

# **Environmental Assessment**

## **Determinations and Compliance Findings for HUD-assisted Projects**

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-01053

**Project Name:** Hector J Rosario Ortiz

**Responsible Entity:** Puerto Rico Department of Housing

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

**State/Local Identifier:** Puerto Rico / Barranquitas, PR

**Preparer:** Patricia Carmenatty

**Certifying Officer Name and Title:** Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, María T. Torres Bregon, Ivelisse Lorenzo, Angel Gabriel Lopez Guzman, Janette Cambrelen, Santa Ramirez, Limary Vélez Marrero and Juan Carlos Perez Bofill.

**Consultant:** Behar Ybarra & Associates LLC

**Direct Comments to:** Puerto Rico Department of Housing:  
([environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov))

#### **Project Location:**

Carr. 770 km 2.2 Int, Barrio Canabon, Barranquitas, PR 00794

Water well location: latitude 18.207484, longitude -66.335617

Warehouse and solar system location: latitude 18.207596, longitude -66.335931

Parcel cadastral # 246-027-162-10

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

The proposed activities for PR-RGRW-01053, consist of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV. The solar panels will be installed on top of the warehouse new roof. The installation of the water well will require ground disturbance. The estimated area of disturbance for the new well is approximately 5 feet

in diameter. Two locations for the well are being considered. The first location is at latitude 18.207484, longitude -66.335617. The alternative location is at latitude 18.207352, longitude -66.335308. The 6" water well will also be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The power source will be provided by the new solar panels. The project area is located at PR-770 km. 2.2 Int., Canabon ward within the Municipality of Barranquitas. Based on a review of historical aerial imagery, the general area has been used for cultivation for the past 17 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to installation and constructing a new 6" diameter (8 inches perforation) and 800 feet deep water well and a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, where the solar panels will be installed. A permit from the Puerto Rico Department of Natural and Environmental Resources (DNER) is required to be obtained for the water well. The area of potential effects (APE) measures approximately 550 square meters.

A site Map is included in Figure 1, illustrating the location of the water well, the warehouse and solar panels on the property. Photos of the locations are included in the Section 106 documentation, Appendix 1.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will 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. This agricultural project associated with the of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV is in keeping with the overall objectives of the Economic Development Program.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

The existing area for the proposed water well will be to the southeast of an existing greenhouse and improvements to the warehouse roof will be made to the northwest of the same greenhouse and is used for agricultural purposes. The surface is mostly exposed. Therefore, there is no change in land use associated with these placements.

**Funding Information**

Grant Number	HUD Program	Funding Amount
B-18-DP-72-0001 B-17-DP-72-0001 B-19-DP-78-0002 B-18-DE-72-0001	Community Planning and Development (CPD) / Community Development Block Grant - Disaster Recovery (CDBG-DR)	\$11,938,162,230.00

**Estimated Total HUD Funded Amount:** \$99,398.00

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$99,398.00.

**Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities**

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV and will have no impact on any Airports. The site is located 106,300 feet from the nearest major civil airport (Mercedita International Airport in Ponce) and 146,692 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.

<p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is not located in a CBRS Unit. The project is located 84,645 feet northwest of the nearest Coastal Barrier Resource System, PR-47. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.</p>
<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in a Zone X, Panel 72000C1155H, 4/19/2005 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4 and 4.1.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists only of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each county by year for all criteria pollutants in Appendix 2.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located 80,256 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone</p>

		Management Act. See the attached CZMA map, Figure 5.
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project consists of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural project. 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. There is no site of environmental concern identified within 3,000 feet from the project site.</p> <p>The project is in compliance with contamination and toxic substances requirements. See attached Toxics Map, Figure 6.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project could involve any activity that has an adverse effect on protected species or critical habitats. After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the PR boa (<i>Chilabothrus inornatus</i>) and Palo de Nigua (<i>Cornutia obovata</i>) could be found in the project area (see attached Appendix 3). The installation of the water well and warehouse will require ground disturbance, however, the scope of work includes continued agricultural use of the property with no intention to cut down trees or making major changes in the topography of the project area because the new structures will be installed in a space that has been cleared and</p>

		<p>maintained that way for agricultural purposes. This project will have No Effect on listed species due to the nature of the activities involved in the project. Additionally, the project has no critical habitats in the area. The project is 69,084 feet from the nearest final endangered species critical habitat.</p> <p>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. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p><a href="https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf">https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</a></p> <p>This project is in compliance with the Endangered Species Act. See attached Endangered Species map, Figure 7.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project consists of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with this citation without further evaluation.</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. All areas under the project site are farmland of statewide importance. The project is in compliance with the</p>

		Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project is located in a Zone X, Panel 72000C1155H, 4/19/2005 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in compliance with Executive Order 11988. See attached Flood Map (Figure 9).</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The site was visited on April 14, 2023, by SOI-qualified archaeologist. Based on this definition and the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to the water well. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated June 6, 2023, SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with historic preservation.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project consists only of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise</p>

		perspective. This topic is in compliance with this citation without further evaluation.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with this citation without further evaluation.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no wetlands located or near the project activity area. Therefore, the wetland will not be affected by the project undertaking. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 11.
<b>Wild and Scenic Rivers</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of the NWSRS river. The project is located 191,981 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 12.
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the

necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed action is continued agricultural use of property which is compatible with a zoning code of A-G (General Agricultural) and existing land use of SREP-A (Specially Protected Agricultural Rustic Land). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. In the project area we have Humatas clay soils, 20 to 40 percent slopes, (HtE). This is a steep, well-drained soil on side slopes and ridgetops of strongly dissected humid uplands. This soil is difficult to work because it is steep and because of the stickiness and plasticity of the clay. The landslide data indicates moderate landslide susceptibility, and no erosion is expected to occur from this project. The project will not affect the drainage in the area. There will be little to no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 13.

Hazards and Nuisances including Site Safety and Noise	2	There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV on an existing agricultural farm and will not require any expansion to existing power facilities. The power source will be provided by the new solar panels.

Environmental Assessment Factor	Impact Code	Impact Evaluation
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**SOCIOECONOMIC**

Employment and Income Patterns	2	The project will result in short-term benefit to employment when contractors are hired for the construction of the new water well, rebuild the warehouse roof and installation of the solar panels. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The proposed project will not alter the demographic characteristics of Barranquitas, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.

Environmental Assessment Factor	Impact Code	Impact Evaluation
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## COMMUNITY FACILITIES AND SERVICES

Educational and Cultural Facilities	2	The project consists of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The proposed project may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The proposed project will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The purchase and installation of the water well is not expected to result in significant changes in wastewater or sanitary sewer generation. Wastewater from the project will not enter environmentally sensitive areas, nor will the project produce any noxious odors affecting the quality of life of nearby residents. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The proposed project will not require an additional water supply. No connections will be provided for potable water. A permit from the Puerto Rico Department of Natural and Environmental Resources (DNER) is required to be obtained for the water well. The proposed project will have no impact on the water supply.

Public Safety - Police, Fire and Emergency Medical	2	The project of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The proposed project will have no impact to Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.  The installation of the water well will disturbed an area of approximately 5 feet in diameter. Two locations for the well are being considered. The first location is at latitude 18.207484, longitude -66.335617. The alternative location is at latitude 18.207352, longitude -66.335308. The 6" water well will be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The Applicant must obtain a Water Well or Water Intake Construction Permit from the DNER prior the well construction.
Vegetation, Wildlife	2	The proposed project will occur in land previously used for agricultural purposes and will continue in that

		capacity. There may be wildlife attracted to the water well but no negative impact on wildlife.
Climate Change	2	The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production.

**Additional Studies Performed:** Not applicable.

**Field Inspection** (Date and completed by): April 14, 2023, Jaqueline Lopez, SOI-Qualified Archaeologist

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

FAA, National Plan for Integrated Airport Systems:

[www.faa.gov/airports/planning\\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf)

John H. Chafee Coastal Barrier Resources System, Puerto Rico map.

[www.fws.gov/CBRA/Maps/Locator/PR.pdf](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf)

National Park Service, National Registry of Natural Landmarks.

[www.nature.nps.gov/nnl/docs/NNLRegistry.pdf](http://www.nature.nps.gov/nnl/docs/NNLRegistry.pdf)

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

National Wild and Scenic Rivers System: [www.rivers.gov/puerto-rico.php](http://www.rivers.gov/puerto-rico.php)

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

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

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

US Environmental Protection Agency, National Ambient Air Quality Standards,

Nonattainment Areas for Criteria Pollutants (Green Book):

[www3.epa.gov/airquality/greenbook/anayo\\_pr.html](http://www3.epa.gov/airquality/greenbook/anayo_pr.html)

US EPA, Environmental Topics, Air Topics: [www.epa.gov/environmental-topics/air-topics](http://www.epa.gov/environmental-topics/air-topics)

US Fish and Wildlife Service, Environmental Conservation Online System:

<https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?state=PR&status=listed>

Federal Emergency Management Agency, Flood Mapping Service:

<https://msc.fema.gov/portal/home> (compilation of numerous maps)

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

US Fish and Wildlife Service, National Wetlands Inventory:

[www.fws.gov/wetlands/data/mapper.html](http://www.fws.gov/wetlands/data/mapper.html) (compilation of numerous maps)

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

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

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

**List of Permits Obtained:** None required.

**Public Outreach** [24 CFR 58.43]: Puerto Rico Department of Agriculture has worked closely with the agricultural community. This project will include a FONSI/NOI-RROF in compliance with NEPA regulations for HUD.

**Cumulative Impact Analysis** [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild

of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site.

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

The "Alternative" action would mean that the applicant will be placing the water well in a different area on the property. This "Alternative" would not be feasible because the farm is fully developed and only has two tentative spaces, near the existing greenhouses, where he could construct the water well. This alternative also mean that the Applicant will not have an additional capacity to expand his harvest. With this alternative, the applicant would not be able to experience the growth needed to recover and expand their agriculture activities.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for the economic development for this applicant.

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

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

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

Law, Authority, or Factor	Mitigation Measure
The regulation in Puerto Rico establishes that for well constructions a Water Well or Water Intake Construction Permit must be submitted.	The Applicant must obtain a permit from the DNER prior the well construction.

