Summary

Compliance Determination

Flood Map Number 72000C1155H, effective on 4/19/2005: Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. This project grant is for the purchase of land; therefore, it does not include insurable personal property.

Supporting documentation

[PR-RGRW-01675 Flood Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

No

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

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 89,878.8 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[PR-RGRW-01675 CZM.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

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

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

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

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

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

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

No

Explain:

There are no toxic sites within 3,000 feet of the applicant location. The environmental field observation did not note any items of concern. See the attached environmental field observation report.

Yes

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

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

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

✓ Yes

Explain:

The project scope is the purchase of land with no buildings.

No

* Notes:

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

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

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 exempt from radon consideration. The project is in compliance with contamination and toxic substances requirements. A google earth review of the area shows no visible hazards. The past land use for the last 10-15 year is farmland. Additionally, the project is not located in a Karst Restricted Zone, Buffer Zone or Special Karst Zone (APE-ZC)

Supporting documentation

[PR-RGRW-01675 Karst.pdf](#)
[PR-RGRW-01675 Toxics.pdf](#)
[PR-RGRW-01675 EFOR.docx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

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

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

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

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

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

4. Informal Consultation is required

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

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

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

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

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

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

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

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

✓ Mitigation as follows will be implemented:

The Service recommends that PRDOH implement the following conservation measures in case an encounter with the Puerto Rican parrot occur:

1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (February-June), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.
2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.
3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: jose_cruz-burgos@fws.gov

No mitigation is necessary.

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-01675 USFWS Concurrence Letter.pdf](#)

[PR-RGRW-01675 USFWS Consultation Package.pdf](#)

[PR-RGRW-01675 Endangered Species.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

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

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

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

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

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

Yes

No

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-RGRW-01675 Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

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

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

Yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Describe:

No

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

Yes

Describe:

No

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

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

Select one of the following three options:

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

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

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

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

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

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

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

Flood Map Number 72000C1155H, effective on 4/19/2005: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Orocovis; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

[PR-RGRW-01675 ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

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

Threshold (a). Either upload the PA below or provide a link to it here:

<https://www.hudexchange.info/sites/onecpd/assets/File/PR-FEMA-Prototype-2019-PA-Section-106.pdf>

Upload exemption(s) below or copy and paste all applicable text here:

Clears under Programmatic Agreement: Stipulation I.A.7.i - Funding the administrative action of acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements. Stipulation I.A.7.j. - Funding the administrative action of acquiring properties in acquisition projects, including the real estate transaction.

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

Screen Summary

Compliance Determination

Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-01675 Historic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

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

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

Yes

No

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

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

< No

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

Yes

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

Yes

No

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-01675 Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-RGRW-01675 Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

No

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

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is located 199,663.1 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-01675 Wild and Scenic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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

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

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

Yes

No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No



**DEPARTAMENTO DE LA VIVIENDA
PROGRAMA RENACER AGRÍCOLA DE PUERTO RICO –
AGRICULTURA URBANA Y RURAL
FORMULARIO SOBRE USO PREVISTO DE LOS FONDOS**

Yo, Ashley Gallo, representante autorizado/a para el negocio Hacienda Cattleya Inc, con el Caso Número PR-RGRW-01675 para el Programa Renacer Agrícola de Puerto Rico – Agricultura Urbana y Rural (**Programa Renacer Agrícola**), por la presente reconozco que fondos de subvención por la suma de \$150,000.00 se usarán de conformidad con el uso de fondos descrito a continuación. Además, reconozco que, como parte del proceso de revisión de recibos, el Formulario sobre Uso Previsto de los Fondos será comparado con los recibos recopilados para verificar el cumplimiento con la información provista en dicho formulario.

Item	Equipment Expense Type RGRW	Unmet Need	Initials
Land	Land (Regrow Only)	\$150,000.00	AG

\$150,000.00
Total de Uso Previsto de los
Fondos

Además, reconozco y entiendo que:

- El incumplimiento con el uso previsto de los fondos descrito en este Formulario podría requerir el pago de los fondos a Departamento de la Vivienda.
- Los fondos del Programa Renacer Agrícola solo pueden ser utilizados para actividades elegibles y el uso permitido de los fondos, según se establece en las Guías del Programa Renacer Agrícola.
- El Formulario sobre Uso Previsto de los Fondos será revisado por el equipo del Programa Renacer Agrícola y, **si es aprobado**, será el formulario oficial que se utilizará durante el proceso de revisión de los recibos.

Ashley Gallo

02/26/2024

Nombre

Firma

Fecha



United States Department of the Interior

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



In Reply Refer to:
FWS/R4/CESFO/72107-Gen

Submitted Via Electronic Mail: jcperez@vivienda.pr.gov

Juan Carlos Pérez-Bofill, PE, MEng.
Director – Disaster Recovery CDBG-DR Program
Puerto Rico Department of Housing
P.O. Box 21365
San Juan, P.R 00928-1365

Re: CDBG-DR PR-RGRW-01675 Hacienda
Cattleya Inc., Orocovis, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated April 11, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the purchase of 70.54- acre farm located on State Road PR-772, Km. 10.6, Botijas 1 Ward (18°14'11.1"N 66°21'39.1"W) in the municipality of Orocovis. No tree removal is anticipated since the land will continue to be used for the production of plantains and yams.

Using the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican parrot (*Amazona vittata*).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0068540). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa and Puerto Rican broad-winged hawk, which determined that the proposed actions for this project may affect, but is not likely to adversely affect (NLAA) these species. The Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican boa Puerto Rican broad-winged hawk.

Based on the nature of the project, scope of work, information available, and analysis of the existing habitat, PRDOH has determined that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican parrot.

We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican parrot. However, the Service recommends that PRDOH implement the following conservation measures in case an encounter with the species occur:

1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (February-June), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.
2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.
3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is José Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at:
 - Mobile: 305-304-1386
 - Office phone: 786-244-0081
 - Office Direct Line: 939-320-3120
 - Email: jose_cruz-burgos@fws.gov

In view of this, we believe that requirements of section 7 of the Endangered Species Act (Act) have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impact of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

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

Sincerely,

Silmarie Padrón
Acting Field Supervisor

drr



April 11, 2024

Robert Tawes
Division Supervisor, Environmental Review
U.S. Fish and Wildlife Service
Southeast Regional Office
1875 Century Boulevard
Atlanta, GA 30345
Email: Caribbean_es@fws.gov; robert_tawes@fws.gov

**RE: Puerto Rico Department of Housing / Re-Grow Program
PR-RGRW-01675 – Hacienda Cattleya Inc.
Endangered Species Concurrence for NLAA Determination**

Dear Mr. Tawes:

The Puerto Rico Department of Housing (PRDOH) is requesting an informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-01675 is located at PR-772 Road Km 10.6, Botijas 1 Ward, Orocovis, PR 00720. The project coordinates are latitude 18.236421, and longitude -66.360854. A map of the project site location can be found in Appendix A: Figure 1.

The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-01675 consist in the acquisition of land. The land was previously used to plant plantains and yams, and the applicant will continue planting the same crops after the purchase with no change in the land usage and no tree removal.

Using the Information for Planning and Consultation (IPaC) system, we have determined

that the proposed project lies within the range of the following federally listed species and critical habitats:

Name of the species	Threatened/Endangered/Candidate
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered
Puerto Rican Parrot (<i>Amazona vittata</i>)	Endangered
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered
Critical Habitat	
There are no critical habitats at this location.	

EXECUTIVE SUMMARY:

Existing Habitat Conditions at Project Area:

According to the U.S. Geological Survey National Land Cover Database, the topography of the 70.54-acre farm, located at PR-772 Km 10.6, Botijas 1 Ward, Orocovis, PR 00720, consists primarily of herbaceous vegetation and evergreen forest (Appendix A: Figure 3). The project area itself is located at latitude 18.236421 and longitude -66.360854, and the soil in and around the property consists of Consumo Clay (CuE) 20 to 40 percent slopes, Consumo Clay (CuF), 40 to 60 percent slopes, Humatas clay (HtF) 40 to 60 percent slopes, and Mucara clay (MxF) 40 to 60 percent slopes, see Appendix A: Figure 4. The species being examined for this project are the Puerto Rican Broad-winged Hawk, Puerto Rican Parrot, and the Puerto Rican Boa. An Endangered Species Map (Appendix A: Figure 5) shows that the proximity of the three species to the site location is approximately 65,311.9 feet from a critical habitat site.

Species Effects Analysis:

A Species List of Caribbean Ecological Services can be found in Appendix B.

Puerto Rican Broad-winged Hawk (*Buteo platypterus brunnescens*)

The Puerto Rican Broad-winged Hawk is dark brown and has a rufous-barred white ventral area (Appendix D). In adults, the tail is broadly banded with black and white, and the rufous (rust color) breast is characteristic. This species occurs in elfin woodland, sierra palm, caimitillo, granadillo, and tabonuco forest types of the Carite Commonwealth Forest, Toro Negro Forest, Los Tres Picachos Forest, and El Yunque National Forest, as well as within mature hardwood plantations, shade coffee plantations, and mature secondary forest of the north-central karst region of Puerto Rico within and adjacent to the Río Abajo Commonwealth Forest, and in the Río Encantado area (Florida – Ciales). The Broad-winged Hawk abundance and distribution is very limited. Any threat against the existing population and its habitat can be detrimental to the species. The Broad-winged Hawk has been included in the federal list of endangered species since 1994. The Endangered Species Act of 1973, as amended, prohibits the killing, harming, harassing, trapping, purchasing, or selling of any species, as well as parts and products derived from the species. Based on the answers inputted into the DKey along with the

scope of work, which does not include tree removal or ground disturbance (Appendix C), it has been determined that the proposed project will have a "Not Likely to Adversely Affect" determination on the Puerto Rican Broad-winged Hawk *Buteo*.

