

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-01313

Project Name: Luz A. Torres Hernández

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Orocovis, PR

Preparer: Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodríguez, Ivelisse Lorenzo, Janette Cambrelen, Santa Ramirez, Limary Vélez Marrero, Mónica M. Machuca Ríos, Javier Mercado-Barrera, Abdul Feliciano Plaza and Priscilla Toro Rivera. María T. Torres Bregón - Environmental Manager, Angel G. Lopez Guzman - Deputy Director, Aldo A. Rivera-Vazquez – Director for Program Management, and Juan Carlos Perez Bofill - Director for Disaster Recovery CDBG Program.

Consultant: Behar Ybarra & Associates LLC

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

Project Location:

Carr. 593 Km 0 H6, Bo. Saltos, Orocovis, Puerto Rico, 00720

Storage infrastructure location: latitude 18.202909 longitude -66.437147

Parcel cadastral #: 244-050-095-53-000

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

The proposed activities for PR-RGRW-01313 consist of the demolition of an existing storage and the construction of a new storage infrastructure. Before Hurricane Maria, the structure measured approximately 22 feet by 80 feet. After the hurricane, only a section measuring about 22 feet by 10 feet remained. This remaining section, including its foundation, will be demolished. The new storage that will measure 40 feet wide, 70 feet

long and 13 feet high, and will be used to store and package plantains and bananas. The warehouse will be made of steel and galvalume. The new storage will be placed on a concrete slab and will measure 40 feet wide and 70 feet long with a depth of 8 inches. The complete cost of the concrete slab will be covered by the applicant. It will include a bathroom that connects to an already existing septic tank situated on the north-facing right side of the structure, with all related sewer lines already in place and no additional piping required. The water needed for the operation of the new storage will be supplied via a new potable water line, approximately 200 feet in length, which will be installed above ground from an existing community water well. The complete cost of this new water line will be covered by the applicant. No ground disturbance will be necessary for the installation of the water lines. The power for the storage operation will be supplied by an existing PREPA/LUMA connection on the property. The project area is located at PR-593 km. 0 H6, Bo. Saltos within the Municipality of Orocovis.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of storage. 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 storage plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

A site Map is included in Figure 1, illustrating the location of the storage on the property. Photos of the location are included in Section 106 documentation, Appendix 1. Refer to Appendix 3 for Site Inspection Report.

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 construction of a new 40 feet by 70 feet storage infrastructure is in keeping with the overall objectives of the Economic Development Program.

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

The area where the new storage will be built has flat topography and has slopes near it. Before Hurricane Maria, the structure measured approximately 22 feet by 80 feet. After the hurricane, only a section measuring about 22 feet by 10 feet remained. The warehouse will be used for the storage and packaging of plantains and bananas. Vegetation or tree removal will not be necessary for the proposed project. Therefore, there is little to no change in land use associated with these placements.

Funding Information

Grant Number	HUD Program	Funding Amount
B-18-DP-72-0001	Community Planning and	\$11,938,162,230.00
B-17-DP-72-0001	Development (CPD) /	

B-19-DP-78-0002 B-18-DE-72-0001	Community Development Block Grant - Disaster Recovery (CDBG-DR)	
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Estimated Total HUD Funded Amount: \$100,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$109,910.00.

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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is the construction of a new 40 feet by 70 feet storage infrastructure will have no impact on any Airports. The site is located 82,258 feet from the nearest major civil airport (Mercedita International Airport in Ponce) and 169,254 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.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not located in a CBRS Unit. The project is located 76,656 feet northeast of the nearest Coastal Barrier Resource System, PR-51. Therefore, this

<p>Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>		<p>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>Flood Insurance</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 <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in Zone X, Panel 72000C1135H, 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. The project is in compliance with the Flood Insurance without further evaluation.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural site located in the Municipio of Orocovis. The project 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 country by year for all criteria pollutants in Appendix 2.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located 70,481 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural project. A site inspection of the project area and property was conducted and on-site or</p>

		<p>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. According to what was observed in the site inspection and what was searched on the NEPAassist page, there are no sites of environmental concern identified within 3,000 feet near the storage location.</p> <p>HUD's environmental regulations at 24 CFR 58.5(i)(2)(i) and (ii)4 state that, [i]t is HUD's policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. For the proposed project, which involves constructing a storage facility, radon analysis will not be required. This is because the facility qualifies for an exemption, as it is a non-residential building that will not be occupied for more than 4 hours per day.</p> <p>After conducting an aerial review history of the project site over the past 20 years, the use of the area has always been the planting of plantain and banana trees. It continues to be rural, with no significant changes during this period that raise any contamination concerns.</p> <p>The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6. See Appendix 3 for Site Inspection Report.</p>
Endangered Species	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department

Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402

of Natural and Environmental Resources (DNER) database, the Puerto Rican boa (*Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican parrot (*Amazona vittata*) and Puerto Rican sharp-shinned hawk (*Accipiter striatus venator*) could be found in the project area. The scope of work includes continued agricultural use of the property. The area where the storage will be placed has a flat topography.

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on August 7, 2023, were used to evaluate the potential impacts to federally listed species from this project. Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa, Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk, which determined that the proposed actions for this project would have "may affect but not likely to affect" (NLAA) for these species.

An Informal Consultation was submitted to USFWS on 5/15/2024 and Concurrence Letter was received on 6/25/2024. The Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican boa, Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk.

Based on the nature of the project, scope of work, information available and existing habitat, the Service concur with PRDOH's determinations that the proposed project may affect but is not

likely to adversely affect (NLAA) the Puerto Rican parrot since the project area has been used for agricultural purposes for over 10 years. Although there will be no tree removal, the Service recommends the following conservation measures:

All personnel must be informed of penalties under the Endangered Species Act for harming protected species. During the breeding seasons of the Puerto Rican parrot (February-June), broad-winged hawk, and sharp-shinned hawk (both December-June), nest surveys must be conducted by qualified personnel with the appropriate permits before starting any work that impacts habitat. If nests are found, a 50-meter buffer must be maintained until fledglings leave. Outside breeding seasons, this buffer applies if a nest is encountered. Any sightings or incidental lethal takes must be reported to the USFWS Caribbean Ecological Services Field Office.

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.

<https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf>

The project is 52,049 feet from the nearest final endangered species critical habitat.

This project is in compliance with the Endangered Species Act. See attached

		USWFS Concurrence letter and supporting documents in Appendix 4. See attached Endangered Species map, Figure 7.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project consists of the construction of a new 40 feet by 70 feet storage infrastructure and does not include development, construction or rehabilitation that will increase residential density or the construction of a hazardous facility. This project is in compliance with Explosive and Flammable hazards without further evaluation.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in an area designated as not prime farmland. The scope of work includes the construction of a new 40 feet by 70 feet storage infrastructure, and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is not located in the 100-year floodplain or ABFE special flood hazard area; therefore, no further action is required. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Orocovis; therefore, PFIRM information was not available for the area and therefore was not considered in the review. Since the project site does not lies within the 1 percent (100-year) or the .2 percent

		<p>(500-year) floodplains on the ABFE or FIRM, it is not within the FFRMS.</p> <p>The project is in compliance with Executive Order 11988, as amended by Executive Order 13690. See attached ABFE Map (Figure 9).</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The site was visited on August 29, 2024, by SOI-qualified archaeologist. Based on the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to installation of the storage. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated August 1, 2024, SHPO concurred with a finding of No Historic Properties Affected 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 National Historic Preservation Act.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project consists of the construction of a new 40 feet by 70 feet storage infrastructure 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 perspective. This topic is in compliance with Noise abatement and Control without further evaluation.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended,</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no EPA Sole Source Aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further</p>

particularly section 1424(e); 40 CFR Part 149		evaluation. See attached Sole Source Aquifers maps, Figure 11.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no wetlands in or near the proposed project area, therefore, no wetland will be affected by the project undertaking. The project is in compliance with Executive Order 11990, as amended by EO 13690. See the attached Wetlands map, Figure 12.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of the NWSRS river. The project is located 226,505 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 13.
ENVIRONMENTAL JUSTICE		
Environmental Justice 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. Refer to Appendix 3 for EJ Screen Report.