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 9/14/2023

Name/Title/Organization: Patricia Carmenatty / Environmental Specialist/ Behar Ybarra & Associates LLC

Certifying Officer Signature:  Date: 9/29/2023

Name/Title: Janette I. Cambrelén, Permit and Environmental Compliance Specialist

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

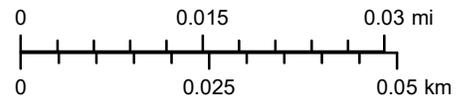
## Figures

Figure 1  
**Location: Aerial Map**  
Puerto Rico Department of Housing ReGrow



**Legend**

- PR-RGRW-01053
- PR-RGRW-01053 Parcel
- CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



**Source**

Centro de Recaudación de Ingresos Municipales (CRIM)  
<https://catastro.crimpr.net/cdprpc/>

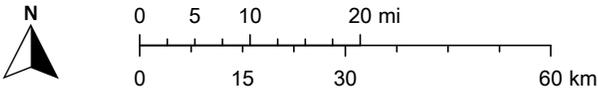
# Figure 2 PR-RGRW-01053 Airport

**Application ID: PR-RGRW-01053**  
 Hector J Rosario Ortiz  
 Carr 770 km 2.2 Int  
 Barrio Canabon  
 Barranquitas, PR 00794  
 Catastro: 246-027-162-10  
 Lat: 18.207476, Lon:-66.335734



4/16/2023, 7:01:34 PM

- Accident Potential Zone
- Override 1
- Override 2
- Override 3
- USA Military Airports
- USA Civil Airports
- PR-RGRW-01053



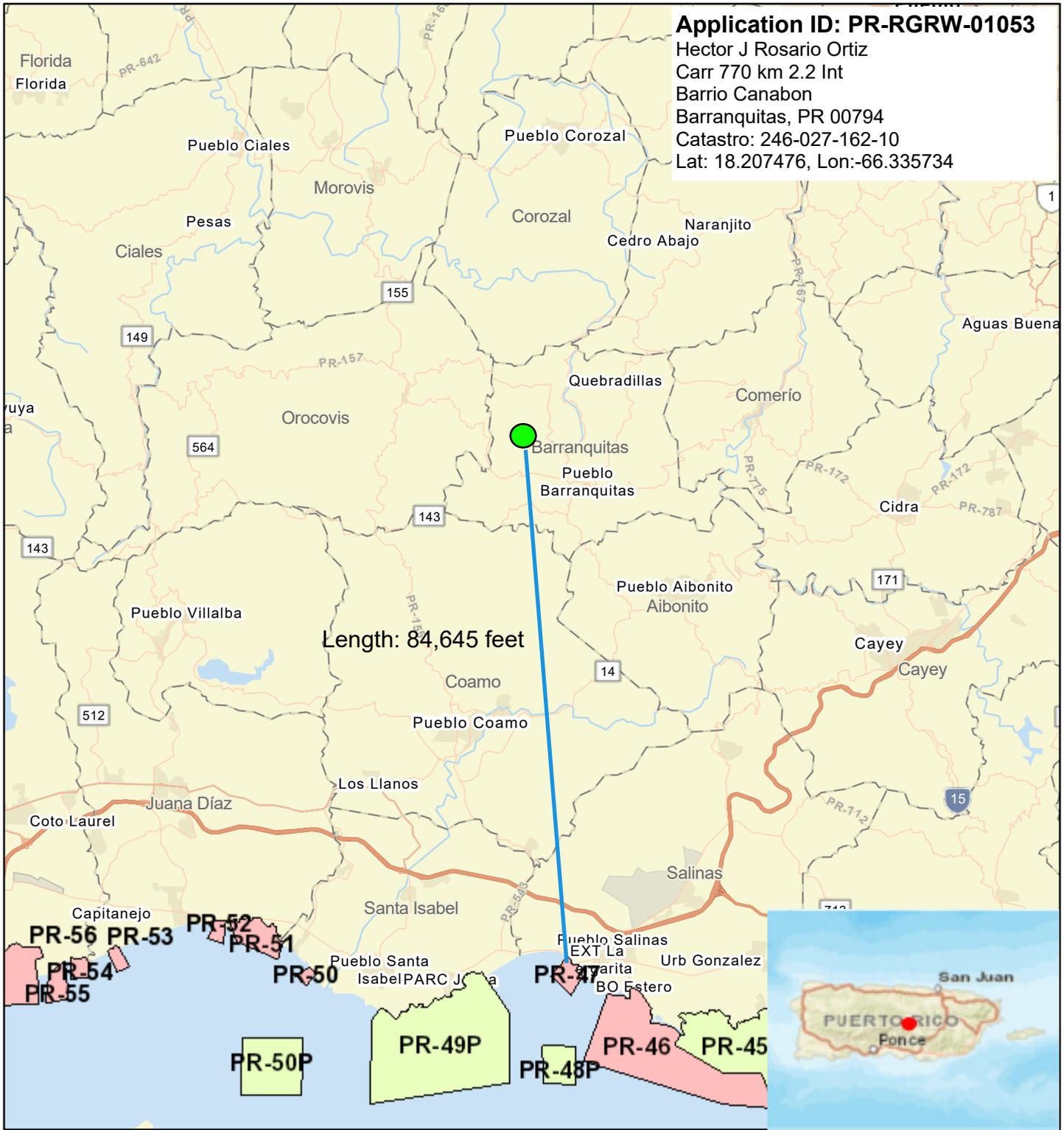
1:1,155,581

Runway Protection Zones  
 Major Civil and Military Airports

**Source**  
 Federal Aviation Administration (FAA)  
<https://adds-faa.opendata.arcgis.com/>

Figure 3

PR-RGRW-01053 CBRS



**Application ID: PR-RGRW-01053**  
Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: 18.207476, Lon:-66.335734

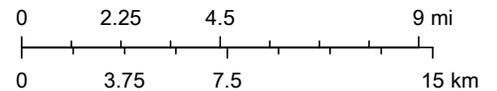
Length: 84,645 feet

6/12/2023, 11:28:48 AM

1:288,895

**CBRS Units**

- Otherwise Protected Area
- System Unit
- PR-RGRW-01053



**Source**

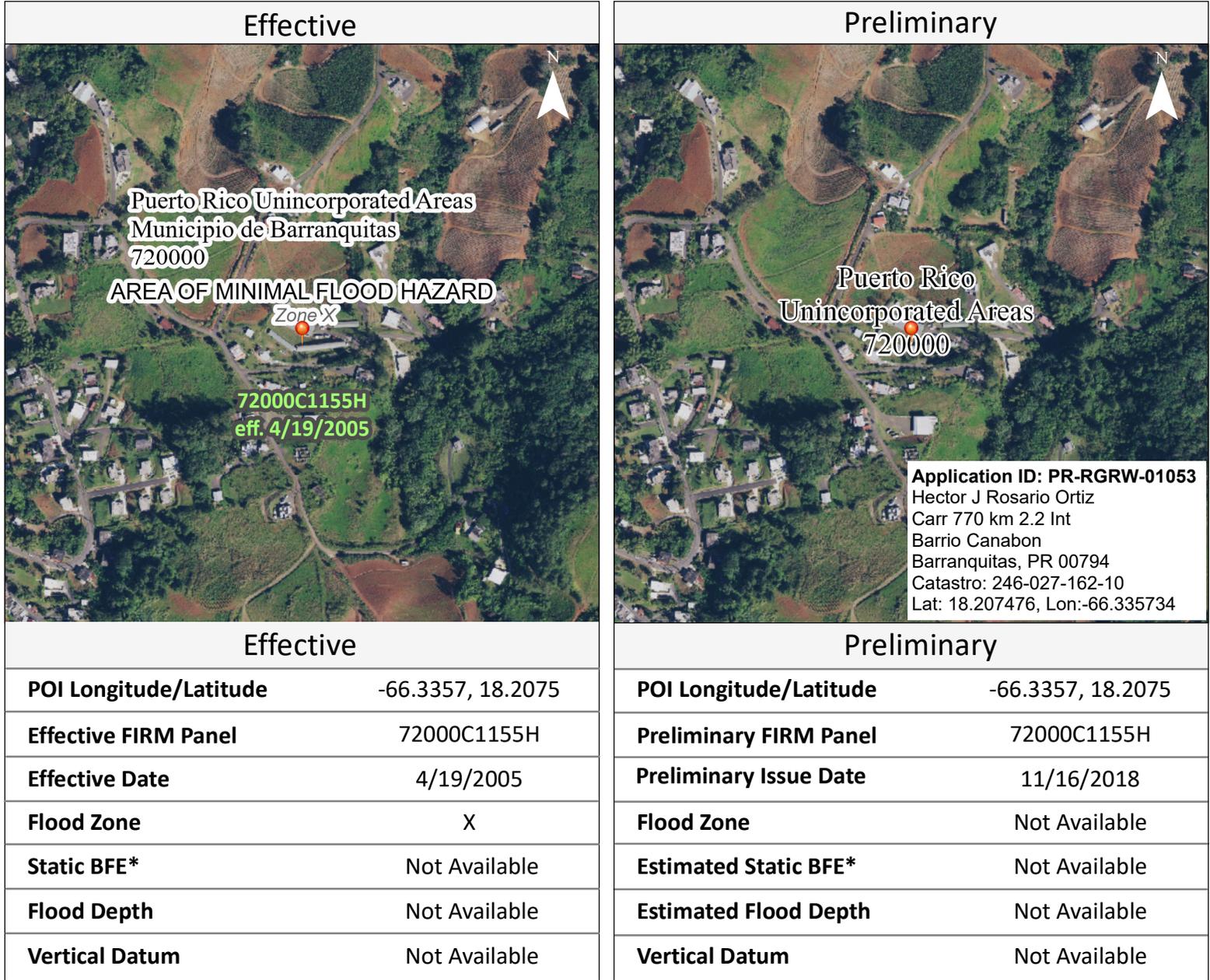
U.S. Fish and Wildlife Service (FWS):  
<https://www.fws.gov/program/coastal-barrier-resources-act>