Puerto Rican Parrot (*Amazona vittata*)

The Puerto Rican Amazon is a bright green bird, with a red forehead and white rings around its eyes, as well as blue covert and primary flight feathers. This parrot feeds on plants such as sierra palm, royal palm, Nance, Maria tree, guava, pacay, balsam apple, guarea, and trumpet tree, among others. The Puerto Rican Amazon, a native species, was once very abundant in the Island, including the nearby islands of Culebra, Vieques, and Mona. The Puerto Rican Amazon was classified as an endangered species in 1967 before the Endangered Species Act amendments went into effect in 1973. There is a Cooperative Agreement between the Fish and Wildlife Service, the Department of Natural Resources and the Environment, and the United States Forest Service, which work together to foster the Puerto Rican Amazon's recovery. The Endangered Species Act, amended in 1973, prohibits the killing, harassing, trapping, purchasing, or selling of any species, as well as parts and products derived from the species, which is listed as endangered. The scope of work includes no tree cutting or clearing, and no ground disturbance. Furthermore, the IPaC states that there is no critical habitat designated for this species, therefore, a "Not Likely to Adversely Affect" determination has been made for the Puerto Rican Parrot.

Puerto Rican Boa (*Chilabothrus inornatus*)

Considered to be a habitat generalist, the Puerto Rican Boa tolerates a wide variety of terrestrial and arboreal habitats, including rocky areas, haystack hill, trees and branches, rotting stumps, caves, plantations, various types of forested areas such as karst and mangrove forests, forested urban and rural areas, and along streams and road edges (see Appendix D). The IPaC Determination Key (Dkey) for the Puerto Rican Boa, dated February 8, 2023, was used to evaluate the potential impacts to federally listed species from this project. Based on the Dkey responses, it was determined that the proposed project will have "Not Likely to Adversely Affect" determination on the Puerto Rican Boa (Appendix C). If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

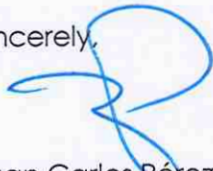
Based on the nature of the project, scope of work, information available, and a careful analysis of the existing habitat, we have made the following effects determinations:

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Not Likely to Adversely Affect (NLAA)	N/A
Puerto Rican Parrot (<i>Amazona vittata</i>)	Not Likely to Adversely Affect (NLAA)	N/A
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Not Likely to Adversely Affect (NLAA)	N/A
Critical Habitat		
There are no critical habitats at this location.		

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination for the Puerto Rican Boa, Puerto Rican Broad-winged Hawk and Puerto Rican Parrot. Attached to this letter, we are including the documents we used to reach our effect determinations for the listed species. For any questions or clarifications, please do not hesitate to contact us at the information below.

Thank you in advance for your consideration of this issue.

Sincerely,



Juan Carlos Pérez Bofill, PE, MEng.
Director – Disaster Recovery, CDBG-DR Program
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320

Attachments:

Appendix A:

- Figure 1 – Site Map
- Figure 2 – Topographic Map
- Figure 3 – Land Cover Effect
- Figure 4 – Soil Map
- Figure 5 – Critical Habitats Map

Appendix B: Species List Caribbean Ecological Services and Consistency Letter

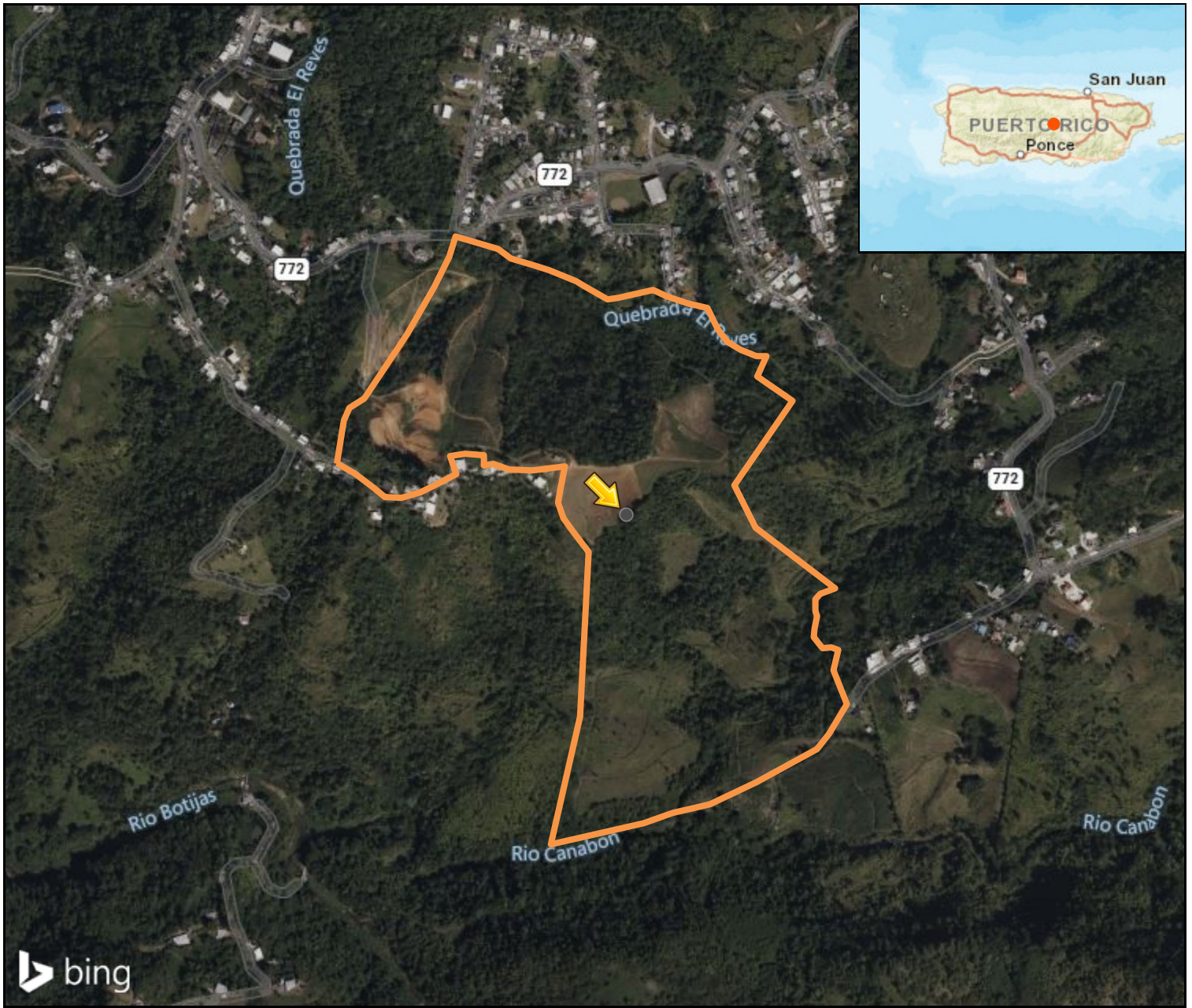
Appendix C: EFOR and Site Photos

Appendix D: Literature Cited

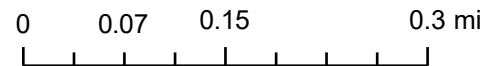
C: Angel G. López-Guzmán, MSEM
Deputy Director
Permits and Environmental Compliance Division