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 provide. 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
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	This project consists of the construction of a new 40 feet by 70 feet storage infrastructure and is continued agricultural use of property which is compatible with a zoning code of AP (Agricultural Productive) and existing land use of SREP-A (Rustic Specially Protected Agricultural Land). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>This project consists of the construction of a new 40 feet by 70 feet storage infrastructure. 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. The soil in this area has been classified as Mucara clay, 40 to 60 percent slopes (MxF). This soil is moderately deep, very steep and well drained.</p> <p>The landslide data indicates moderate to high landslide susceptibility; however, no erosion is expected to occur from this project. The project will not affect the drainage in the area. Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager or applicant should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities. There will be no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 14.</p>
Hazards and Nuisances including	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure. There are no specific

Site Safety and Noise		environmental hazards that have been identified for this site. The site is not in a high Noise Level area. The project does not include housing or such to where inhabitants would be affected.
Energy Consumption	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure on an existing agricultural farm. The power for the storage operation will be supplied by an existing PREPA/LUMA connection on the property. The project will be connected to the local utility, minor impacts on usage will occur. Applicant will need to obtain any permits or authorization from PREPA/LUMA to expand the connection.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure and will result in short-term benefit to employment when contractors are hired for the construction and installation of the storage infrastructure. 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 project consists of the construction of a new 40 feet by 70 feet storage infrastructure and will not alter the demographic characteristics of Orocovis, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	In the project area within a one-mile radius: <ul style="list-style-type: none"> The people of color are 100% compared to PR average of 97%.

		<ul style="list-style-type: none"> • 80 % of the people are low income compared to the PR average of 70%. • 28 % of the people are unemployed compared to the PR average of 14%. <p>The proposed activities of the installation of the storage will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJ Screen Report in Appendix 3.</p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure and will not have any negative impact on commercial facilities since the purpose of the infrastructure is for storage of plantain and bananas.
Health Care and Social Services	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure and 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 project consists of the construction of a new 40 feet by 70 feet storage infrastructure. Based on the scope of work, the project includes a bathroom, however, is not expected to result in any changes in wastewater or sanitary sewer generation. The bathroom will connect to an already existing septic tank situated on the north-

		<p>facing right side of the structure, with all related sewer lines already in place and no additional piping required. The applicant must verify the condition of the sewer lines and, if needed, obtain a permit for using the sewer system. The proposed project will have no impact on Wastewater / Sanitary Sewers.</p>
Water Supply	2	<p>The project consists of the construction of a new 40 feet by 70 feet storage infrastructure. The water needed for the operation of the new storage will be supplied via a new potable water line, approximately 200 feet in length, which will be installed above ground from an existing community water well. The complete cost of this new water line will be covered by the applicant. No ground disturbance will be necessary for the installation of the water lines. The proposed project will have no impact on the water supply.</p>
Public Safety - Police, Fire and Emergency Medical	2	<p>The project consists of the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural site and will have no impact on Public Safety.</p>
Parks, Open Space and Recreation	2	<p>The project consists of the construction of a new 40 feet by 70 feet storage infrastructure and will have no impact on Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.</p>
Transportation and Accessibility	2	<p>The project consists of the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural site and will have no impact on transportation and accessibility.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<p>The project consists of the construction of a new 40 feet by 70 feet storage infrastructure and will be situated on previous agriculture property and will have no impact on unique natural features or water resources. There are no water resources within the</p>

		parcel. This means that the project's activities are isolated from any existing water bodies, further reducing the likelihood of impact. Therefore, the project will have no impact on water resources.
Vegetation, Wildlife	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure and will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the storage but no negative impact on wildlife. For the installation of the storage warehouse the removal of vegetation will not be necessary.
Climate Change	2	The project consists of the construction of a new 40 feet by 70 feet storage infrastructure. 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. Regarding the project's susceptibility to climate change, the agricultural components may still face challenges from potential drought conditions, even though local water connections are planned. While the project is small and not expected to have a measurable impact on climate change factors, reliance on local water sources could mitigate some risks associated with drought.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): August 29, 2024, Jaqueline Lopez, SOI-Qualified Archaeologist. Field Site Inspection performed by Egon Gonzalez on August 7, 2023.

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

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

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

National Park Service, National Registry of Natural Landmarks.

www.nature.nps.gov/nnl/docs/NNLRegistry.pdf

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

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

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

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

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

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

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

US Fish and Wildlife Service, Environmental Conservation Online System:

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

Federal Emergency Management Agency, Flood Mapping Service:

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

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

US Fish and Wildlife Service, National Wetlands Inventory:

www.fws.gov/wetlands/data/mapper.html (compilation of numerous maps)

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

NOAA Fisheries / National Marine Fisheries Service, NEPA Coordinator Southeast Regional

Office. Communication on October 16, 2018 regarding designated critical habitat. (No response).

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

List of Permits Obtained: None.

Public Outreach [24 CFR 58.43]: The recovery process has seen significant proactive involvement from the local community. 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 the construction of a new 40 feet by 70 feet storage infrastructure for an agricultural site. While the activities related to the storage installation are discrete and confined to the immediate project area, utility connections, including water and electrical lines, have been considered in the cumulative impact analysis and are not expected to result in significant environmental effects. They do not extend beyond the boundaries of the site, minimizing the potential for cumulative effects on surrounding environments. The project's location on an existing agricultural site suggests that the area may have already undergone land use changes and modifications.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant would consider other locations for the new storage. However, other locations may result in tree clearing prior to construction and/or need to fill in some steep area and an added cost to the applicant. Any option that requires going off-site would not contribute to the improvement and growth of agricultural production or enable economic development for this applicant.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the construction of a new 40 feet by 70 feet storage infrastructure 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 economic development for this applicant.

Summary of Findings and Conclusions: The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with any agency. There is 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
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities.
Energy Consumption	The applicant will need to obtain any permits or authorization from PREPA/LUMA to expand the connection.
Water Supply	<p>The applicant should obtain (if needed) authorization from PRASA to expand existing water connections for the project.</p> <p>The applicant must obtain authorization to use water from the non-PRASA existing community water well.</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</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.

The USFWS has developed the following conservation measures for the Boa:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.

2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.

3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.

4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). Do not capture the boa. If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: (787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate

relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.

5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior. Last Revised: January 2024

6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.

7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.

8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in

areas that will not be disturbed in the future.

9. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.

10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

The US Fish and Wildlife Service (USFWS) has established the following conservation measures for bird species in the event of an encounter:

1. Personnel Awareness: All personnel will be informed that civil and criminal penalties exist for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During the breeding seasons (detailed below), nest surveys must be conducted if the project occurs within the range of any listed species and if the habitat for those species will be affected by the proposed actions. Qualified personnel, with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER), must conduct nest searches before any work begins. If nesting activity is detected, all construction or human disturbance must be avoided within a 50-meter buffer around any nest(s) located within the project area. This buffer must remain in place until fledglings permanently leave the nest.