# Comparison of Flood Hazard



Effective & Preliminary Flood Hazards

Figure 4



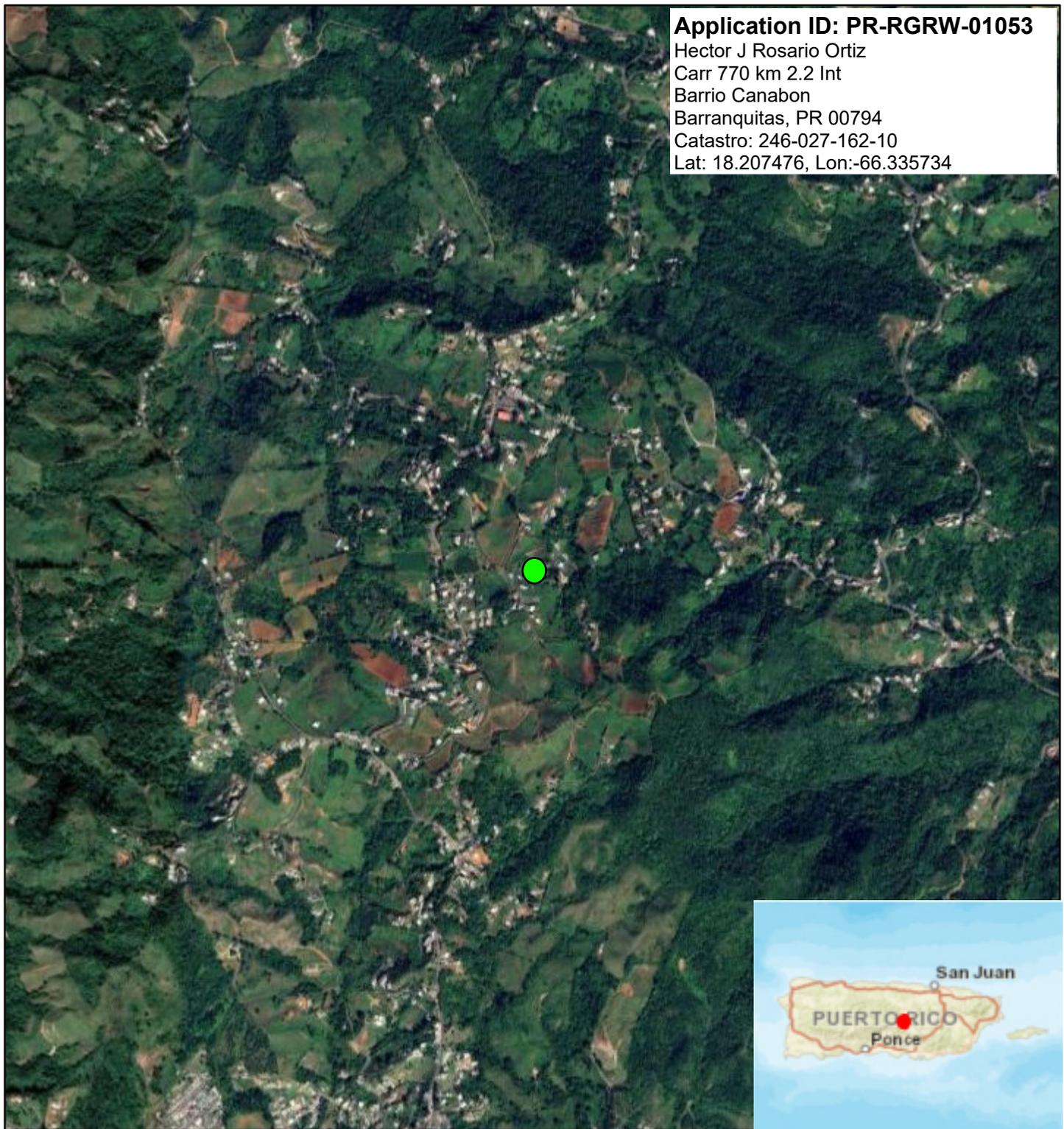
\* A **Base Flood Elevation** is the expected elevation of flood water during the 1% annual chance storm event. Structures below the estimated water surface elevation may experience flooding during a base flood event.

<u>Hazard Level</u>	<u>Flood Hazard Zone</u>
High Flood Hazard	<b>AE, A, AH, AO, VE and V Zones.</b> Properties in these flood zones have a 1% chance of flooding each year. This represents a 26% chance of flooding over the life of a 30-year mortgage.
Moderate Flood Hazard	<b>Shaded Zone X.</b> Properties in the moderate flood risk areas also have a chance of flooding from storm events that have a less than 1% chance of occurring each year. Moderate flood risk indicates an area that may be provided flood risk reduction due to a flood control system or an area that is prone to flooding during a 0.2% annual chance storm event. These areas may have been indicated as areas of shallow flooding by your community.
Low Flood Hazard	<b>Unshaded Zone X.</b> Properties on higher ground and away from local flooding sources have a reduced flood risk when compared to the Moderate and High Flood Risk categories. Structures in these areas may be affected by larger storm events, in excess of the 0.2% annual chance storm event.  <b>Insurance Note:</b> High Risk Areas are called 'Special Flood Hazard Areas' and flood insurance is mandatory for federally backed mortgage holders. Properties in Moderate and Low Flood Risk areas may purchase flood insurance at a lower-cost rate, known as Preferred Risk Policies. See your local insurance agent or visit <a href="https://www.fema.gov/national-flood-insurance-program">https://www.fema.gov/national-flood-insurance-program</a> for more information.

**Disclaimer:** This report is for informational purposes only and is not authorized for official use. The positional accuracy may be compromised in some areas. Please contact your local floodplain administrator for more information or go to [mfc.fema.gov](https://www.fema.gov) to view an official copy of the Flood Insurance Rate Maps.

Figure 4.1

# PR-RGRW-01053 Flood Hazard Map



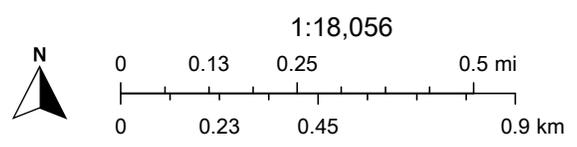
**Application ID: PR-RGRW-01053**  
Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: 18.207476, Lon:-66.335734

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FEMA\_FIRM - FEMA\_FLOOD\_HAZARD\_AREAS

 Other Areas

 PR-RGRW-01053

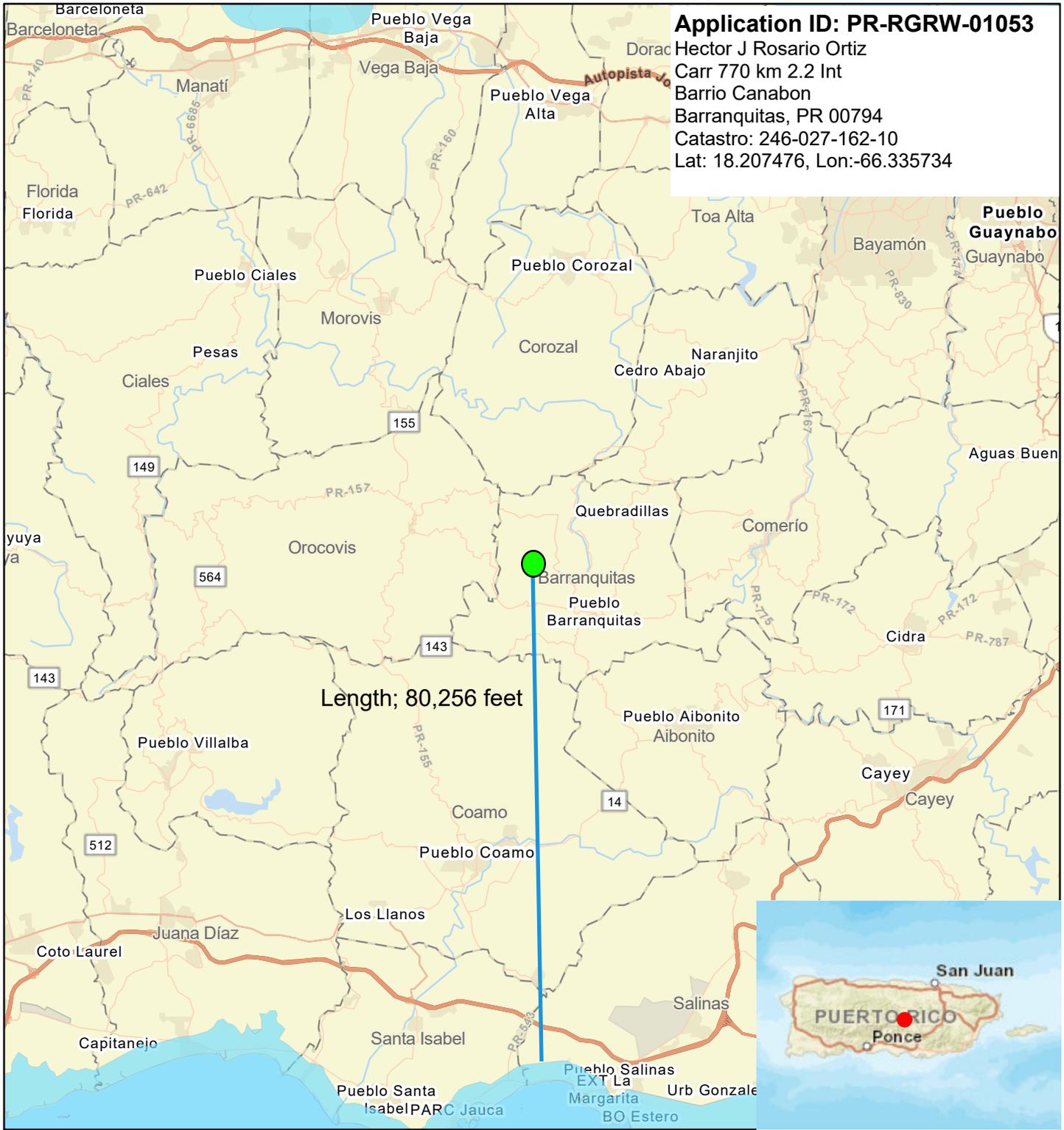


**Source**  
Federal Emergency Management Agency (FEMA)  
FEMA's National Flood Hazard Layer  
<https://www.fema.gov/flood-maps/national-flood-hazard-layer>

PR-RGRW-01053 CZM

Cond. Iberia 1 Suite J-3, Calle Perseo 554, Altamira, San Juan, PR. 00920 Tel. (787)783-0290

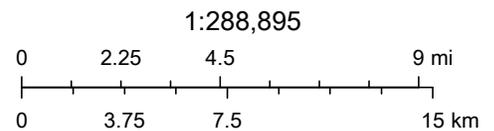
**Application ID: PR-RGRW-01053**  
Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: 18.207476, Lon:-66.335734



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Coastal Zone Management Act Boundary