Appendix A: Figures

PR-RGRW-01675 Site Map



Legend



2

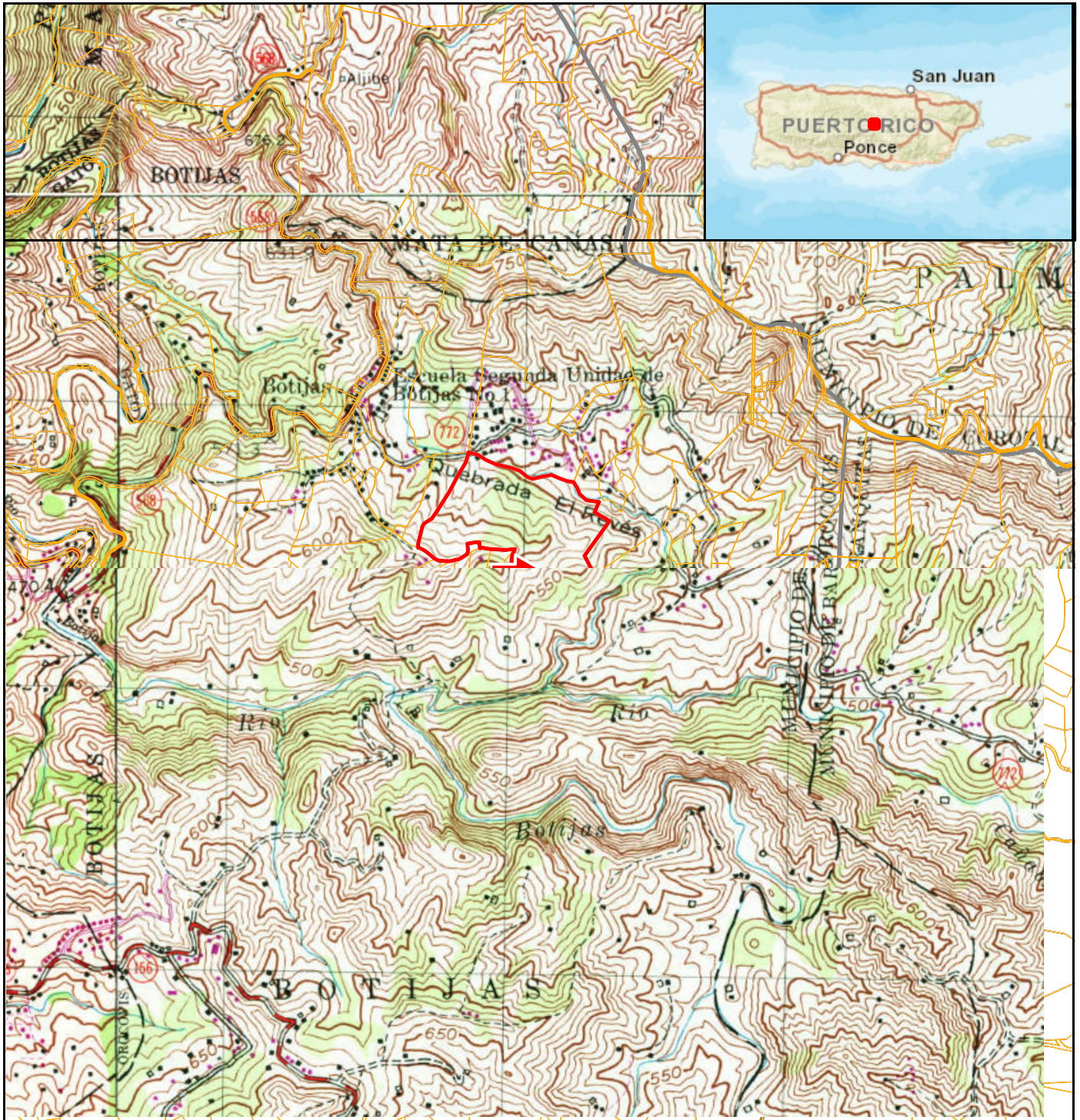
USGS - Topographic Base
Puerto Rico Department of Housing
Re-Grow Program




Latitude: 18.236421°N
Longitude: -66.360854°W



Application ID#: PR-RGRW-01675

Address: carr 772 km 10.6 Bo Botijas 1, Orocovis, PR 00720



-  Applicant Structure
-  Applicant Parcel
-  Parcels



1:20,000
1 inch equals 1,667 feet
0 500 1,000 Feet

<https://ngmdb.usgs.gov/topoview/viewer/#15/18.2364/-66.3609>

Sources: Esri Imagery Basemap service.



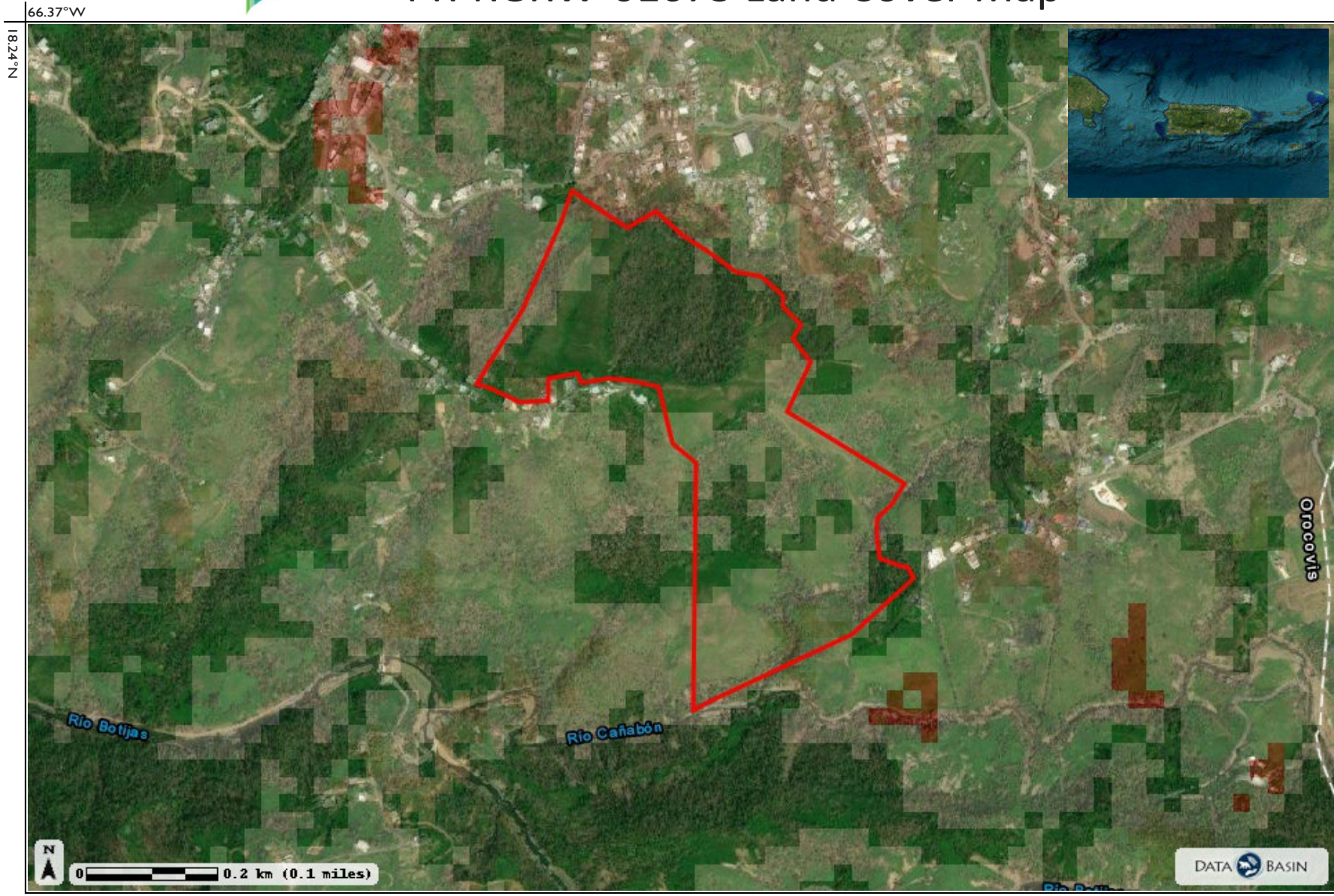
PR-RGRW-01675 Land Cover Map

Legend

National Land Cover Database, land cover - Puerto Rico

- Barren Land
- Cultivated Crops
- Developed, High Intensity
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed, Open Space
- Emergent Herbaceous Wetlands
- Evergreen Forest
- Hay/Pasture
- Herbaceous
- Open Water
- Shrub/Scrub
- Woody Wetlands

Parcel



Map Details

Datasets



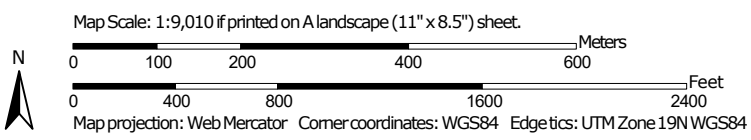
National Land Cover Database, land cover - Puerto Rico

<https://datasin.org/datasets/e95aa06e05624f3087559eca884db034/>

Credits: USGS National Land Cover Database 2001
Layers: ● layer1


PR-RGRW-01675
 Hacienda Cattleya Inc
 carr 772 km 10.6 Bo Botijas 1
 Orocovis, PR 00720
 18.236421, -66.360854

Soil Map—San Juan Area, Puerto Rico
(PR-RGRW-01675 Soil Map)



MAP LEGEND


Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Juan Area, Puerto Rico

Survey Area Data: Version 17, Sep 13, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