- o Breeding Seasons:

	<ul style="list-style-type: none"> ▪ Puerto Rican parrot: February–June ▪ Puerto Rican broad-winged hawk: December–June <p>2. Outside Breeding Season: Nest surveys are not required outside the breeding season. However, if a nest is encountered, a 50-meter buffer must be maintained, and construction or human disturbance avoided until fledglings have left the nest. Additionally, if any of the listed species is observed within the project area (e.g., foraging or resting), disturbances to the individual(s) must be avoided, and birds must not be flushed until they leave on their own.</p> <p>3. Recording Sightings: For any nest sightings, the applicant must record the time, date, and specific location of the sighting.</p> <p>All sightings and reports of incidental lethal take must be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For further questions, contact José Cruz-Burgos, Endangered Species Program Coordinator at:</p> <p>Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: jose_cruz-burgos@fws.gov</p>
Demolition/construction permits	<p>All construction or demolition of structures, which do not contain asbestos or lead-containing paint, in surface areas of project of nine hundred (900) square meters or more, in which the total volume of the components of the earth's that are to be used as filler or extracted, stored, disposed, disassembled, piled up or removed exceed forty (40) cubic meters, requires the submittal of a "Permiso Único Incidental (PUI)", including an Erosion and</p>

	<p>Sedimentation Control Plan (Plan CES, by its acronym in Spanish). A Plan CES must be developed by a Professional Engineer and be submitted via the Single Business Portal to the OGPe to be evaluated, approved and physicalized by PRDNER.</p>
<p>Wastewater / Sanitary Sewers</p>	<p>The applicant must verify the condition of the sewer lines and, if needed, obtain a permit or an authorization for the use of the sewer system.</p>

Determination:

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

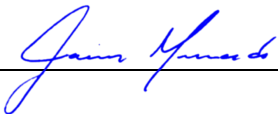
The project will not result in a significant impact on the quality of the human environment.

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: 10/15/2024

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

Certifying Officer Signature:  Date: 10/15/2024

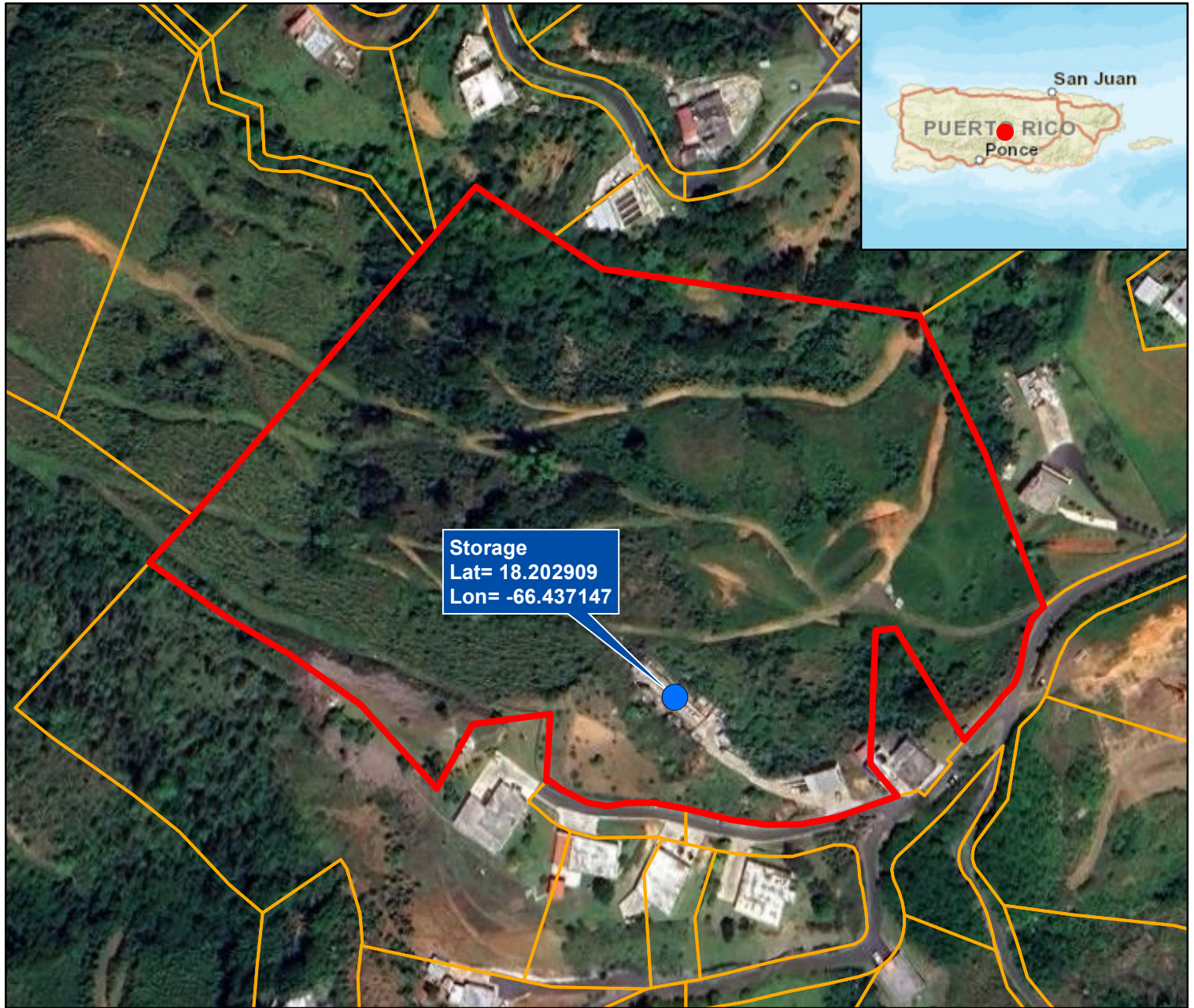
Name/Title: Javier Mercado Barrera / Permits and Environmental Compliance Specialist / PRDOH

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

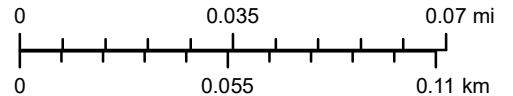
Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

-  PR-RGRW-01313
-  PR-RGRW-01313 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