● PR-RGRW-01053

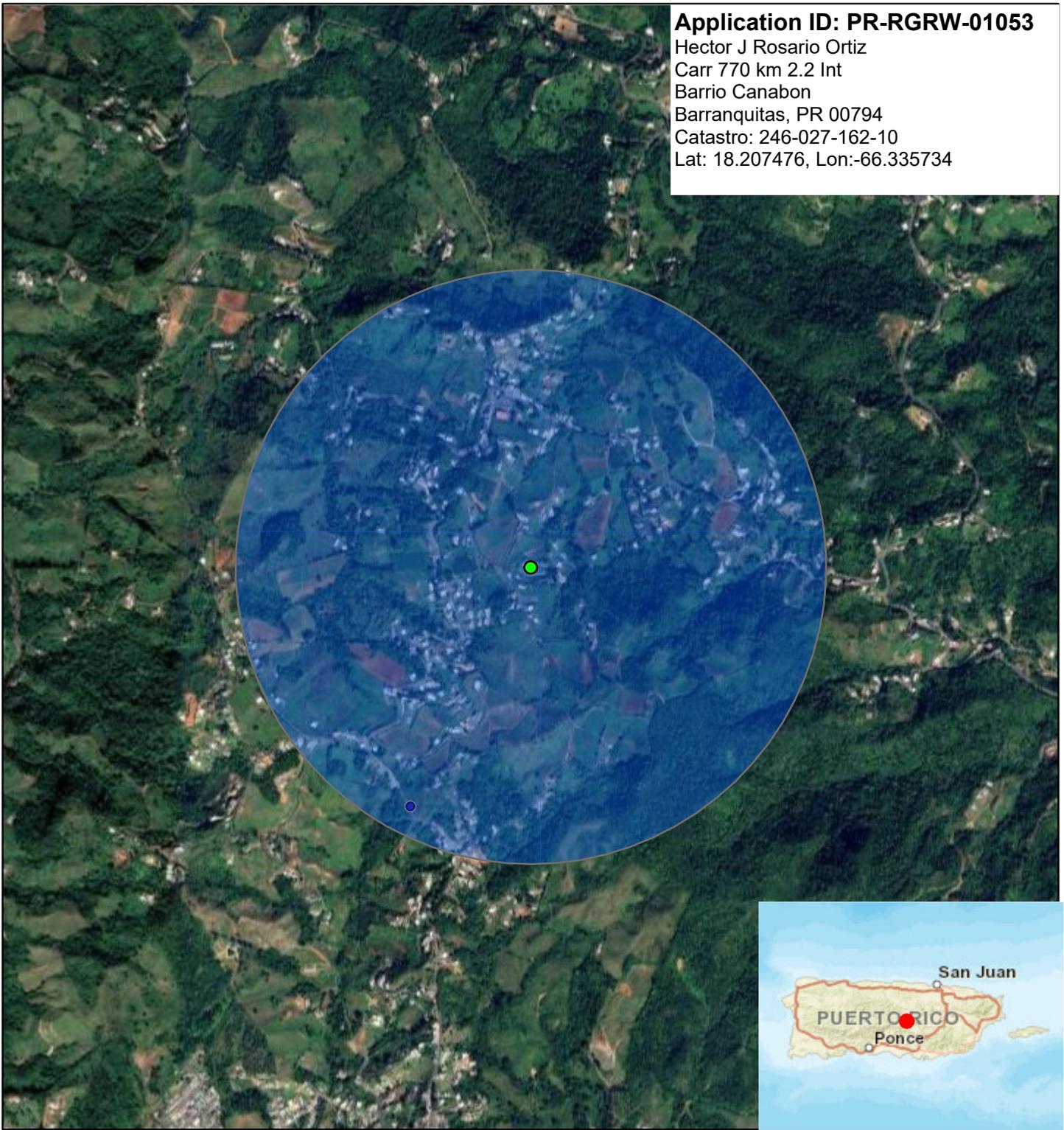


**Source**

National Oceanic and Atmospheric Administration (NOAA)  
NOAA Office for Coastal Management (NOAA/OCM)  
<https://www.fisheries.noaa.gov/inport/item/53132>

# Figure 6 PR-RGRW-01053 Toxic

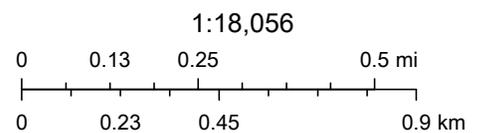
**Application ID: PR-RGRW-01053**  
Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: 18.207476, Lon:-66.335734



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 3000ft Buffer

 PR-RGRW-01053



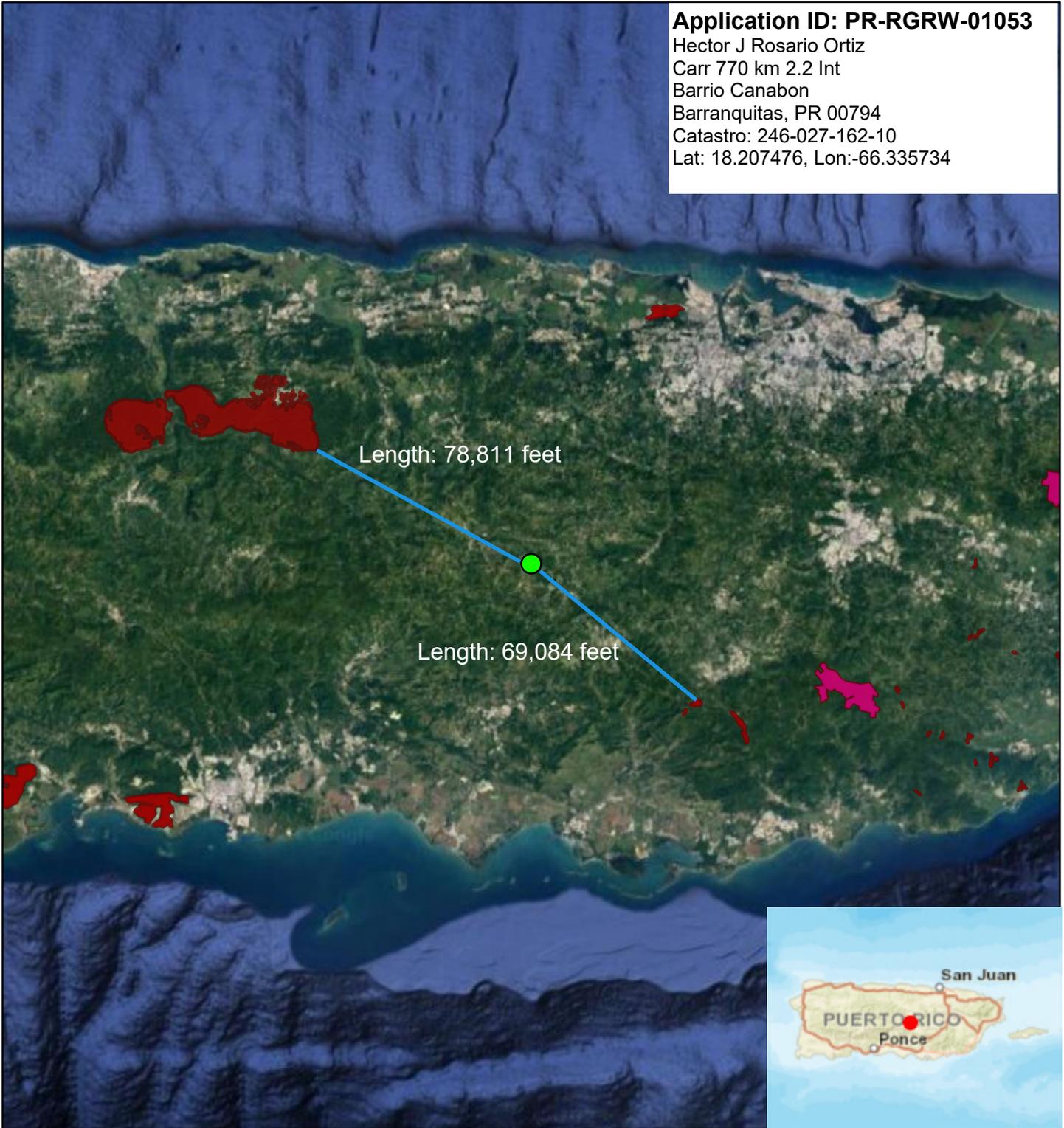
**Source**

U.S. Environmental Protection Agency (EPA)  
Facility Registry Service (FRS)  
<https://www.epa.gov/frs>

Figure 7

# PR-PRGRW-01053 Endangered Species

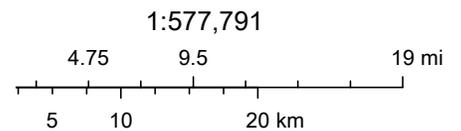
**Application ID: PR-RGRW-01053**  
Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: 18.207476, Lon:-66.335734



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## Critical Habitat for Threatened & Endangered Species

-  Final
-  Proposed
-  USFWS Critical Habitat - Final
-  PR-RGRW-01053



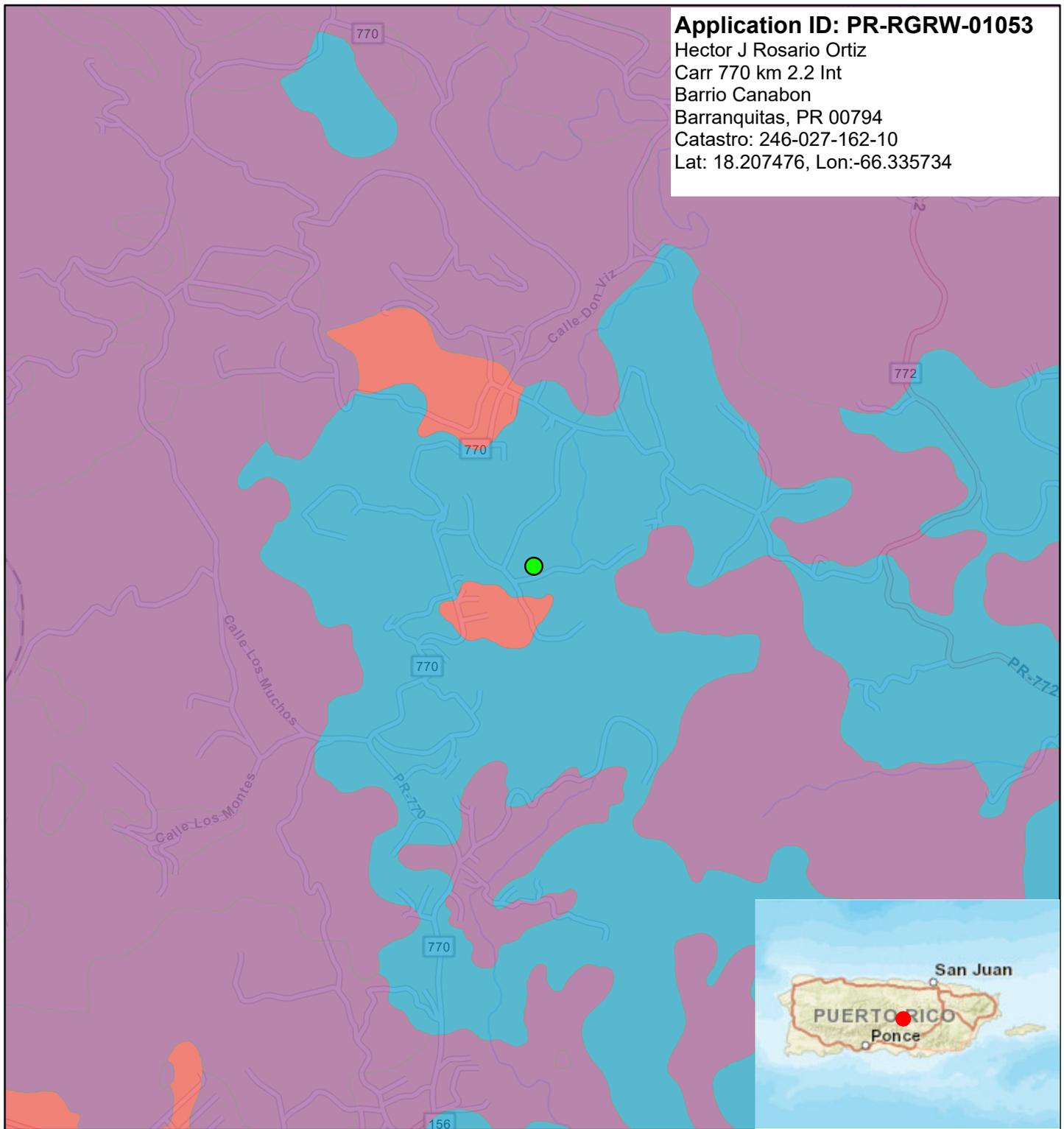
### Source

National Oceanic and Atmospheric Administration (NOAA)  
Office of Response and Restoration  
<https://response.restoration.noaa.gov/>