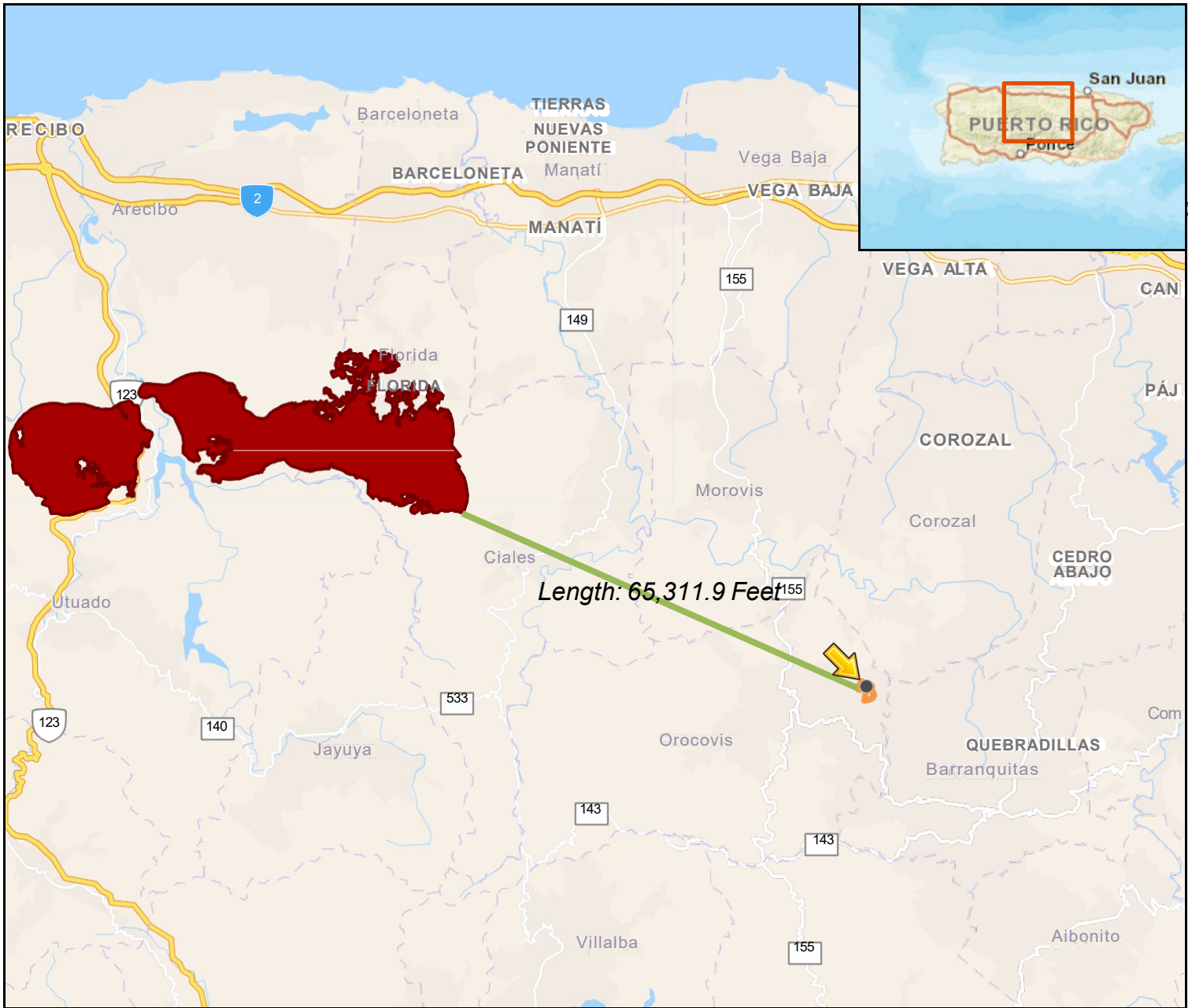
Date(s) aerial images were photographed: Jan 23, 2022—Mar 1, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

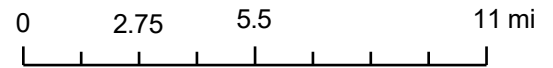
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CuE	Consumo clay, 20 to 40 percent slopes	25.1	7.8%
CuF	Consumo clay, 40 to 60 percent slopes	243.2	75.2%
HtF	Humatas clay, 40 to 60 percent slopes	28.3	8.7%
MxF	Mucara clay, 40 to 60 percent slopes	27.0	8.3%
Totals for Area of Interest		323.6	100.0%

PR-RGRW-01675 Endangered Species



Legend

■ USFWS_Critical_Habitat - Critical Habitat - Polygon Features - Final (agency service)



Endangered Species Habitat

U.S. Fish and Wildlife Service

Appendix B:
Species List Caribbean Ecological
Services and Consistency Letter



United States Department of the Interior



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

In Reply Refer To:
Project Code: 2024-0068540
Project Name: PR-RGRW-01675

03/26/2024 20:45:07 UTC

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

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

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0068540

Project Name: PR-RGRW-01675

Project Type: Acquisition of Lands

Project Description: The proposed project, located at carr 772 km 10.6 Bo Botijas 1, Orocovis, PR 00720, will be funded under the Re-Grow PR Urban-Rural Agriculture program. The proposed project includes the acquisition of land. The land was previously used to plant plantains and yams, and the farmer will continue planting the same crops after purchase with no change in the land usage; there will be no ground disturbance or tree removal.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.23589685,-66.35972794037704,14z>



Counties: Orocovis County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5512	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3067	Endangered

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/N6E5D7LZ4FAK3PN5UDES22ZC24/documents/generated/7159.pdf	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

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

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

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

MIGRATORY BIRDS

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

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

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

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

WETLANDS

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

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

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

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPAC USER CONTACT INFORMATION

Agency: Horne LLP
Name: Jaci Fitzmorris
Address: 10000 Perkins Rowe, Building G
Address Line 2: Suite 610
City: Baton Rouge
State: LA
Zip: 70810
Email: jaci.fitzmorris@horne.com
Phone: 2252474285



United States Department of the Interior



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

In Reply Refer To:
Project code: 2024-0068540
Project Name: PR-RGRW-01675

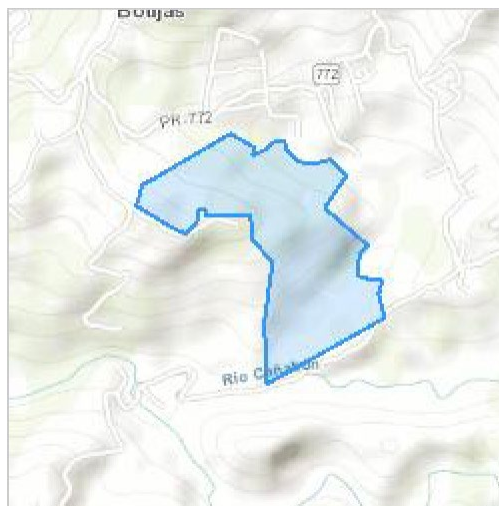
03/27/2024 14:20:51 UTC

Subject: Consistency letter for the project named 'PR-RGRW-01675' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On March 27, 2024, Jaci Fitzmorris used the Caribbean DKey; dated January 19, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01675'. The project is located in Orocovis County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.23589685,-66.35972794037704,14z>



The following description was provided for the project 'PR-RGRW-01675':

The proposed project, located at carr 772 km 10.6 Bo Botijas 1, Orocovis, PR 00720, will be funded under the Re-Grow PR Urban-Rural Agriculture program. The proposed project includes the acquisition of land. The land was previously used to plant plantains and yams, and the farmer will continue planting the same crops after purchase with no change in the land usage; there will be no ground disturbance or tree removal.

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

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

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

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **781-140739776**

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

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

- Puerto Rican Parrot *Amazona vittata* Endangered

If the proposed project is located within species range where a DKey has not been developed for those species, please follow the established guidance for initiating section 7 consultation Caribbean Ecological Services Field Office.

We appreciate your interest in protecting endangered species and their habitats. It is the Service's mission to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of our people. If you have any questions or require additional information, please contact our office at Caribbean_es@fws.gov.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

PR-RGRW-01675

2. Description

The following description was provided for the project 'PR-RGRW-01675':

The proposed project, located at carr 772 km 10.6 Bo Botijas 1, Orocovis, PR 00720, will be funded under the Re-Grow PR Urban-Rural Agriculture program. The proposed project includes the acquisition of land. The land was previously used to plant plantains and yams, and the farmer will continue planting the same crops after purchase with no change in the land usage; there will be no ground disturbance or tree removal.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.23589685,-66.35972794037704,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

No

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

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

Yes

11. Is the project area more than 1 acre?

Yes

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

Yes

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

Automatically answered

Yes

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

Yes

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

No

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

Yes

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

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

Yes

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

Yes

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

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Horne LLP
Name: Jaci Fitzmorris
Address: 10000 Perkins Rowe, Building G
Address Line 2: Suite 610
City: Baton Rouge
State: LA
Zip: 70810
Email: jaci.fitzmorris@horne.com
Phone: 2252474285

Appendix C:
EFOR and Site Photographs



CDBG-DR PROGRAM

Re-Grow PR Urban-Rural Agriculture (RGRW) Program

ENVIRONMENTAL FIELD OBSERVATION REPORT

APPLICATION GENERAL INFORMATION

Application No.:	PR-RGRW-01675	Applicant Name:	Hacienda Cattleya Inc.
------------------	---------------	-----------------	------------------------

PROPERTY INFORMATION

Property Address:
Carr. 772 km 10.6 Bo. Botijas 1, Orocovis, PR 00720

Latitude:	18.236421	Longitude:	-66.360854
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Property Type:	Farm	Year Built:	NA
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Number of Buildings:	0	Are Utilities Connected?	NA
----------------------	---	--------------------------	----

Property Remarks:
The scope of the work for this case is the purchase of agricultural land. There is no structure associated with this scope of work.

Is there evidence of damage from a previous disaster?	No
---	----

Damage Remarks:

SIGNATURES OF INSPECTION REPORT

Environmental Inspector:

Blas Guernica

Printed Name

Signature

April 8, 2024

Date

ENVIRONMENTAL OBSERVATIONS		
Item	Observation	Remarks
Are there any signs of poor housekeeping on the site? <i>(mounds of rubble, garbage, or solid waste or improperly stored household quantities of petroleum products, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged, abandoned, and/or dangerous vehicles or other motorized equipment; pits, pools, lagoons, or ponds of hazardous substances or petroleum products located on the site)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any 55-gallon drums or containers visible on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If drums located, are they leaking?	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No	
Are there any signs of petroleum underground storage tanks (PUSTs) on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any UST locations visible from the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any signs of above-ground storage tanks (ASTs) on the site, or immediate adjacent visible sites?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any signs of surface staining?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any ground water monitoring or injection wells on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there evidence of a faulty septic system on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any permanent standing water, such as a pond or stream, located on the site? <i>(Do not include run-off or ponding from recent weather events.)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There is a ravine bordering the property. Currently, there is no path or vantage point on the property from which a photo of the ravine can be taken.
Is there any distressed vegetation on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does the subject lot have water frontage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any visible apparent indication of other environmental conditions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any visible apparent evidence of lead-based paint or hazardous materials present in the structure?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there other unusual conditions on site? <i>(Explain in attached supporting material. Please take photographs, if possible.)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the structure 45 years or older?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the applicant aware of any significant historical events or persons associated with the structure; or does the home have a historic marker?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