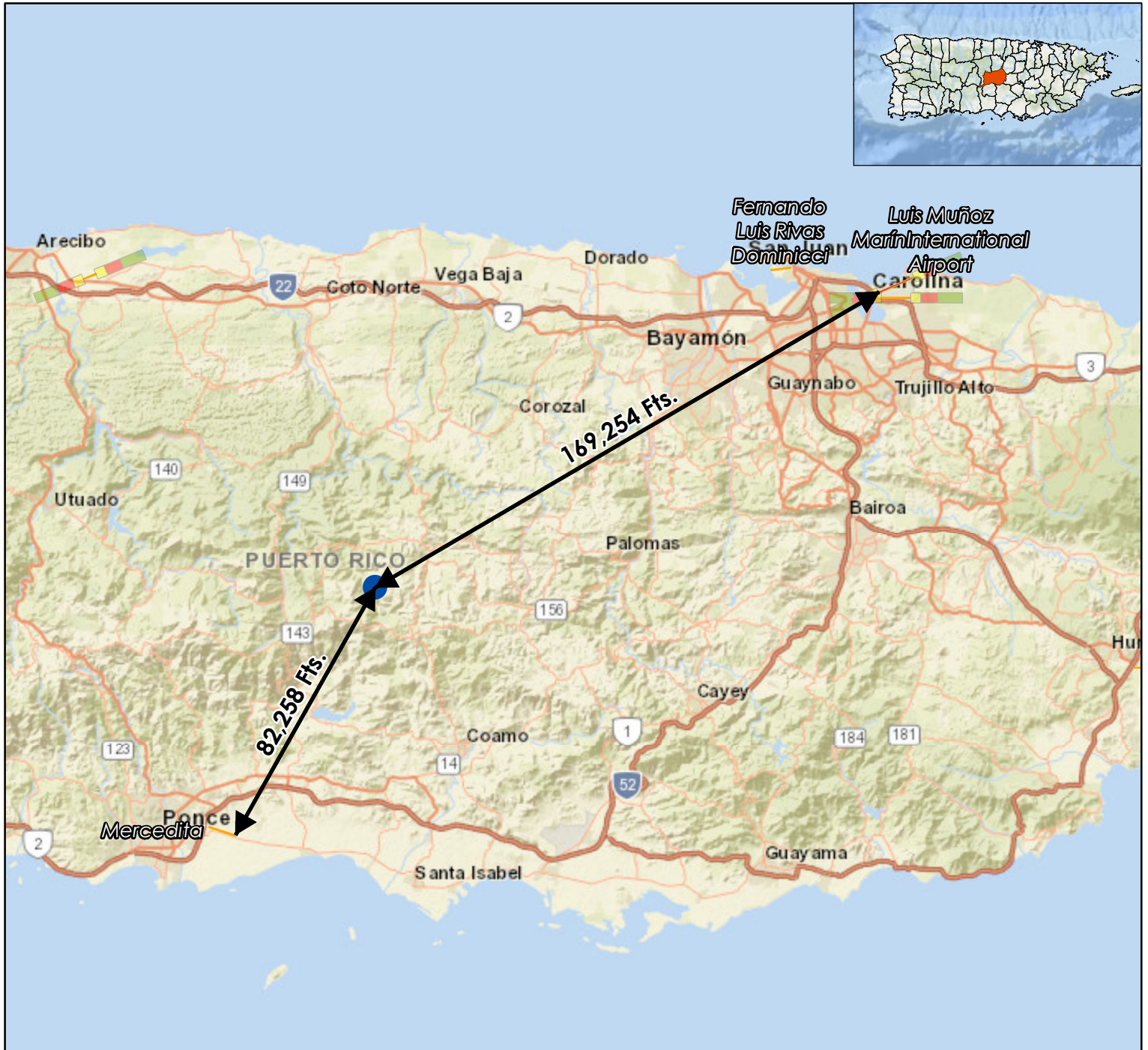
Source

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

Luz A. Torres Hernández
 Carr. 593 Km. 0.6
 Bo. Saltos
 Orocovi, PR 00720
 Catastro: 244-050-095-53
 Lat: 18.202909, Lon: -66.437147

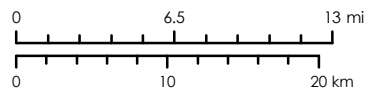
Figure 2: Airports Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- Accident Potential Zone**
- APZ 1
- APZ 2
- Clear Zone
- SJU Military Runway
- PR Airport Runway



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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

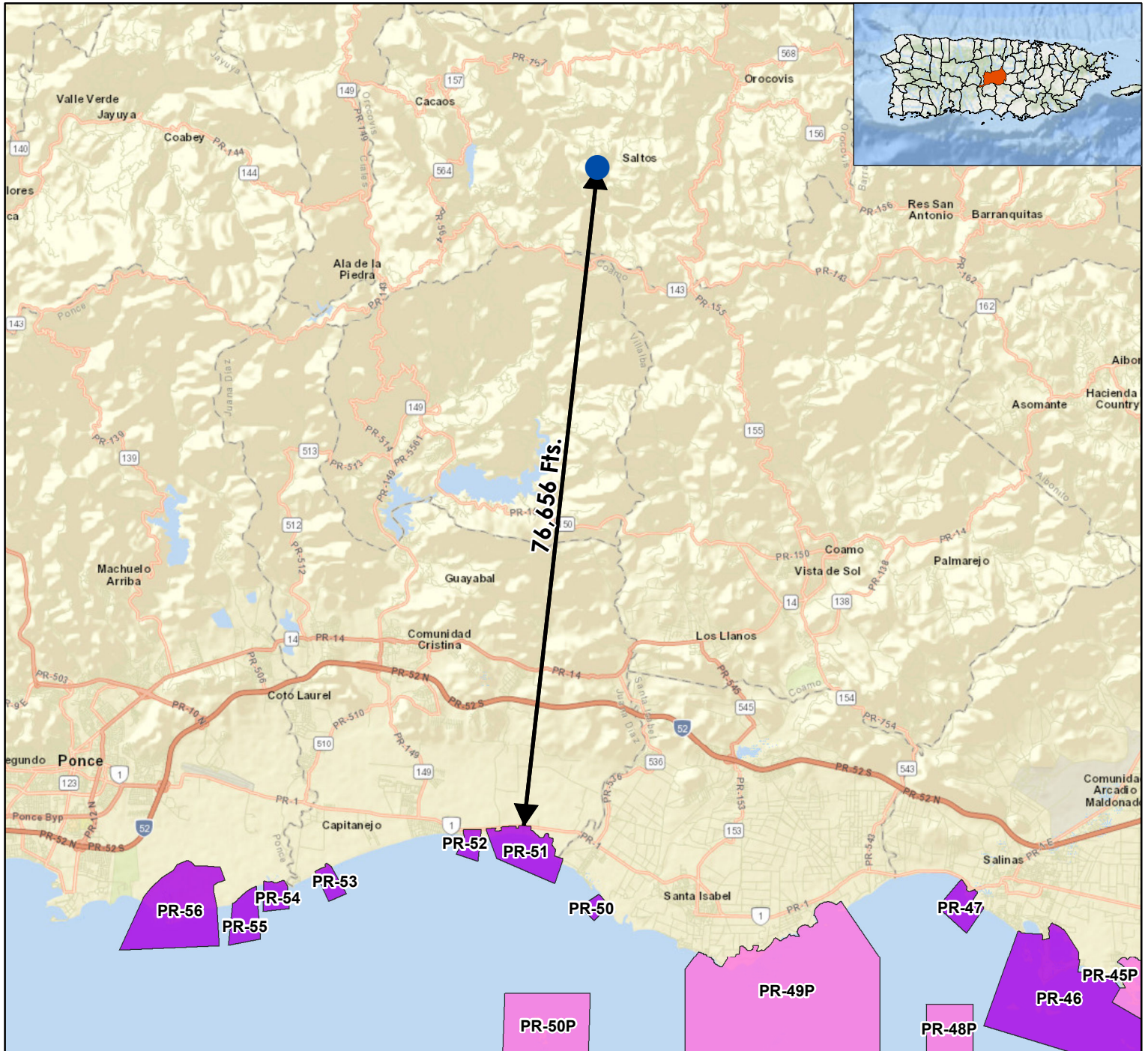


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Luz A. Torres Hernández
Carr. 593 Km. 0.6
Bo. Saltos
Orocovis, PR 00720
Catastro: 244-050-095-53
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Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow



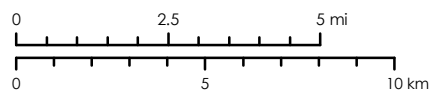
Legend:

● PR-RGRW-01313

Coastal Barrier Resources System (CBRS)