Figure 8

PR-RGRW-01053 Farmland

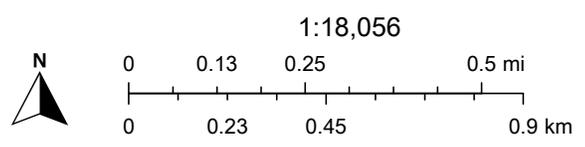
**Application ID: PR-RGRW-01053**  
 Hector J Rosario Ortiz  
 Carr 770 km 2.2 Int  
 Barrio Canabon  
 Barranquitas, PR 00794  
 Catastro: 246-027-162-10  
 Lat: 18.207476, Lon:-66.335734



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 Alta

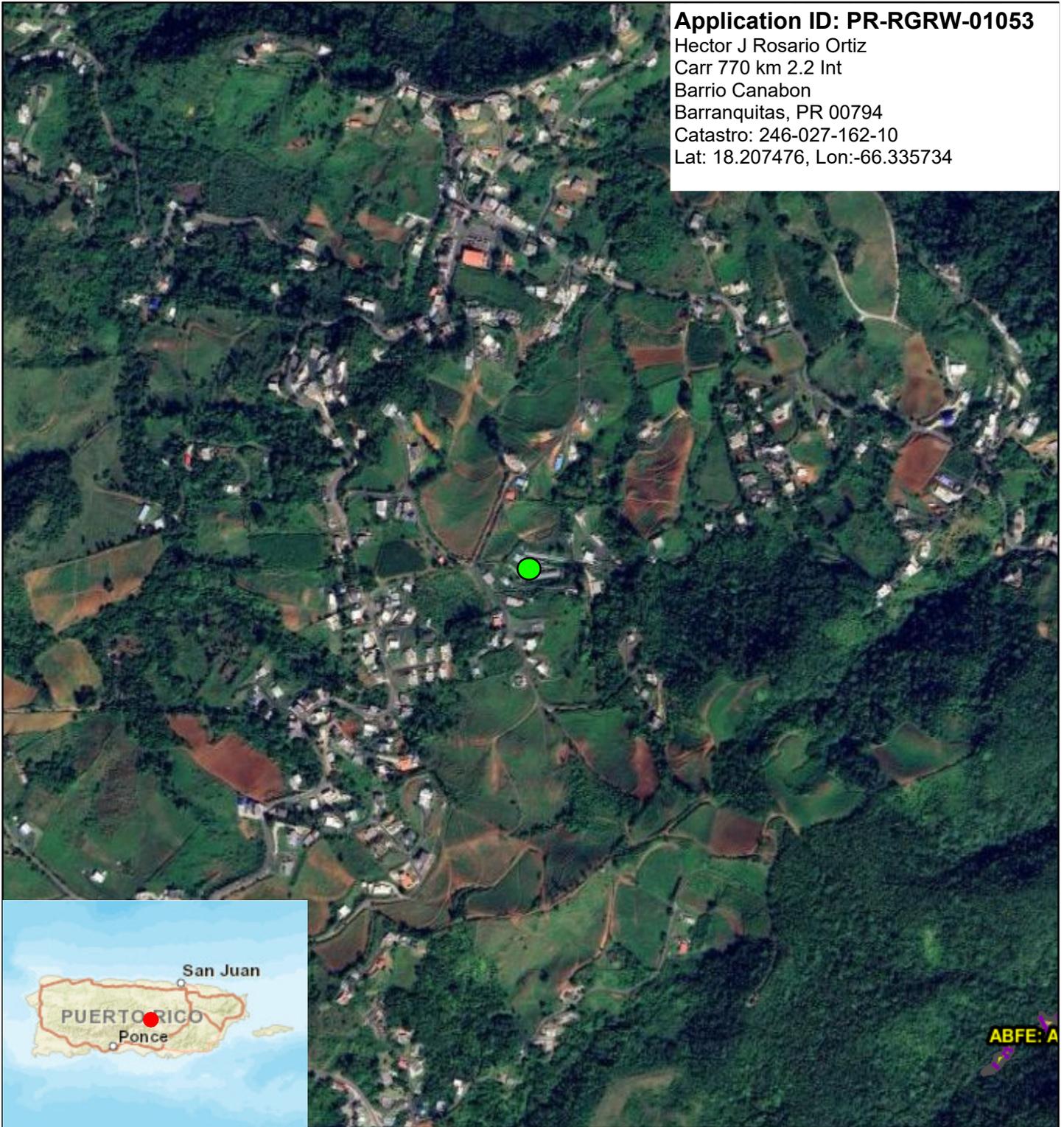
Farmland Protection

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- PR-RGRW-01053



**Source**  
 Natural Resources Conservation Service (NRCS)  
 Gridded Soil Survey Geographic Database (gSSURGO)  
<https://data.nal.usda.gov/dataset/soil-survey-geographic-database-ssurgo>

**Application ID: PR-RGRW-01053**  
Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: 18.207476, Lon:-66.335734



4/17/2023, 10:34:45 AM

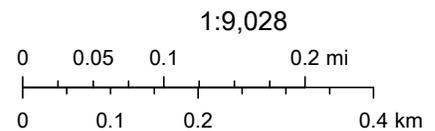
Flood Hazard Zone

- A
- X 0.2% Annual Chance Flood
- Zone/BFE Boundary

Flood Hazard Extent

- 1% Annual Chance Flood
- 0.2% Annual Chance Flood

● PR-RGRW-01053

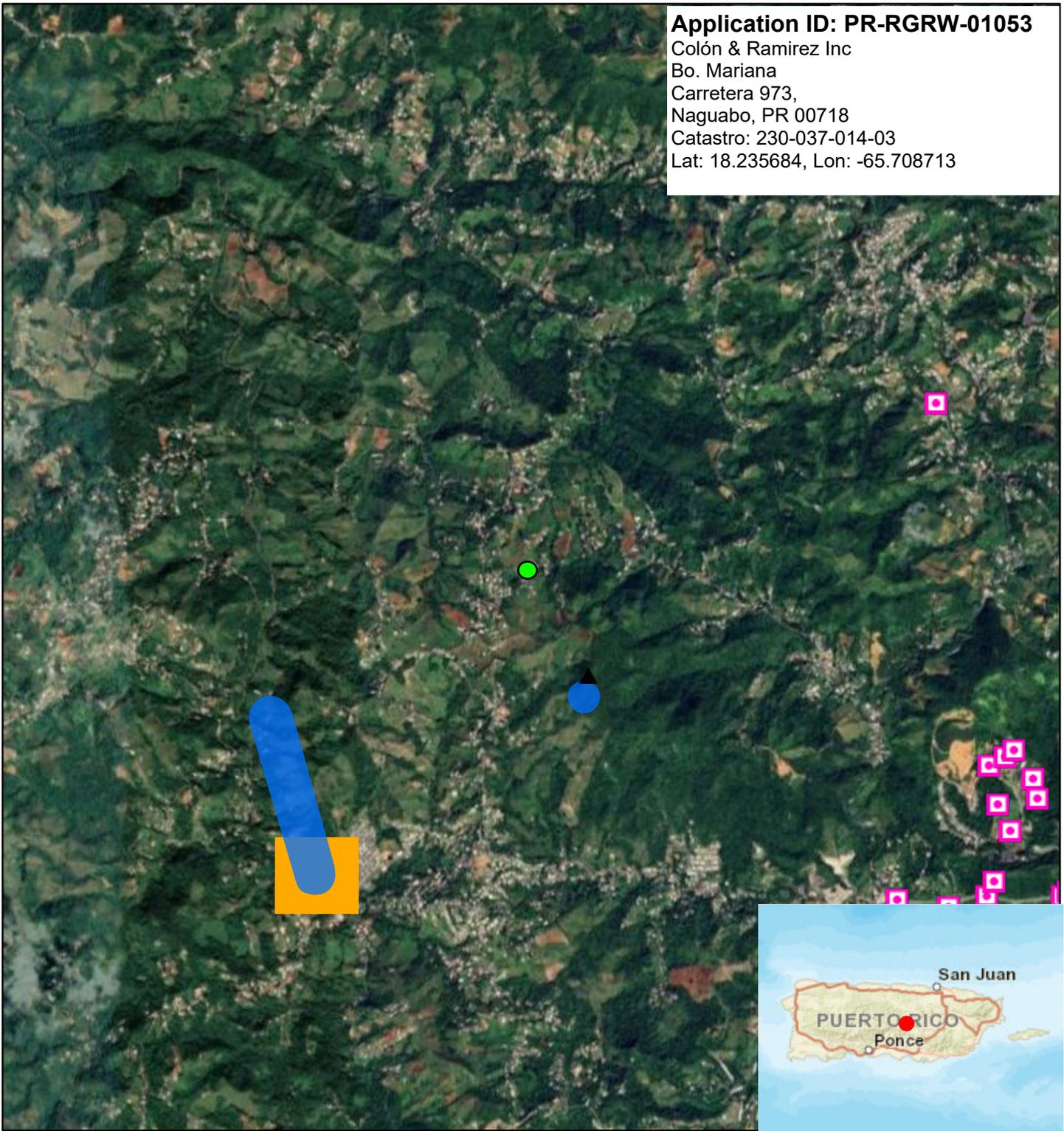


**Source**

Federal Emergency Management Agency (FEMA)  
FEMA's National Flood Hazard Layer  
<https://www.fema.gov/flood-maps/national-flood-hazard-layer>

PR-RGRW-01053 Historic Preservation

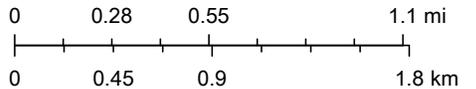
**Application ID: PR-RGRW-01053**  
Colón & Ramirez Inc  
Bo. Mariana  
Carretera 973,  
Naguabo, PR 00718  
Catastro: 230-037-014-03  
Lat: 18.235684, Lon: -65.708713



4/17/2023, 8:57:39 AM

1:36,112

-  Cultural\_Resources - Public Plaza
-  PR-RGRW-01053
-  Cultural\_Resources - Historic Places JP
-  Cultural\_Resources - Scenic Places
-  Cultural\_Resources - Cultural Value Places
-  Cultural\_Resources - Archeological Resources
-  Cultural\_Resources - Sensitive Archeological Areas