REQUIRED PHOTOS



Farmland



Farmland



Farmland



Farmland

PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS (add additional pages as necessary)



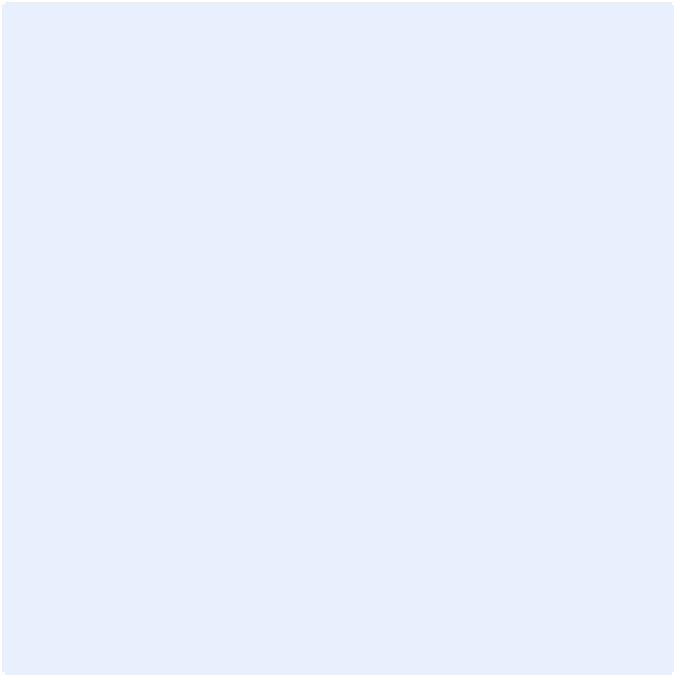
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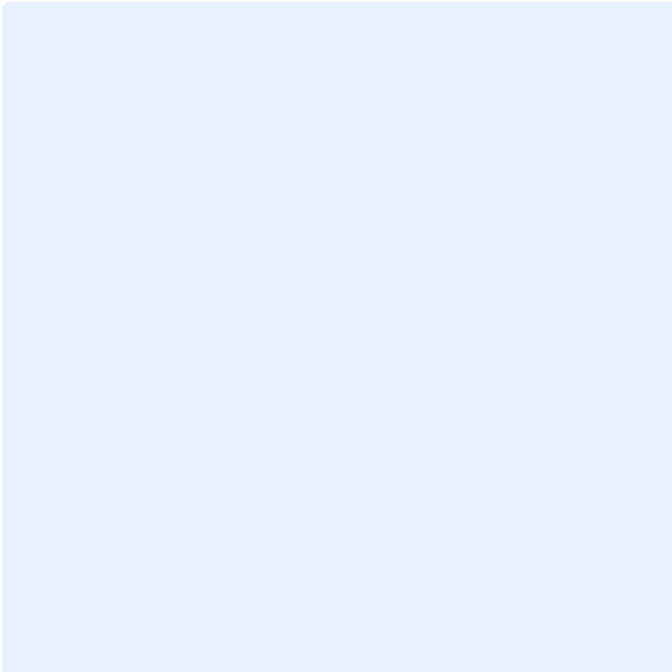
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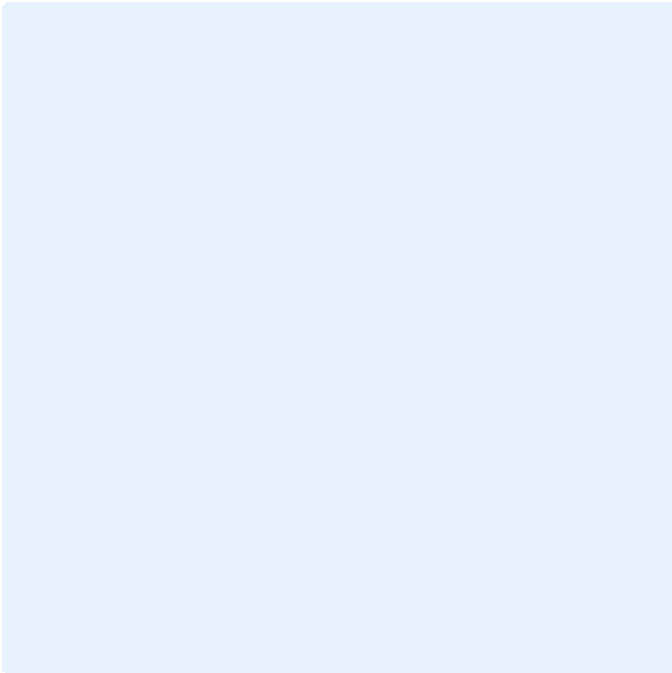


Farmland



ADDITIONAL PHOTOS (add additional pages as necessary)





Fotografías de la Operación (mínimo de tres imágenes):



Area para almacenamiento



Area de platanal interno



Area sin trabajar



Camino sin control de flujo de agua



Camino con pendiente alta



Producto en proceso



Area sin trabajar



Camino lateral a plantacion



Final de finca donde recae toda al agua.



Area de plátanos anteriormente area de ñames

Appendix D:
Literature Cited

Literature Cited:

Maps: Data basin. Maps | Data Basin. (n.d.).

<https://databasin.org/maps/new/#datasets=e95aa06e05624f3087559eca884db034>

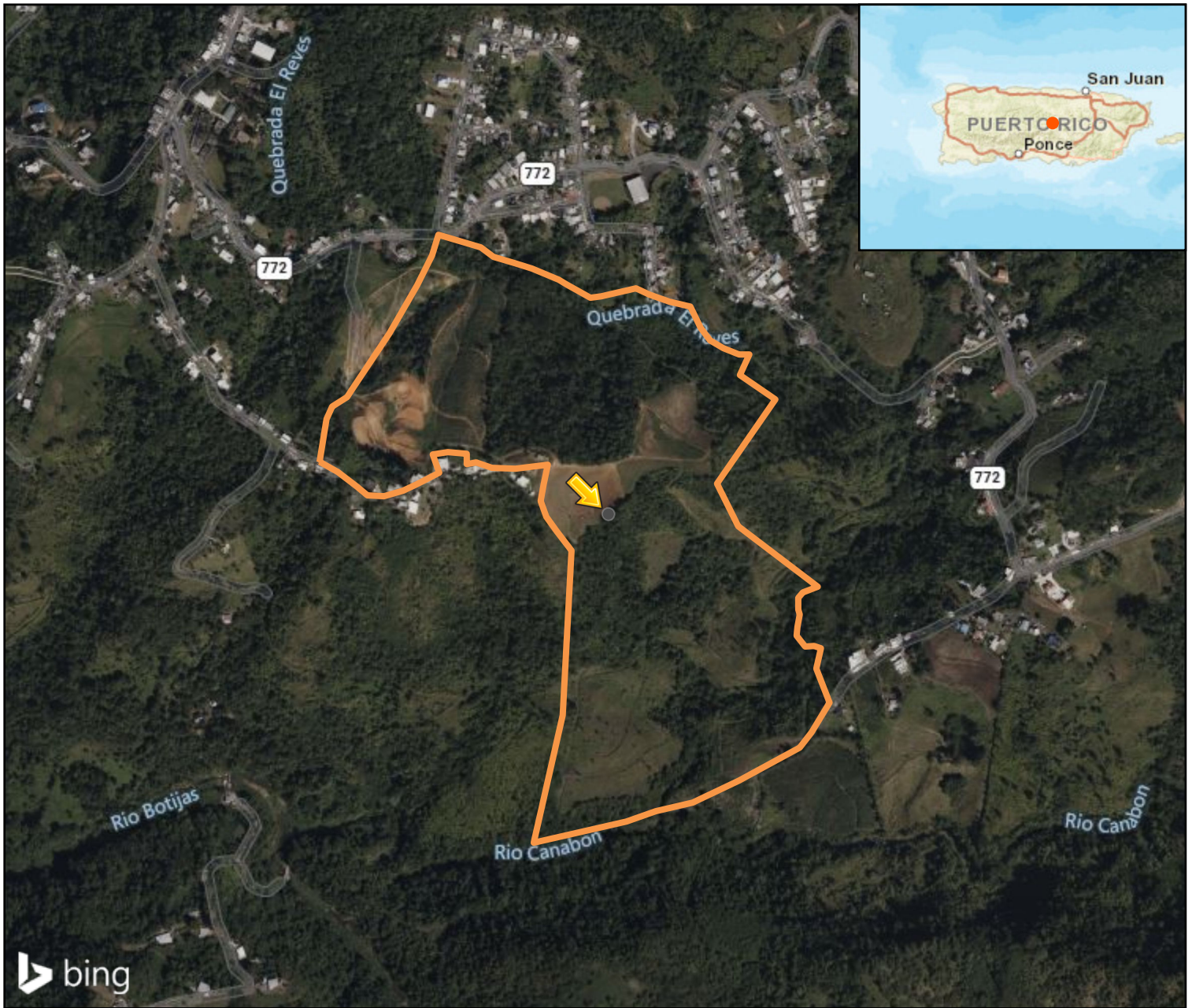
2023a. Information for Planning and Consultation System (IPaC). Available at: <http://ecos.fws.gov/ipac/>. Accessed March 2024.

ECOS - Environmental Conservation Online System. Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*). <https://ecos.fws.gov/ecp/species/5512>. Accessed March 2024.

USDA Forest Service. The Puerto Rican Parrot / La Cotorra Puertorriqueña. https://www.fs.usda.gov/detail/elyunque/landmanagement/resourcemanagement/?cid=fsbdev3_042973. Accessed March 2024.