Otherwise Protected Area

System Unit



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

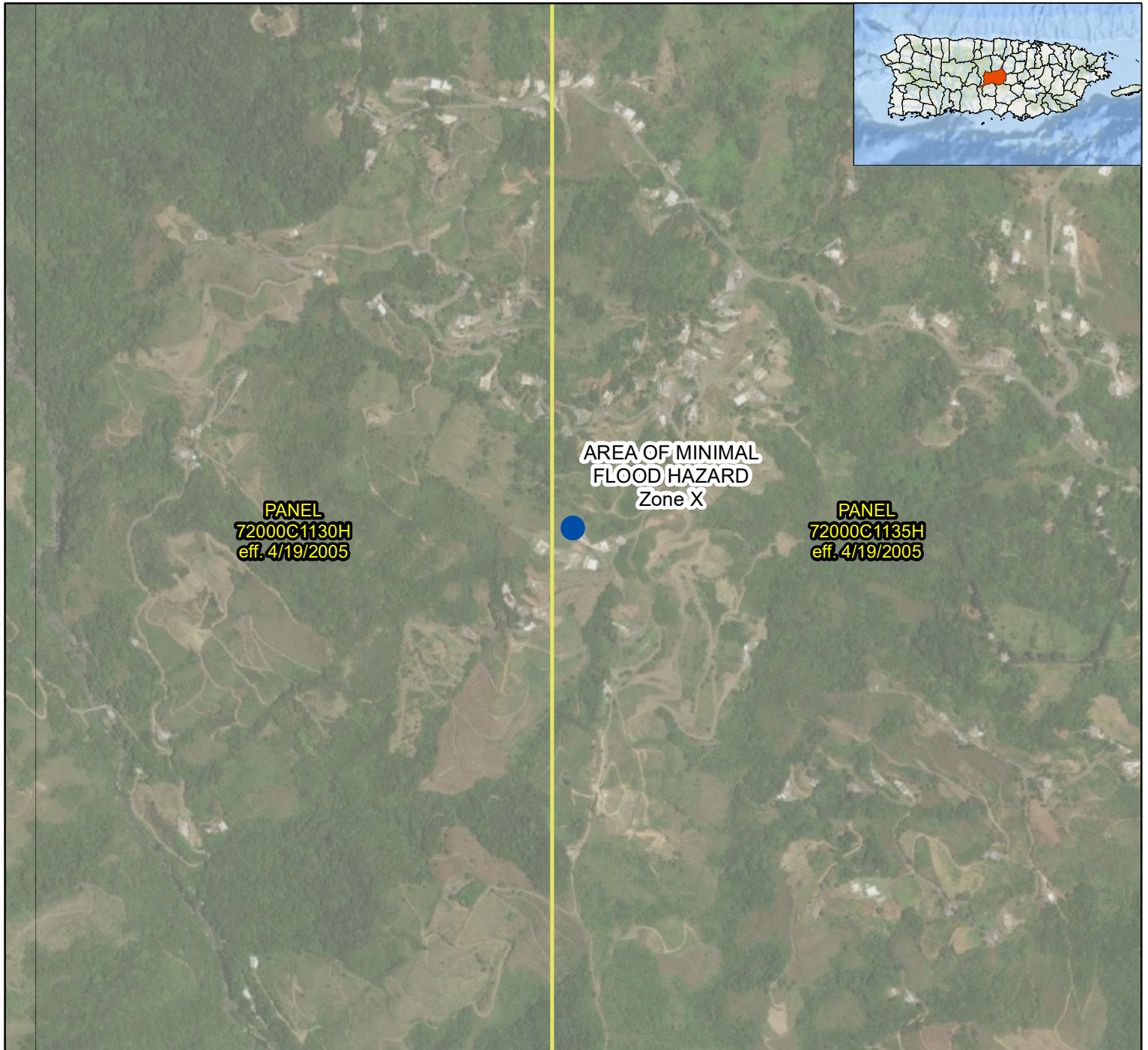
U.S. Fish and Wildlife Service (FWS)
<https://www.fws.gov/program/coastal-barrier-resources-act>



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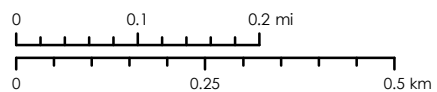
Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- Area of Minimal Flood Hazard *Zone X*
- FIRM Panel



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

Federal Emergency Management Agency (FEMA)
<https://msc.fema.gov/portal/home>



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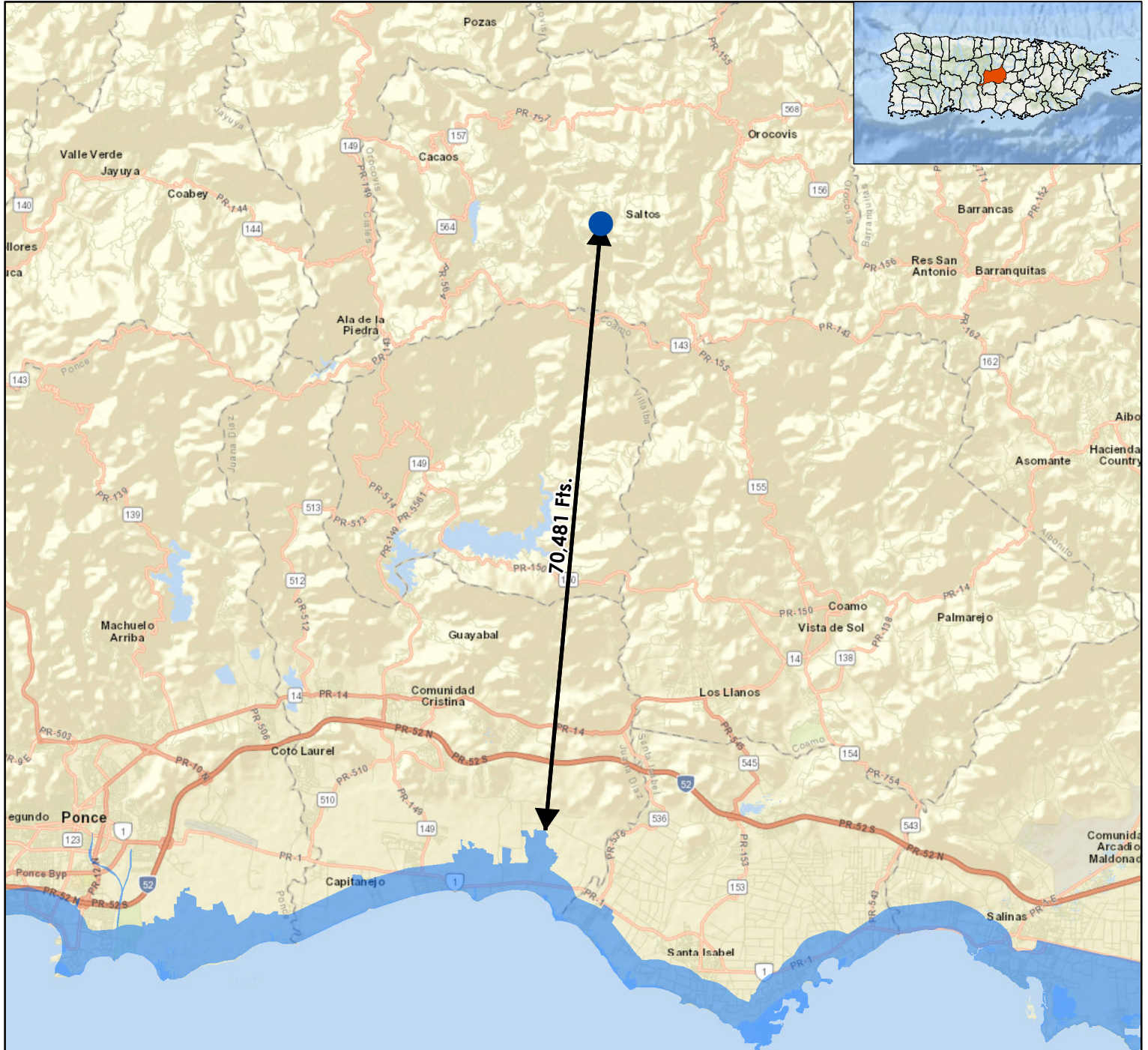
Orocovis, PR 00720