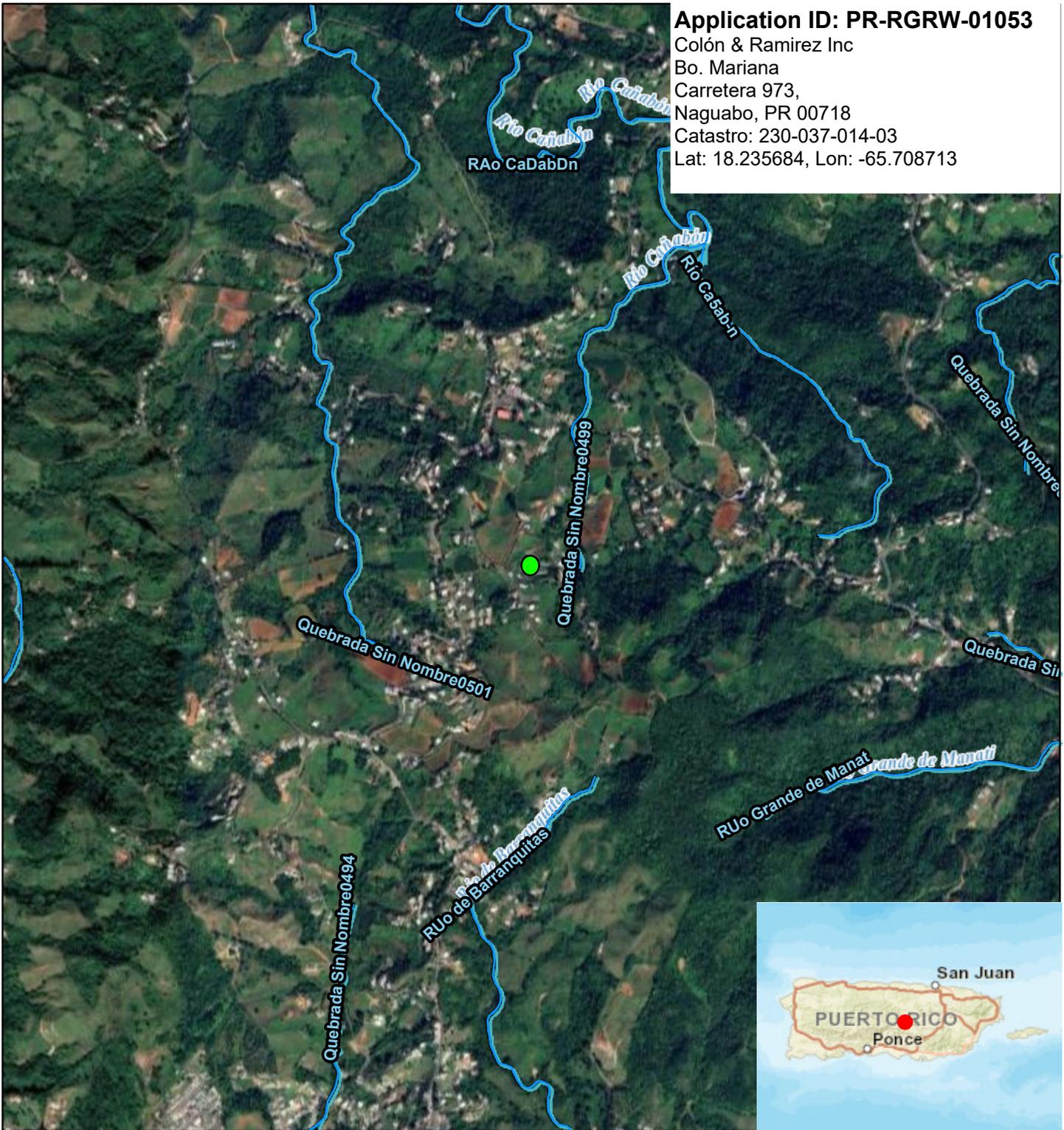
**Source**

National Park Service (NPS) - National Register of Historic Places (NRHP)  
<https://www.nps.gov/subjects/nationalregister/index.htm>  
State Historic Preservation Office (SHPO)  
<https://oech.pr.gov/Pages/default.aspx>

Figure 11

PR-RGRW-01053 Wetland

**Application ID: PR-RGRW-01053**  
Colón & Ramirez Inc  
Bo. Mariana  
Carretera 973,  
Naguabo, PR 00718  
Catastro: 230-037-014-03  
Lat: 18.235684, Lon: -65.708713



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PR-RGRW-01053

Hidrografia - Oficina Plan de Agua

Swamp Marsh

Waterbody - Large Scale

Area - Large Scale

Estuary

Area of Complex Channels

Ice Mass

Area to be Submerged

Lake Pond

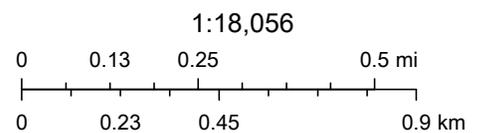
Bay/Inlet

Playa

Bridge

Reservoir

Canal/Ditch



**Source**

U.S. Fish and Wildlife Service (FWS):  
National Wetlands Inventory  
<https://www.fws.gov/program/national-wetlands-inventory>

Figure 12

# PR-RGRW-01053 Wild and Scenic River

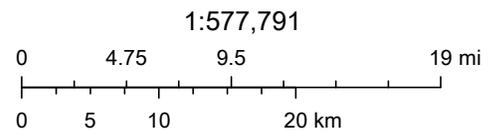
**Application ID: PR-RGRW-01053**  
Colón & Ramirez Inc  
Bo. Mariana  
Carretera 973,  
Naguabo, PR 00718  
Catastro: 230-037-014-03  
Lat: 18.235684, Lon: -65.708713



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 National Wild and Scenic River Line

 PR-RGRW-01053

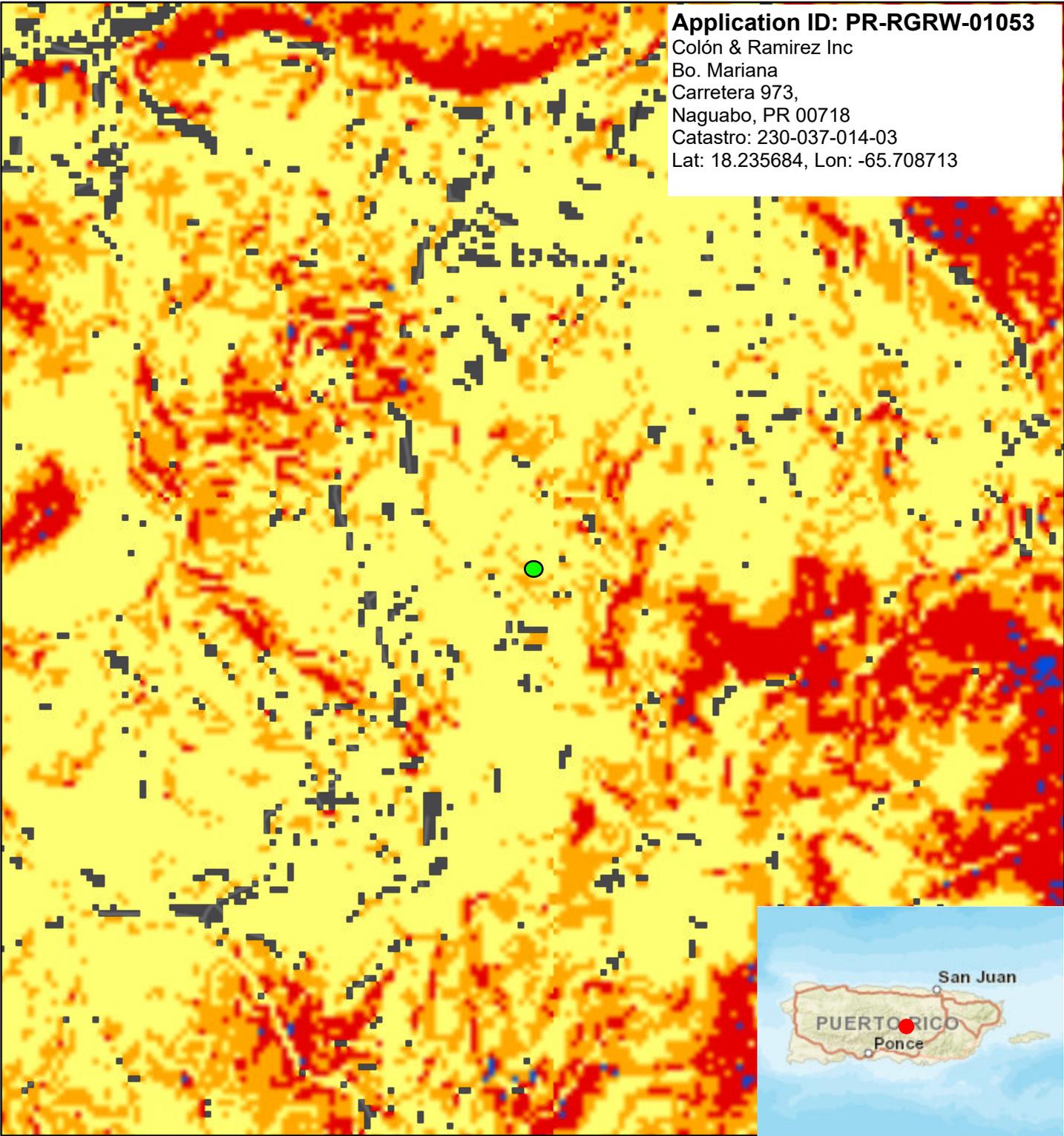


**Source**

U.S. Fish and Wildlife Service (FWS)  
National Wild and Scenic Rivers System  
<https://www.rivers.gov/mapping-gis.php>

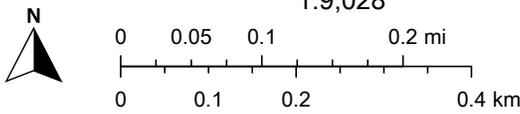
# Figure 13 Landslide

**Application ID: PR-RGRW-01053**  
Colón & Ramirez Inc  
Bo. Mariana  
Carretera 973,  
Naguabo, PR 00718  
Catastro: 230-037-014-03  
Lat: 18.235684, Lon: -65.708713



4/17/2023, 10:04:30 AM

- Landslide Susceptibility**
- Low
  - Moderate
  - High
  - Very High
  - Extremely High
  - PR-RGRW-01053



Source: Landslide data from USGS:  
Esri Imagery Basemap service.

# Appendix 1



**GOVERNMENT OF PUERTO RICO**  
STATE HISTORIC PRESERVATION OFFICE

Executive Director | Carlos A. Rubio-Cancela | [carubio@prshpo.pr.gov](mailto:carubio@prshpo.pr.gov)

June 6, 2023

**Lauren Bair Poche**

HORNE  
10000 Perkins Rowe, Suite 610, Bldg G  
Baton Rouge, LA 70810

SHPO 05-24-23-03 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:  
PR-RGRW-01053 – HECTOR J. ROSARIO ORTÍZ – CARR 770 KM 2.2 INT. BARRIO  
CANABÓN, BARRANQUITAS, PUERTO RICO

Dear Ms. Bair,

Our Office has received and reviewed the above referenced project in accordance with 54 U.S.C. 306108 (commonly known as Section 106 of the *National Historic Preservation Act*) and 36 CFR Part 800: *Protection of Historic Properties*.

Our records support your finding of **no historic properties affected** for this undertaking.

Please note that should you discover other historic properties at any point during project implementation, you should notify the SHPO immediately. If you have any questions regarding our comments, please do not hesitate to contact our Office.