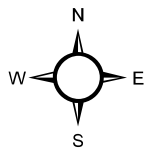
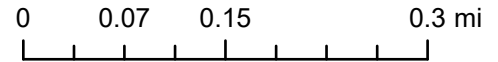
U. S. Fish and Wildlife Service (USFWS). 2011. Puerto Rican Boa (*Epicrates inornatus*) 5-Year Review: Summary and Evaluation. U.S. Fish and Wildlife Service, Southeast Region. Boquerón, Puerto Rico.

PR-RGRW-01675 ABFE



Legend

- A
- AO
- AE
- Coastal A Zone
- VE
- 0.2% Annual Chance Flood Zone
- A-Floodway
- AE-Floodway
- Coastal A Zone and Floodway
- Zone/BFE Boundary
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood
- Limit of Moderate Wave Action (LiMWA)
- Advisory Base Flood Elevation (zoom in to make visible)
- Streamline (zoom in to make visible)







FEMA Map Service

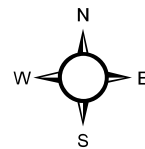
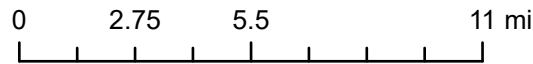
ABFE 1PCT

PR-RGRW-01675 Airports



Legend

-  Civilian Airports 2,500ft Buffer
-  Runway Protection Zones
-  Airport Runways
-  Major



Runway Protection Zones

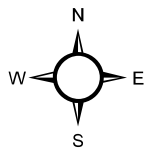
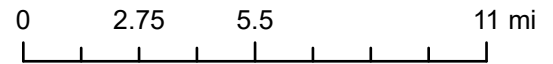
Major Civil and Military Airports

PR-RGRW-01675 CBRS



Legend

- Otherwise Protected Area
- System Unit



U.S. Fish and Wildlife Service

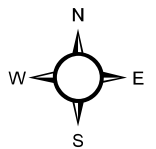
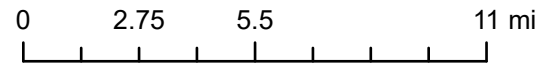
Coastal Barrier Resources Act Program

PR-RGRW-01675 CZM



Legend

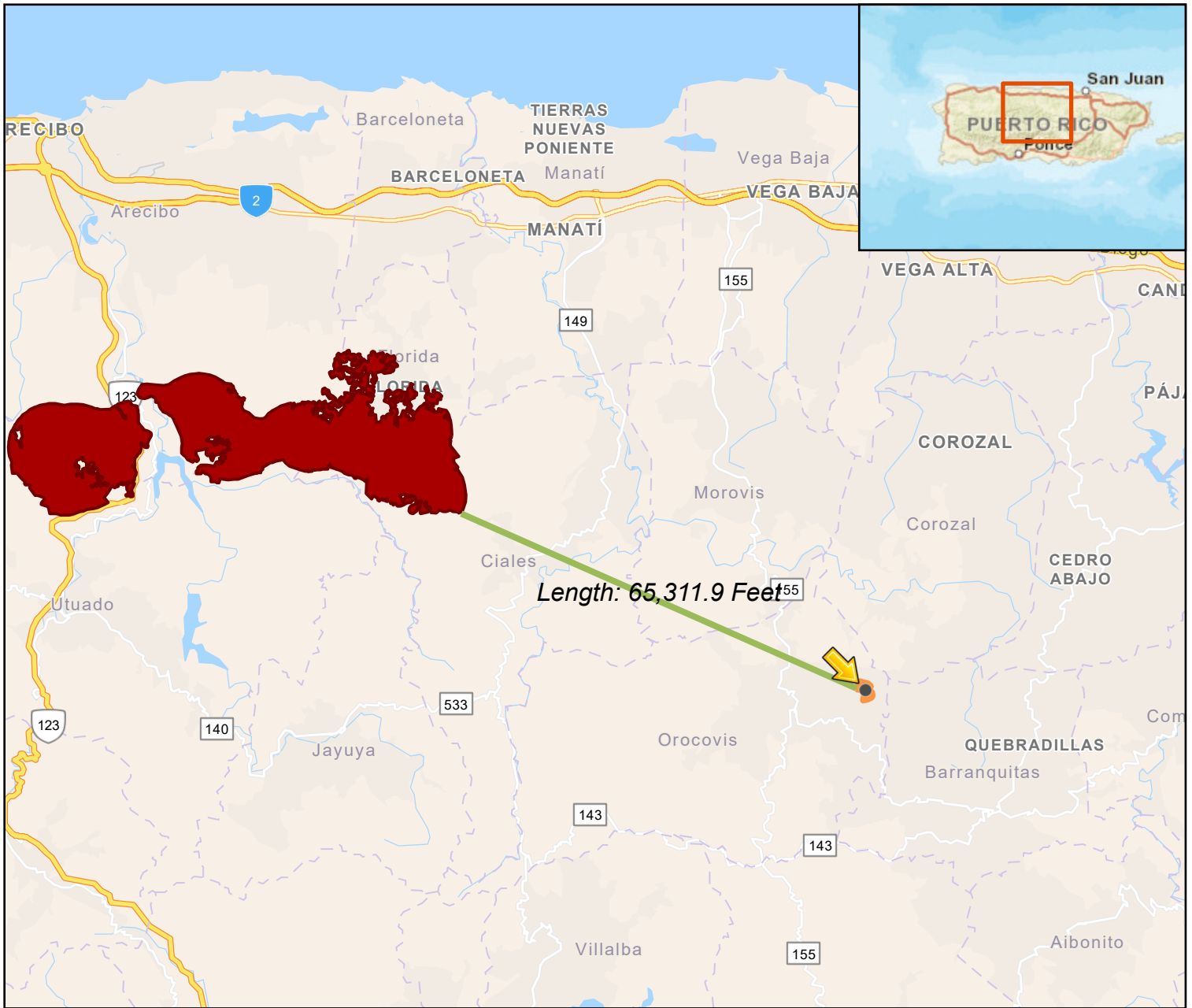
 Coastal Zone Management Act Boundary



NOAA

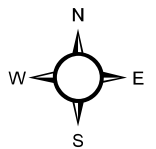
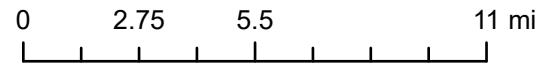
Coastal Zone Management Act

PR-RGRW-01675 Endangered Species



Legend

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



Endangered Species Habitat

U.S. Fish and Wildlife Service

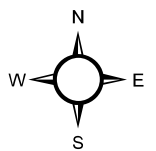
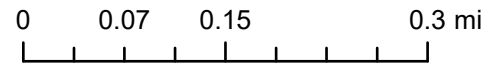
PR-RGRW-01675 Farmlands



Legend

ClassName

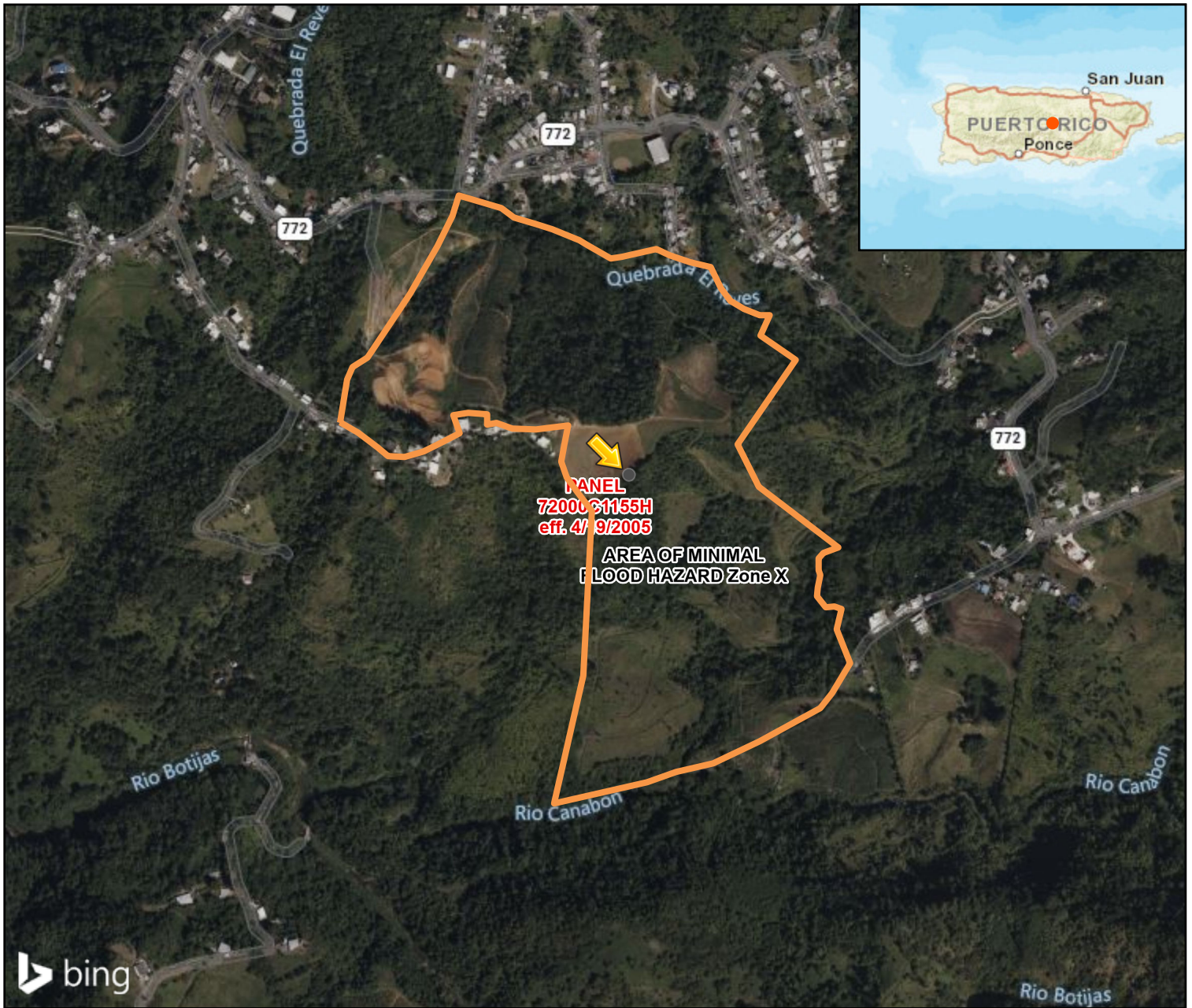
- Farmland of Statewide Importance
- Not Prime Farmland