Catastro: 244-050-095-53

Lat: 18.202909, Lon: -66.437147

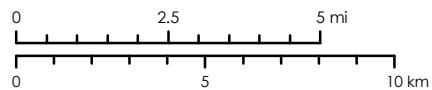
Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- Coastal Zone Management Act Boundary



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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



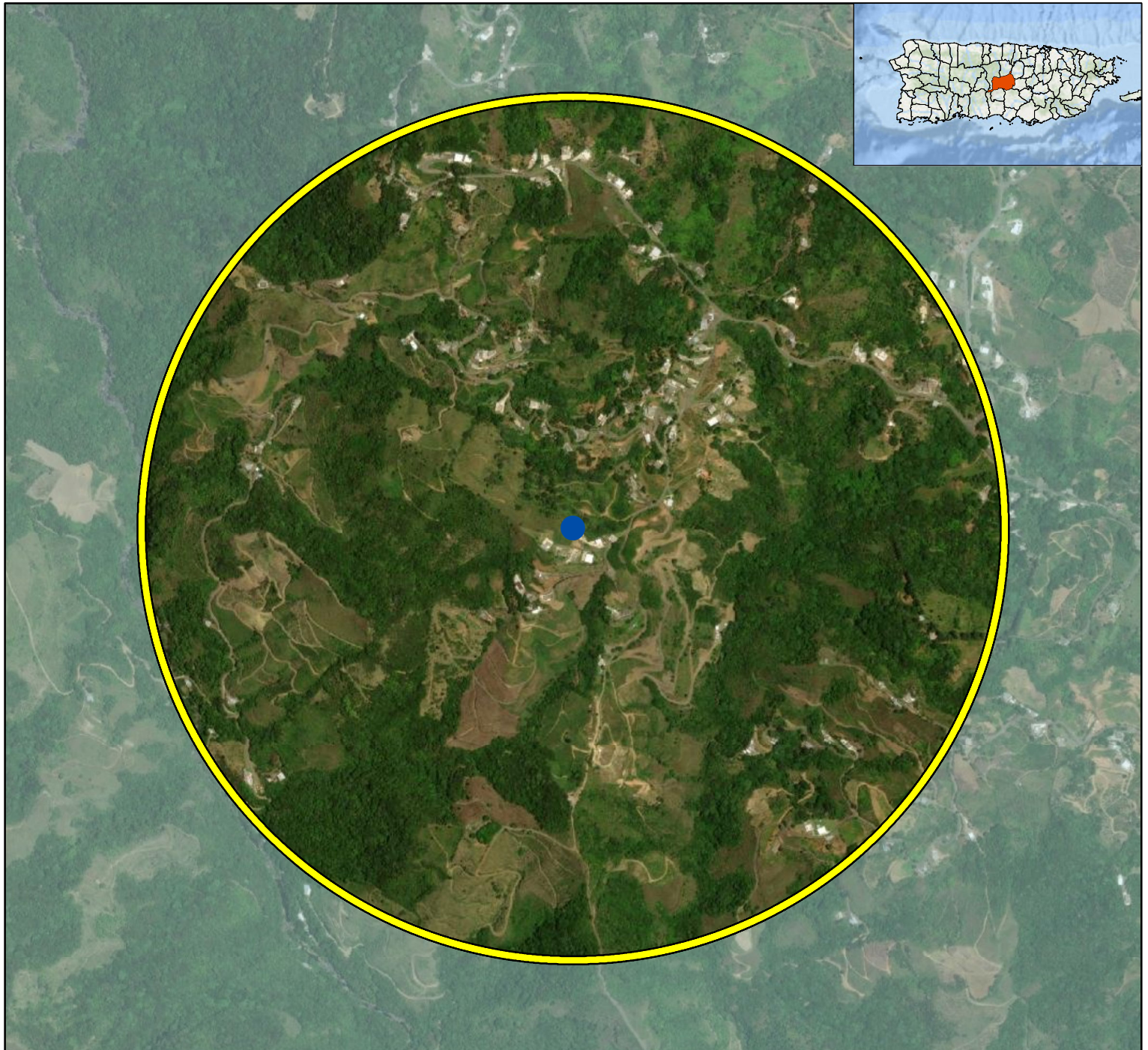
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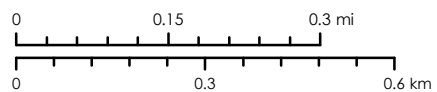
Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- 3,000 Ft. Buffer
- FACILITY INTERESTS
- ICIS
- NCDB
- NPDES
- ▣ NPDES MAJOR
- ▲ RCRA
- ▲ RCRA ACTIVE
- ▲ RCRA INACTIVE
- ▲ RCRA LQG



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 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