Sincerely,

Carlos A. Rubio-Cancela  
State Historic Preservation Officer

CARC/GMO/MB



May 24, 2023

Carlos A. Rubio Cancela  
State Historic Preservation Officer  
Puerto Rico State Historic Preservation Office  
Cuartel de Ballajá (Tercer Piso)  
San Juan, PR 00902-3935

**Puerto Rico Disaster Recovery, CDBG-DR Re-Grow PR Urban-Rural Agricultural (Re-Grow PR) Program**

**Section 106 NHPA Effect Determination Submittal: PR-RGRW-01053– Hector J. Rosario Ortíz - Carr 770 Km. 2.2 Int. Barrio Canabón, Barranquitas, Puerto Rico– *No Historic Properties Affected***

Dear Architect Rubio Cancela,

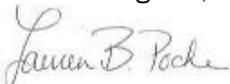
In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH) and the Home Repair, Reconstruction, or Relocation (R3) Program. On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds was approved by the United States Department of Housing and Urban Development (HUD) under the Federal Register Volume 83, No. 28, 83 FR 5844, to assist the Commonwealth of Puerto Rico in meeting unmet needs in the wake of Hurricanes Irma and Maria. On August 14, 2018, an additional \$8.22 billion recovery allocation was allocated to Puerto Rico under the Federal Register Volume 83, No. 157, 83 FR 40314. With these funding allocations, the Puerto Rico Department of Housing (Housing) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents.

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by Hector J Rosario Ortíz at Bo. Canabón, Carr. 770 Km. 2.2 Int. in the municipality of Barranquitas. The proposed activities at the farm of Hector J. Rosario Ortíz consist of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV. The solar panels will be installed on top of the warehouse's new roof. The installation of the water well will require ground disturbance. The estimated area of disturbance for the new well is approximately 5 feet in diameter. Two locations for the well are being considered.

Based on the submitted documentation, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.

Please contact me by email at [lauren.poche@horne.com](mailto:lauren.poche@horne.com) or phone at 225-405-7676 with any questions or concerns.

Kindest regards,



**Lauren Bair Poche, M.A.**

Architectural Historian, Historic Preservation Senior Manager  
Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REgROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant: Hector J. Rosario Ortíz</b>		
<b>Case ID: PR-RGRW-01053</b>		<b>City: Barranquitas</b>
<b>Project Location:</b> Carr 770 Km. 2.2 Int. Barrio Canabón		
<b>Project Coordinates:</b> 18.207596 -66.335931 (solar panels), 18.207484 -66.335617 (water well)		
<b>TPID (Número de Catastro):</b> 246-027-162-10		
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction		
<b>Construction Date (AH est.):</b> n/a		<b>Property Size (acres):</b> 1.27
<b>SOI-Qualified Archaeologist:</b> Jaqueline López Meléndez		
<b>Date Reviewed:</b> April 14, 2023		

In compliance with Section 106 of the National Historic Preservation Act (NHPA), the Program is responsible for identifying historic properties listed in the NRHP and any properties not listed that would be considered eligible for listing that are located within the geographic area of potential effects (APE) of the proposed project and assessing the potential effects of its undertakings on these historic properties.

### Project Description (Undertaking)

The proposed activities for PR-RGRW-01053, consist of installing/constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV. The solar panels will be installed on top of the warehouse new roof. The installation of the water well will require ground disturbance. The estimated area of disturbance for the new well is approximately 5 feet in diameter. Two locations for the well are being considered. The first location is at latitude 18.207484, longitude -66.335617. The alternative location is at latitude 18.207352, longitude -66.335308. The project area is located at PR-770 km. 2.2 Int., Canabon ward within the Municipality of Barranquitas. Based on a review of historical aerial imagery, the general area the general area has been used for cultivation for the past 17 years.

### Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the water well and the warehouse for agricultural

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGrow PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
<b>Applicant: Hector J. Rosario Ortíz</b>	
<b>Case ID: PR-RGRW-01053</b>	<b>City: Barranquitas</b>

purpose plus a 15-meter buffer and the visual APE is the viewshed of the proposed project. The APE measures approximately 550 Square meters.

### **Identification of Historic Properties - Archaeology**

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no reported archaeological materials or significant cultural properties within a half-mile (mi) radius of the project location. The proposed project is located in mountainous area at an elevation of 2,580 feet (ft; 786 meters [m]) above modern sea level. Per the USGS/NRCS Web Soil Survey, is within mapped soil series: Humatas. The project area APE is in the. The closest freshwater source is unnamed creek, located 0.11 miles east (0.17 kilometers [km] east) of the project area. The south coast is approximately 15.82 miles (25.46 km) from the project area.

The nearest archaeological site is La Toje (ICP: BR-2) located 0.81 miles northwest. This is a Pre-Columbian residuary site. Within the 0.50 miles radius there are no reported archaeological studies.

The project area is located in the mountainous area of Barranquitas with irregular topography. In the project area we have Humatas clay soils, 20 to 40 percent slopes, (HtE). This is a steep, well drained soil on side slopes and ridgetops of strongly dissected humid uplands. This soil is difficult to work because it is steep and because of the stickiness and plasticity of the clay.

On March 27, 2023 we visited the project area. The property is located on a slope. This slope descends towards the northeast and ascends towards the south. It is bordered to the south by a paved public road. The water tank will be placed to the southeast of an existing greenhouse and improvements to the warehouse roof will be made to the northwest of the same greenhouse.

Visual inspection of the APE of the building and its surroundings found no evidence of cultural materials.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGrow PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Hector J. Rosario Ortíz</b>	
<b>Case ID: PR-RGRW-01053</b>	<b>City: Barranquitas</b>

### **Determination**

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that the project actions will not affect historic properties. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-01053 is located. The closest freshwater body is approximately 0.11 miles east of the project area. The topography and soil types are not suited to Pre-Columbian settlements. The construction of public roads and residential structures/agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no impact to cultural properties is anticipated for this reconstruction project.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Applicant: Hector J. Rosario Ortíz</b>	
<b>Case ID: PR-RGRW-01053</b>	<b>City: Barranquitas</b>

**Recommendation (Please keep on same page as SHPO Staff Section)**

The Puerto Rico Department of Housing requests that the Puerto Rico SHPO concur that the following determination is appropriate for the undertaking (Choose One):

- No Historic Properties Affected
- No Adverse Effect  
Condition (if applicable):
- Adverse Effect  
Proposed Resolution (if applicable)

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

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



Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas

### Project (PR-RGRW-01053) Location – Area of Potential Effect Map (Aerial)

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Coro. Beria 1 Suite 203, Calle Perseo 364, Arroyo, San Juan, PR. 00920 781.787.783 #200

Application ID: PR-RGRW-01053

Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: See List Below, Lon: See List Below

## Area of Potential Effect

Puerto Rico Department of Housing ReGrow



**Legend**

- PR-RGRW-01053 Applicant Structure
- Area of Potential Effect
- PR-RGRW-01053 Parcel
- CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Source: Esri, Maxar, Earthstar, Geographics, and the GIS User Community and Google Earth



**Source**

Centro de Recaudación de Ingresos Municipales (CRIM)  
<https://catastro.crimpr.net/odprpc/>

Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas

### Project (PR-RGRW-01053) Location - Aerial Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Coro, Suite 1 Suite J-5, Calle Perseus 554, Atarés, San Juan, PR, 00901 Tel: (787)793-0290

Application ID: PR-RGRW-01053

Hector J Rosario Ortíz

Carr 770 km 2.2 Int

Barrio Canabon

Barranquitas, PR 00794

Catastro: 246-027-162-10

Lat: See List Below, Lon: See List Below

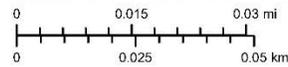
## Location: Aerial Map

Puerto Rico Department of Housing ReGrow



**Legend**

- PR-RGRW-01053
- PR-RGRW-01053 Parcel
- CRIM Parcels



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



**Source**

Centro de Recaudación de Ingresos Municipales (CRIM)  
<https://catastro.crimpr.net/cdprpc/>



Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas

### Project (PR-RGRW-01053) Location - USGS Topographic Map



Application ID: PR-RGRW-01053

Hector J Rosario Ortiz

Carr 770 km 2.2 Int

Barrio Canabon

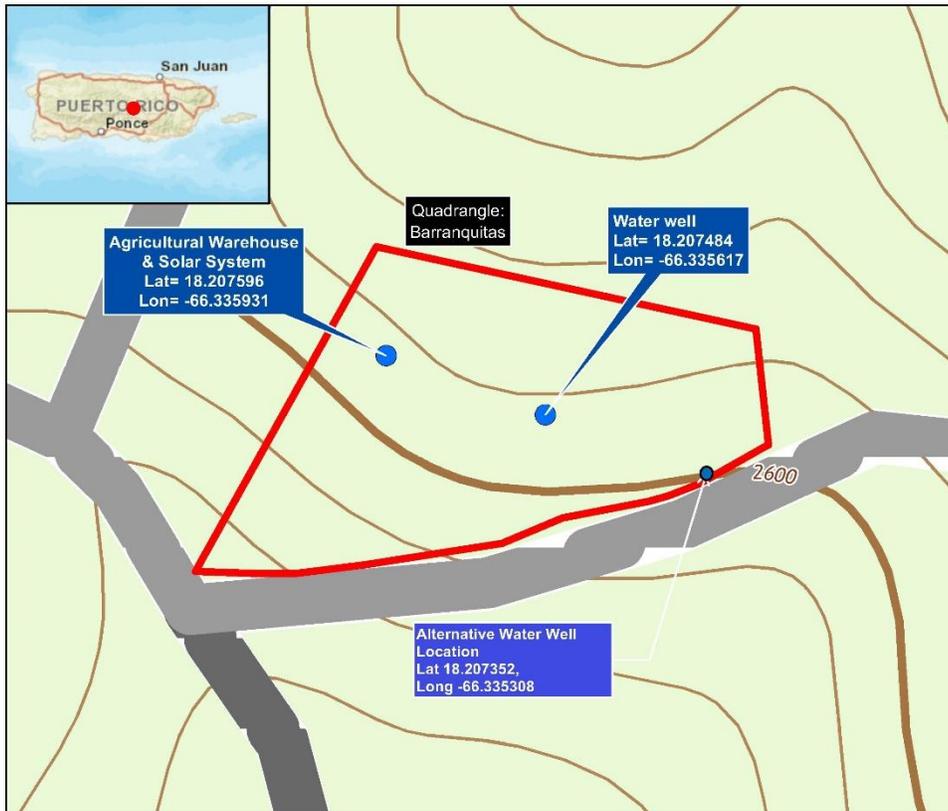
Barranquitas, PR 00794

Catastro: 246-027-162-10

Lat: See List Below, Lon: See List Below

## Location: USGS Topographic Map

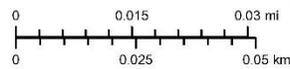
Puerto Rico Department of Housing ReGrow



#### Legend

- PR-RGRW-01053
- PR-RGRW-01053 Parcel

Contour Interval 20 Feet



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



#### Source

United States Geological Survey (USGS)  
National Geologic Map Database  
[https://ngmdb.usgs.gov/ngmdb/ngmdb\\_home.html](https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html)

Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas

Project (PR-RGRW-01053) Location – Soils Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
©2018, Barrio 1 Suite J-3, Calle Ponce 50-4, Alamo, San Juan, PR, 00920 Tel: (787) 783-0200

Application ID: PR-RGRW-01053

Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: See List Below, Lon: See List Below

Soils Map  
Puerto Rico Department of Housing ReGrow

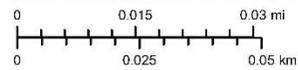


Legend

- PR-RGRW-01053
- PR-RGRW-01677 Parcel
- Soil Map Unit Symbol

Soil Map Unit Symbol

- DaD - Daguey clay, 12 to 20 percent slopes
- HIE - Humatas clay, 20 to 40 percent slopes



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), Swire, © OpenStreetMap contributors, and the GIS User Community  
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth



Source

Natural Resources Conservation Service (NRCS)  
Gridded Soil Survey Geographic Database (gSSURGO)  
<https://data.nal.usda.gov/dataset/soil-survey-geographic-database-ssurgo>

**Project (PR-RGRW-01053) Location with Previous Investigations - Aerial Map**

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Client: Borin 1 Suite J-3, Calle Paraiso 554, Atarés, San Juan, PR. 00920 Tel: (787) 759-0290

Application ID: PR-RGRW-01053

Hector J Rosario Ortiz

Carr 770 km 2.2 Int

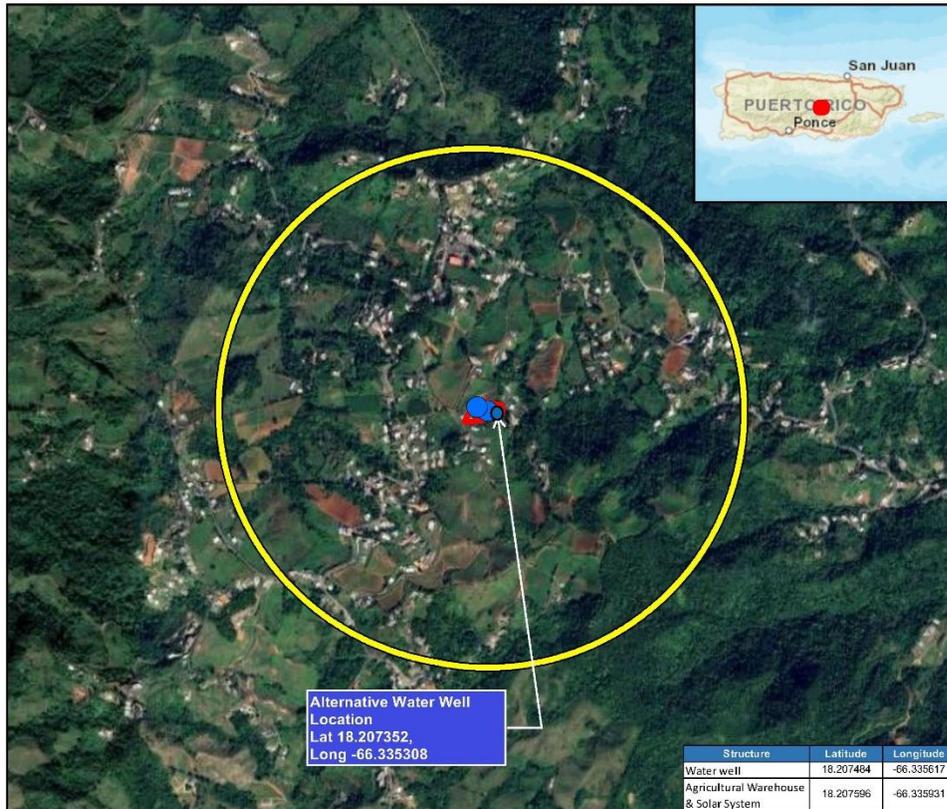
Barrio Canabon

Barranquitas, PR 00794

Catastro: 246-027-162-10

Lat: See List Below, Lon: See List Below

**Previous Investigations: Aerial Map**  
Puerto Rico Department of Housing ReGrow

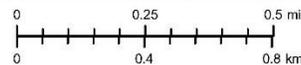


Alternative Water Well  
Location  
Lat 18.207352,  
Long -66.335308

Structure	Latitude	Longitude
Water well	18.207464	-66.335617
Agricultural Warehouse & Solar System	18.207596	-66.335931

**Legend**

- PR-RGRW-01053
- PR-RGRW-01053 Parcel
- 0.50 Mile (0.80 km) Buffer



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community and Google Earth

Source



Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas

**Project (PR-RGRW-01053) Location with Previously Recorded Cultural Resources  
USGS Topographic Map**

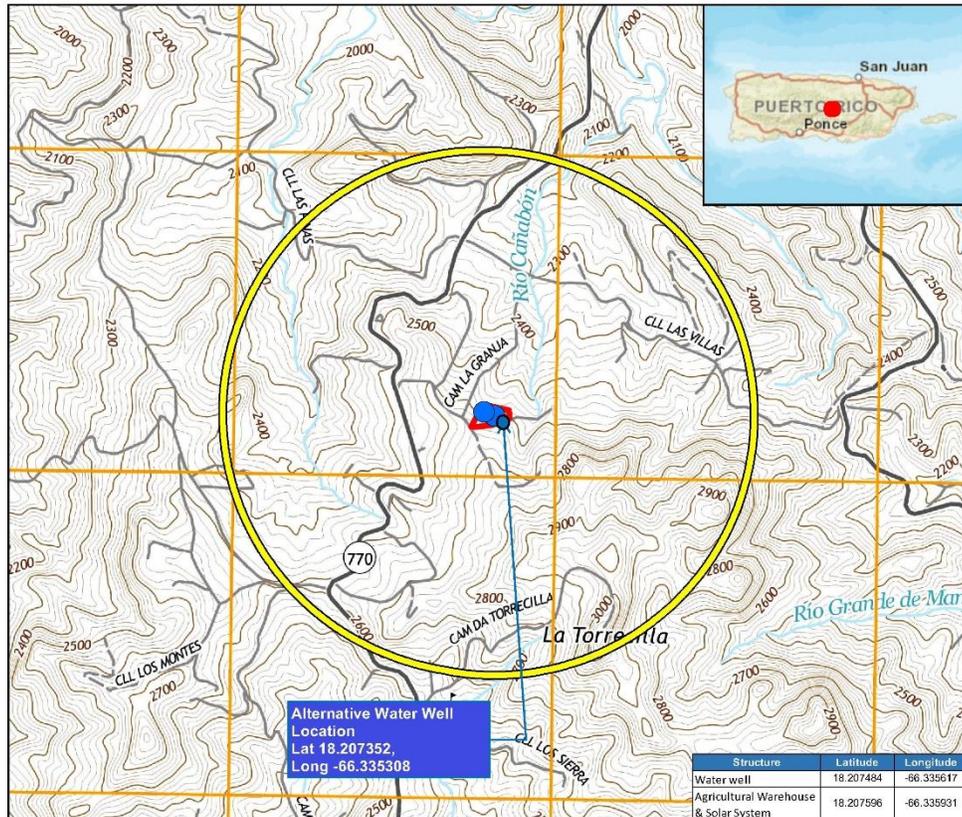


Application ID: PR-RGRW-01053

Hector J Rosario Ortiz  
Carr 770 km 2.2 Int  
Barrio Canabon  
Barranquitas, PR 00794  
Catastro: 246-027-162-10  
Lat: See List Below, Lon: See List Below

Previous Investigations: USGS Topographic Map

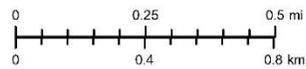
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01053
- PR-RGRW-01053 Parcel
- 0.50 Mile (0.80 km) Buffer

Contour Interval 20 Feet



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Source

United States Geological Survey (USGS)  
National Geologic Map Database  
[https://ngmdb.usgs.gov/ngmdb/ngmdb\\_home.html](https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html)



Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas



Photo #: 1

Description: Area where the water well will be installed, looking northwest.

Date: March 27, 2023



Photo #: 2

Description: Alternative location for the water well installation, looking southwest.

Date: March 27, 2023

Applicant: Hector J. Rosario Ortíz

Case ID: PR-RGRW-01053

City: Barranquitas



Photo #: 3

Description: Existing warehouse roof to be rebuild with steel and galvalume, looking northeast.

Date: March 27, 2023



Photo #: 4

Description: Warehouse entrance, looking southwest.

Date: March 27, 2023



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT

## **Appendix 2**



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

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

Data is current as of March 31, 2023

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

\* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m<sup>3</sup>) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

Important Notes

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

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or Part County	Population (2010)	State/County FIPS Codes
<b>PUERTO RICO</b>								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11121314151617181920212223	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	181920212223	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	52,441	72/137

Important Notes

## **Appendix 3**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
Post Office Box 491  
Boqueron, PR 00622-0491  
Phone: (787) 834-1600 Fax: (787) 851-7440  
Email Address: [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

In Reply Refer To:  
Project Code: 2023-0125666  
Project Name: PR-RGRW-01053

September 08, 2023

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](mailto: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](mailto: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
- 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

(787) 834-1600

---

## PROJECT SUMMARY

Project Code: 2023-0125666  
Project Name: PR-RGRW-01053  
Project Type: Restoration / Enhancement - Agricultural  
Project Description: The proposed activities for PR-RGRW-01053, consist of installing/ constructing a new 6 inches diameter (8 inches perforation) and 800 feet deep water well, a rebuild of a 30 x 40 feet warehouse roof with structural steel and galvalume, solar panel system (34 solar panels and 2 batteries), and the purchase of an ATV. The solar panels will be installed on top of the warehouse new roof. The installation of the water well will require ground disturbance. The estimated area of disturbance for the new well is approximately 5 feet in diameter. Two locations for the well are being considered. The first location is at latitude 18.207484, longitude -66.335617. The alternative location is at latitude 18.207352, longitude -66.335308. The 6” water well will also be installed following the standards and regulations of the Puerto Rico Department of Natural and Environmental Resources (DNER). The power source will be provided by the new solar panels. The project area is located at PR-770 km. 2.2 Int., Canabon ward within the Municipality of Barranquitas. Based on a review of historical aerial imagery, the general area has been used for cultivation for the past 17 years.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.2075642,-66.33562347765472,14z>

---



Counties: Barranquitas County, Puerto Rico

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 2 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 Fisheries<sup>1</sup>, 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.

## REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/665CUSOCJBAJ7OXIAUX5HUQQI4/documents/generated/6941.pdf">https://ipac.ecosphere.fws.gov/project/665CUSOCJBAJ7OXIAUX5HUQQI4/documents/generated/6941.pdf</a>	Endangered

## FLOWERING PLANTS

NAME	STATUS
Palo De Nigua <i>Cornutia obovata</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4918">https://ecos.fws.gov/ecp/species/4918</a>	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.

## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
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.

## MIGRATORY BIRDS FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

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

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as

---

occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

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

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

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

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

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

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

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

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can

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implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

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

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

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

## **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.

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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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

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## **IPAC USER CONTACT INFORMATION**

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