USGS USA Soils










Farmland dataset

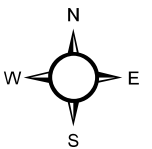
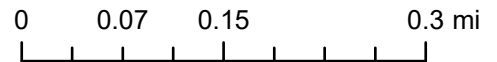
PR-RGRW-01675 Flood Map



Legend

FEMA Flood Zones - Effective

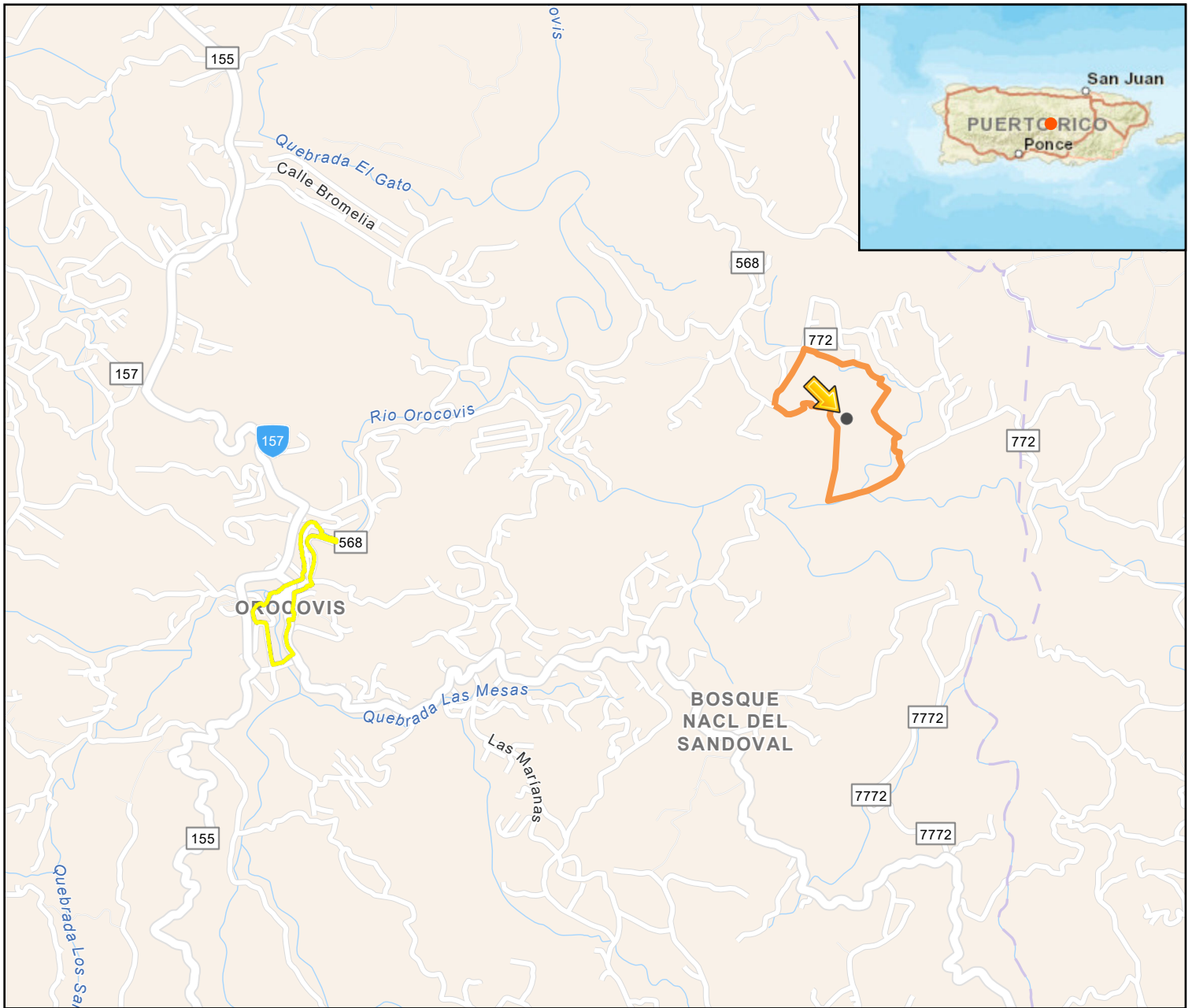
-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  X, Area of Minimal Flood Hazard
-  FEMA Flood Zone Panel



FEMA Map Service

Flood Insurance Rate Maps

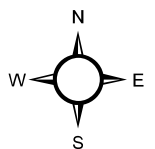
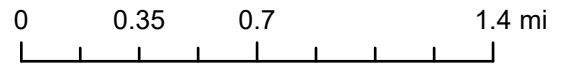
PR-RGRW-01675 Historic



Legend

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

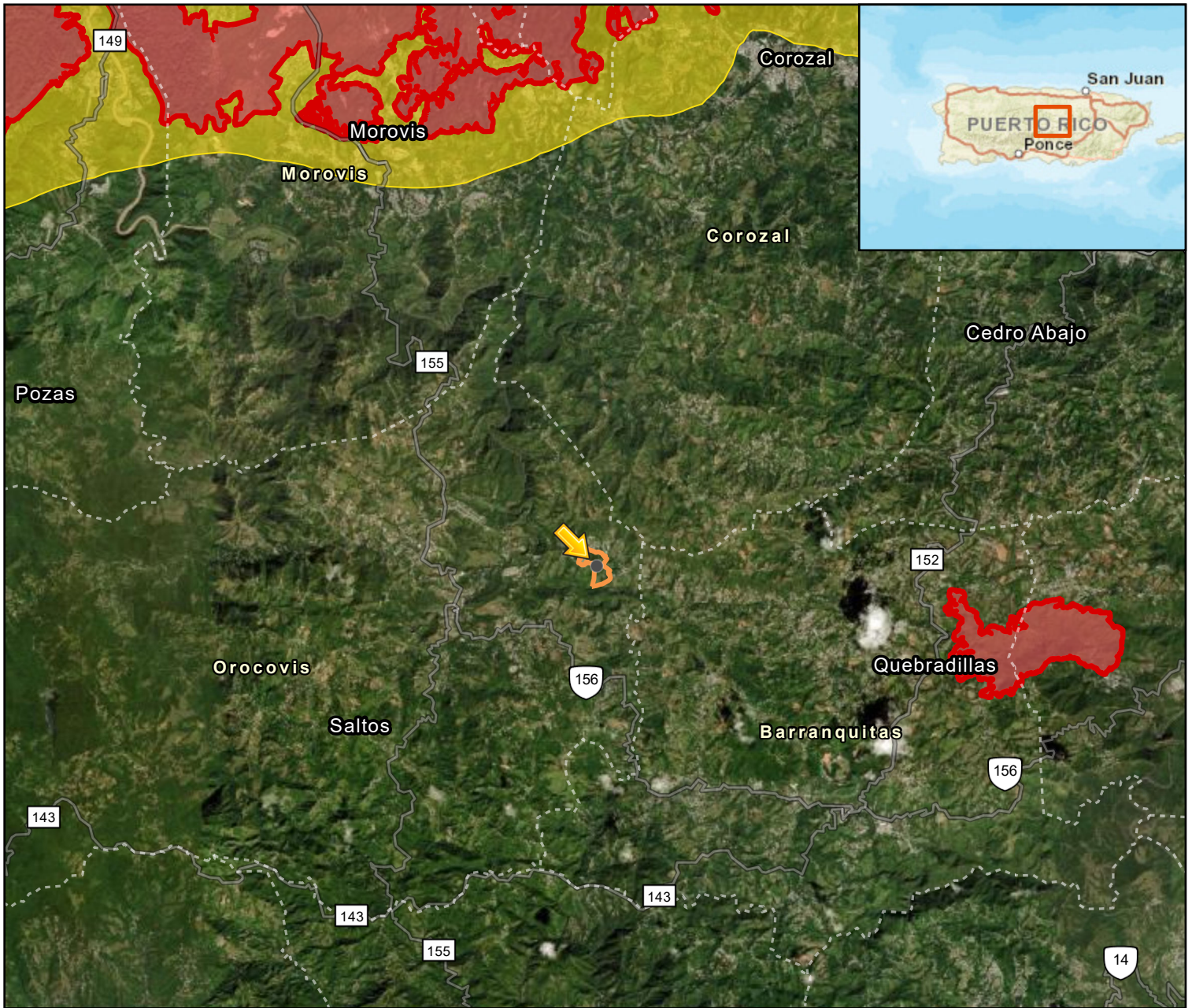
National Register of Historic Places Polygons