EPA Facility Registry Service (FRS)
<https://www.epa.gov/frs>

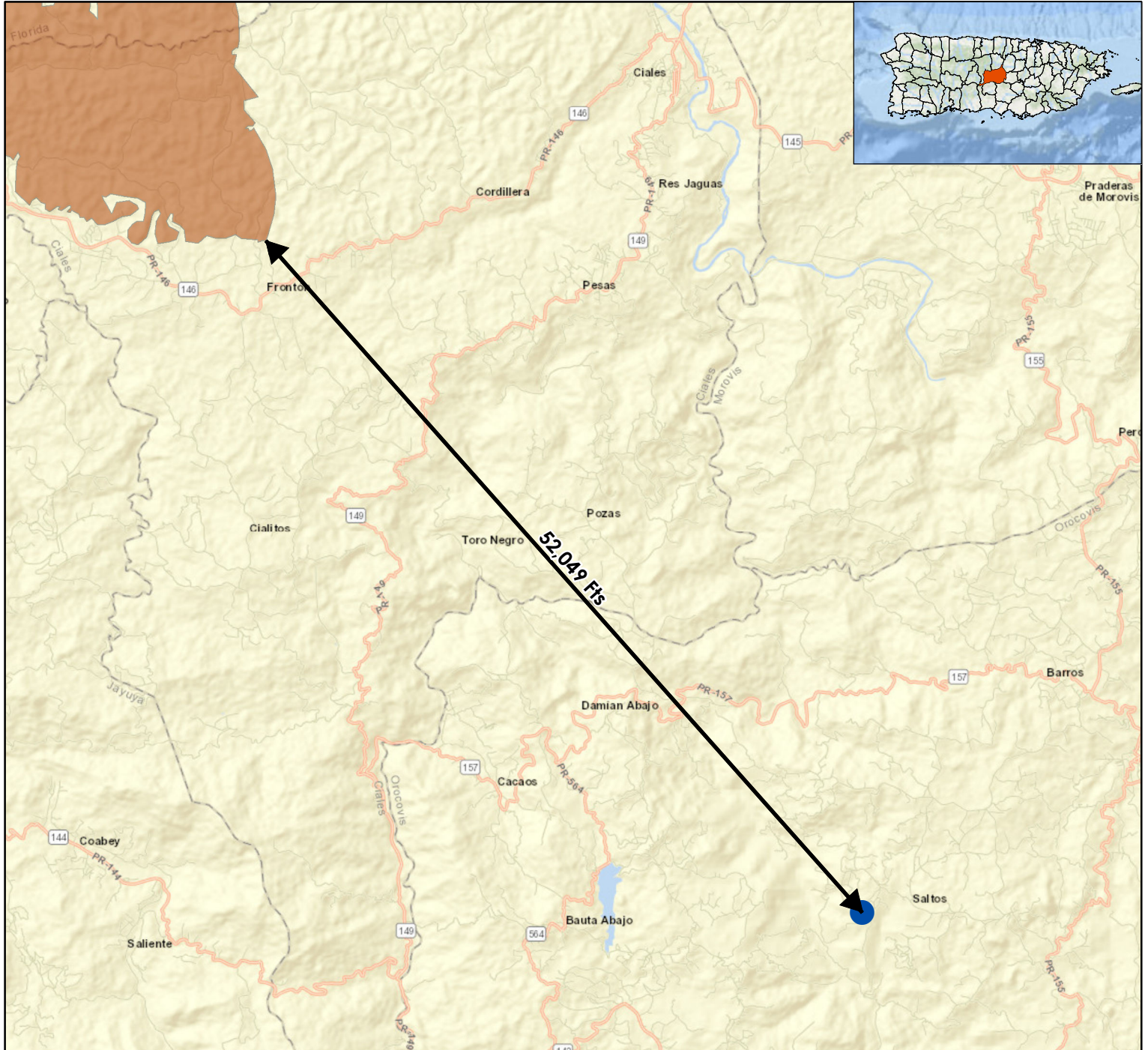


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Orocovis, PR 00720
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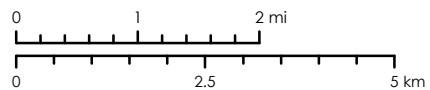
Figure 7: Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- Critical Habitat



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

NOAA Office of Response and Restoration
<https://response.restoration.noaa.gov/>



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Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow

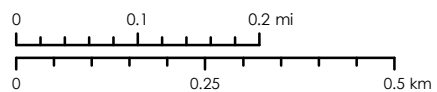


Legend:

● PR-RGRW-01313

Farm Class

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



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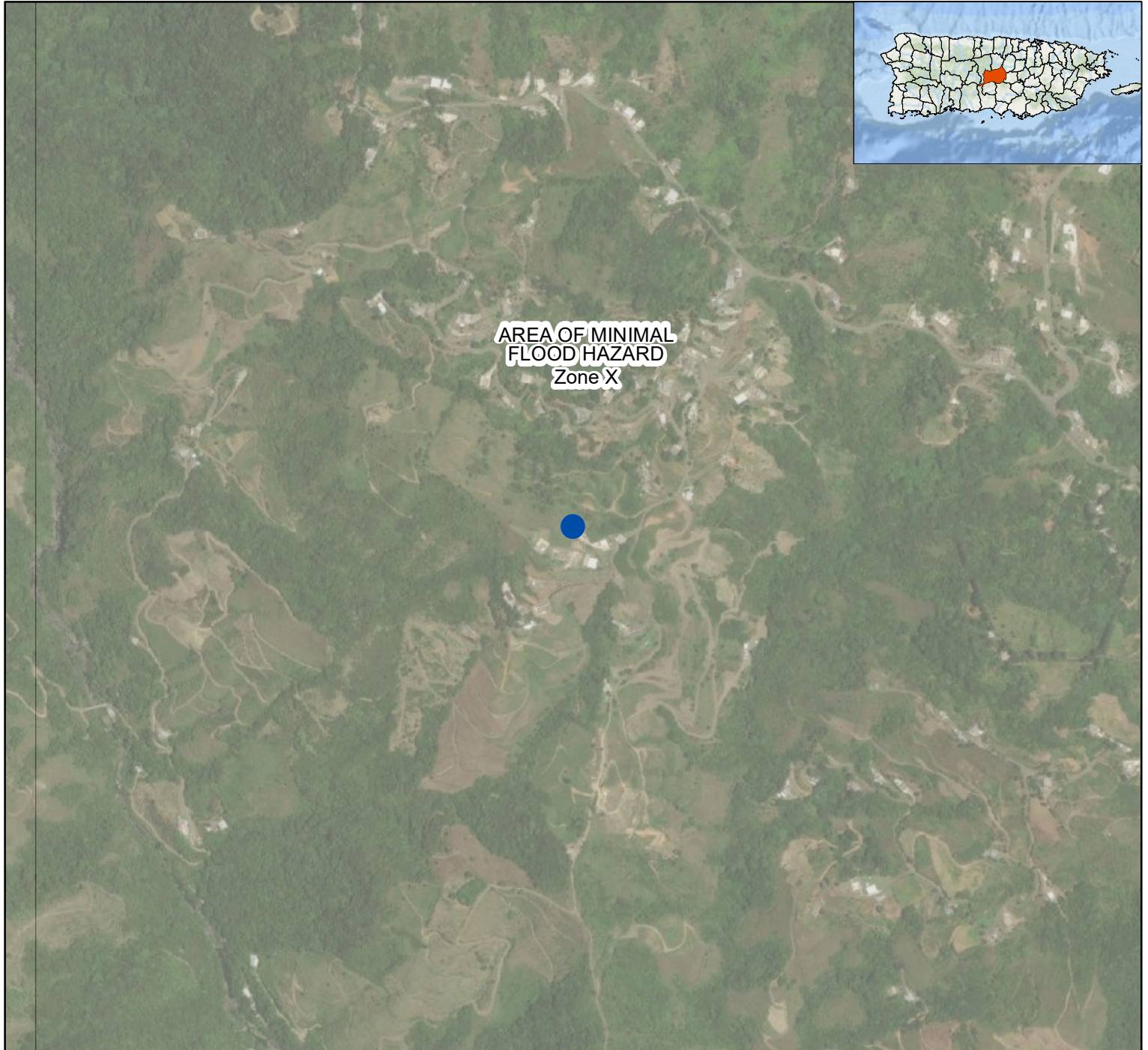
Source

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

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Figure 9: Advisory Base Flood Elevation




Puerto Rico Department of Housing ReGrow

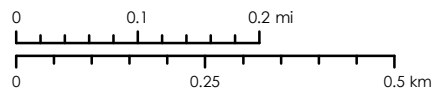


Legend:

 PR-RGRW-01313

Flood Zone

-  A
-  0.2% Annual Chance Flood
-  Area of Minimal Flood Hazard *Zone X*



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

Federal Emergency Management Agency (FEMA),
 Junta de Planificacion de Puerto Rico (JP),
 Mapas de Niveles de Inundacion Base Recomendados,
<https://maps.jp.pr.gov/>