National Register of Historic Places

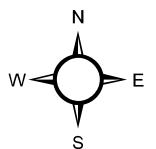
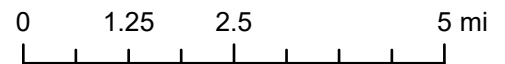
Local Historic Areas digitized by Horne

PR-RGRW-01675 Karst



Legend

- Restricted Karst Buffer Zone 50m
- Restricted Karst Limit
- Karst Zone APE-ZC



MIPR - PR Planning Board

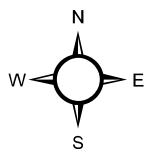
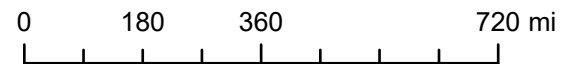
Karst Zone

PR-RGRW-01675 Sole Source Aquifers



Legend

 Sole Source Aquifers - EPA August 2019

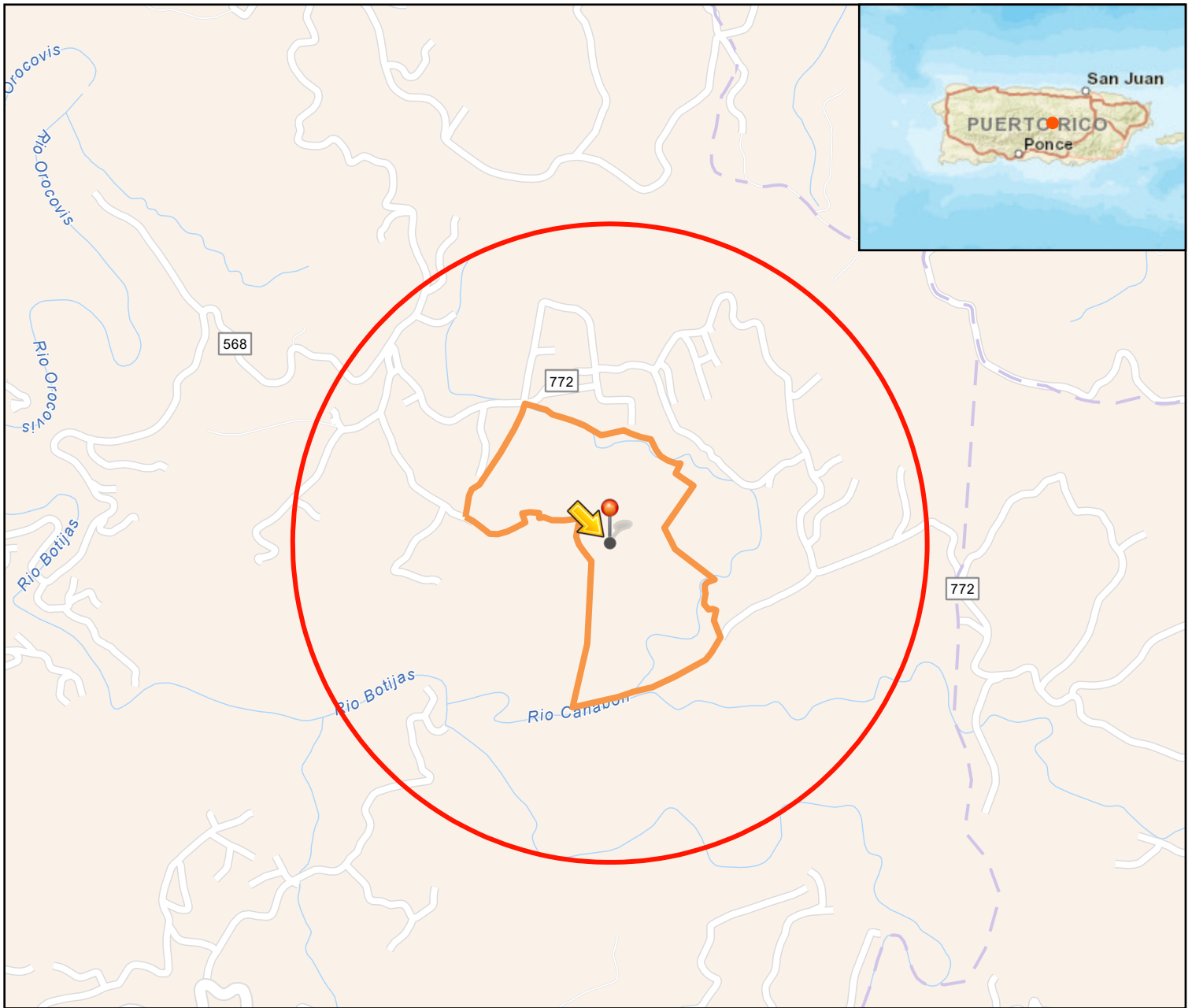


Sole Source Aquifers


EPA

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

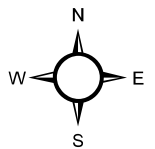
PR-RGRW-01675 Toxics



Legend

 3,000 ft buffer

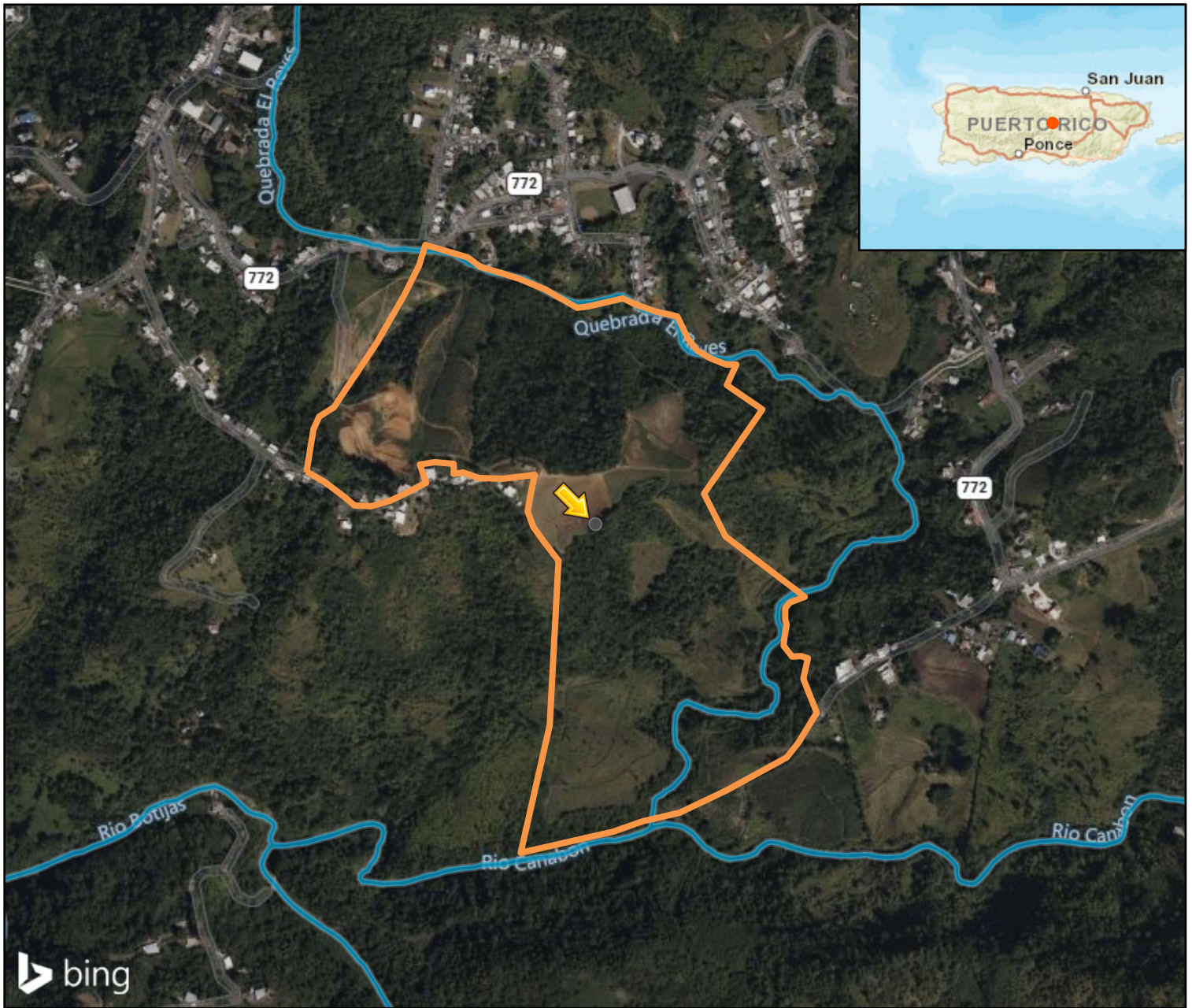
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Envirofacts Facility Locations

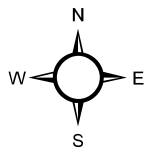
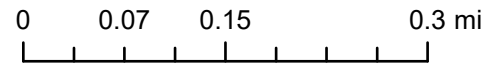
EPA

PR-RGRW-01675 Wetlands



Legend

Riverine



National Wetlands Inventory

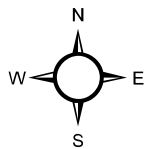
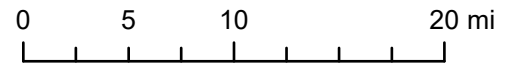
U.S. Fish and Wildlife Service

PR-RGRW-01675 Wild and Scenic



Legend

— Wild and Scenic Rivers



National Wild and Scenic River System

National Park Service