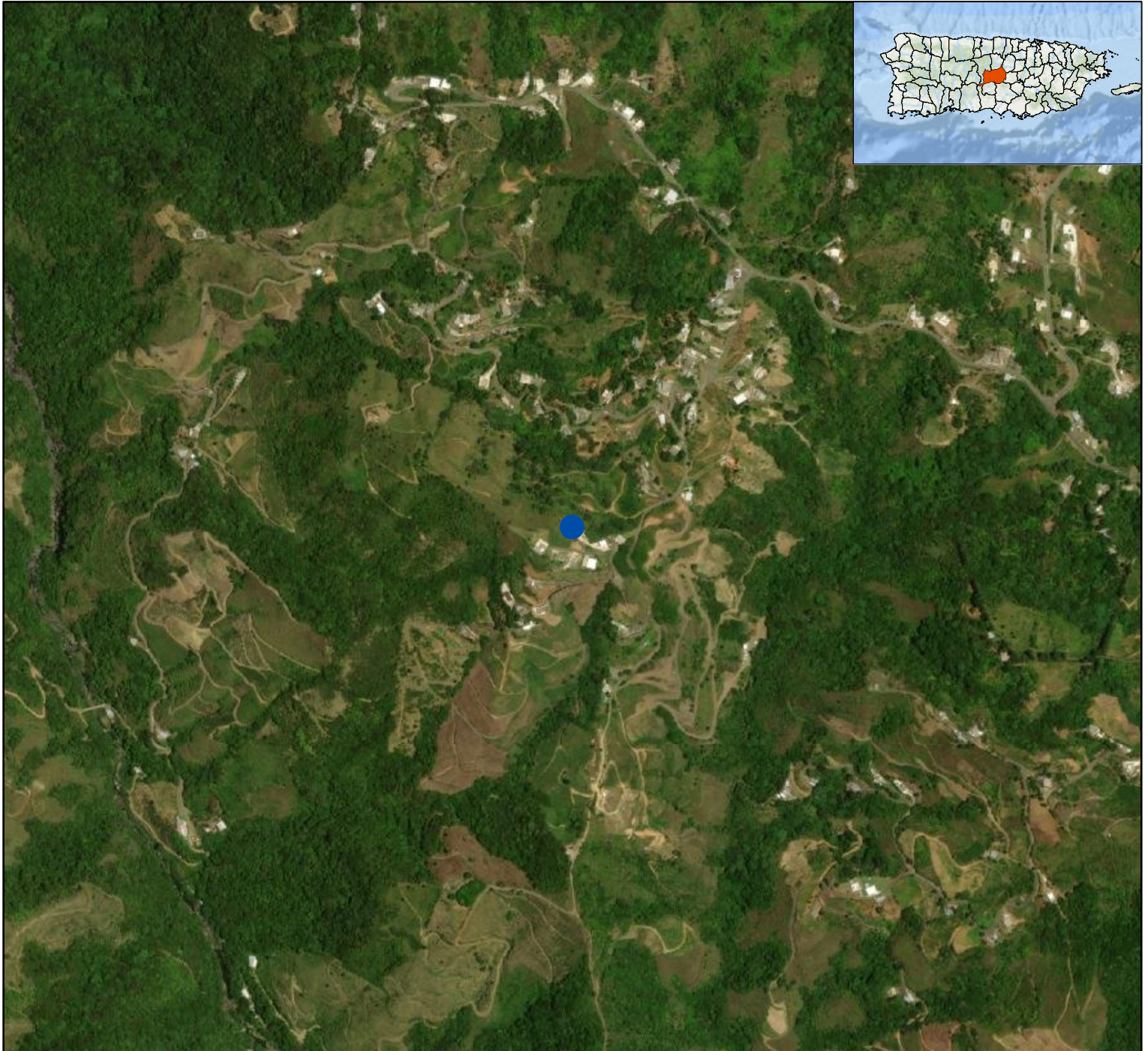


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 Lat: 18.202909, Lon: -66.437147

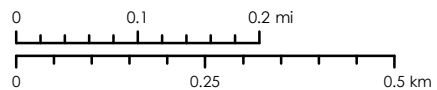
Figure 10: Historic Preservation Map

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- Archaeological Resource Zones
- Traditional Urban Center
- Historic Communities
- P Cultural_Resources - Public Plaza
- O Cultural_Resources - Registry ICP
- JP Cultural_Resources - Historic Places JP
- Cultural_Resources - Scenic Places
- Cultural_Resources - Cultural Value Places
- Cultural_Resources - Railway Vestiges



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



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://oeh.pr.gov/Pages/default.aspx>

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 Bo. Saltos
 Orocovis, PR 00720
 Catastro: 244-050-095-53
 Lat: 18.202909, Lon: -66.437147

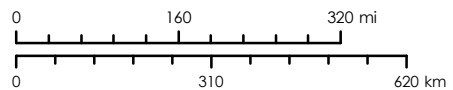
Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- EPA Sole Source Aquifers



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



Source

U.S. Environmental Protection Agency
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

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Bo. Saltos

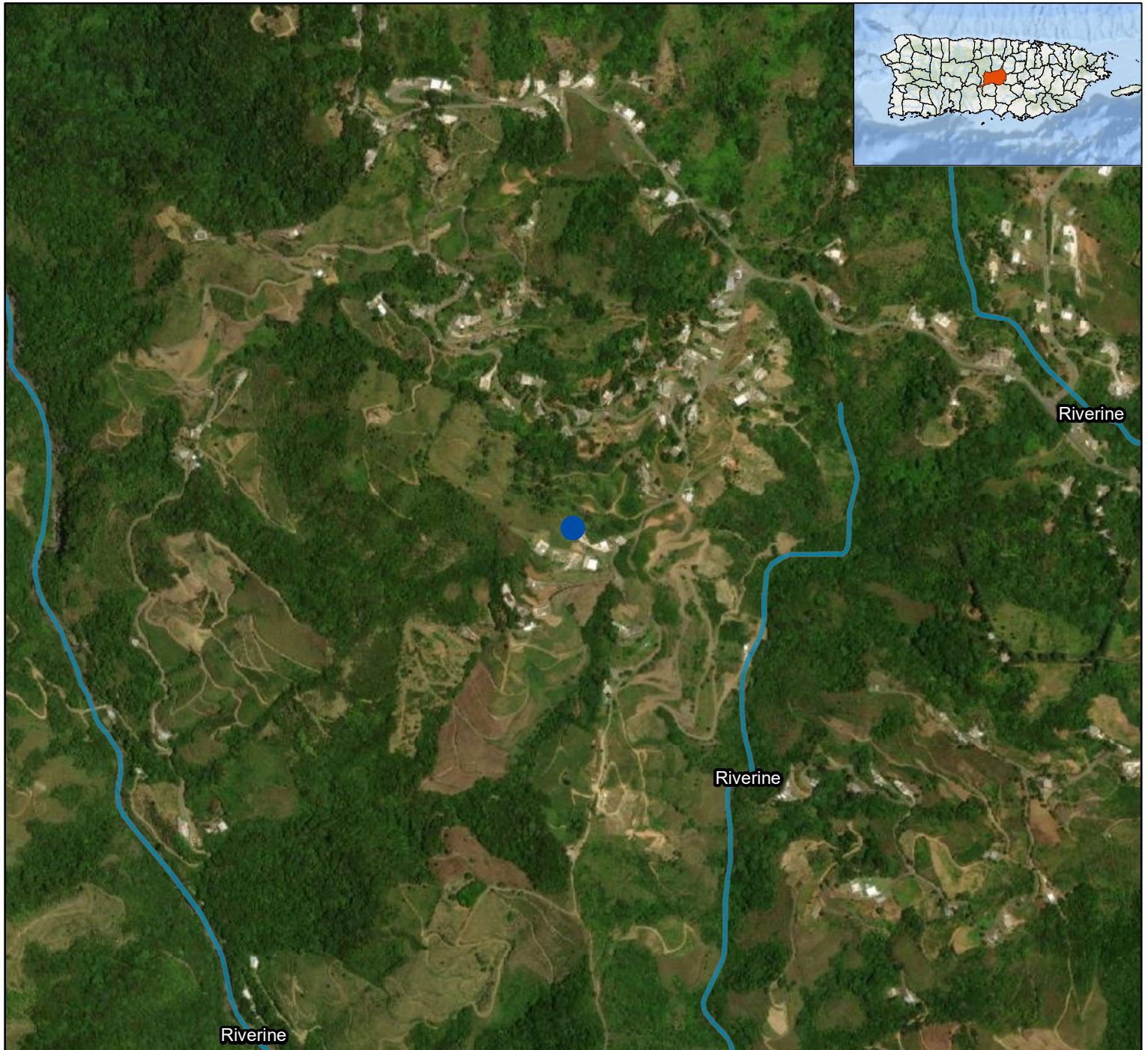
Orocovis, PR 00720

Catastro: 244-050-095-53

Lat: 18.202909, Lon: -66.437147

Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

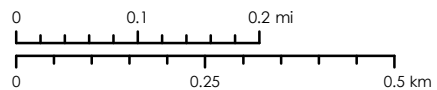


Legend:

 PR-RGRW-01313

National Wetlands Inventory

 Riverine



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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

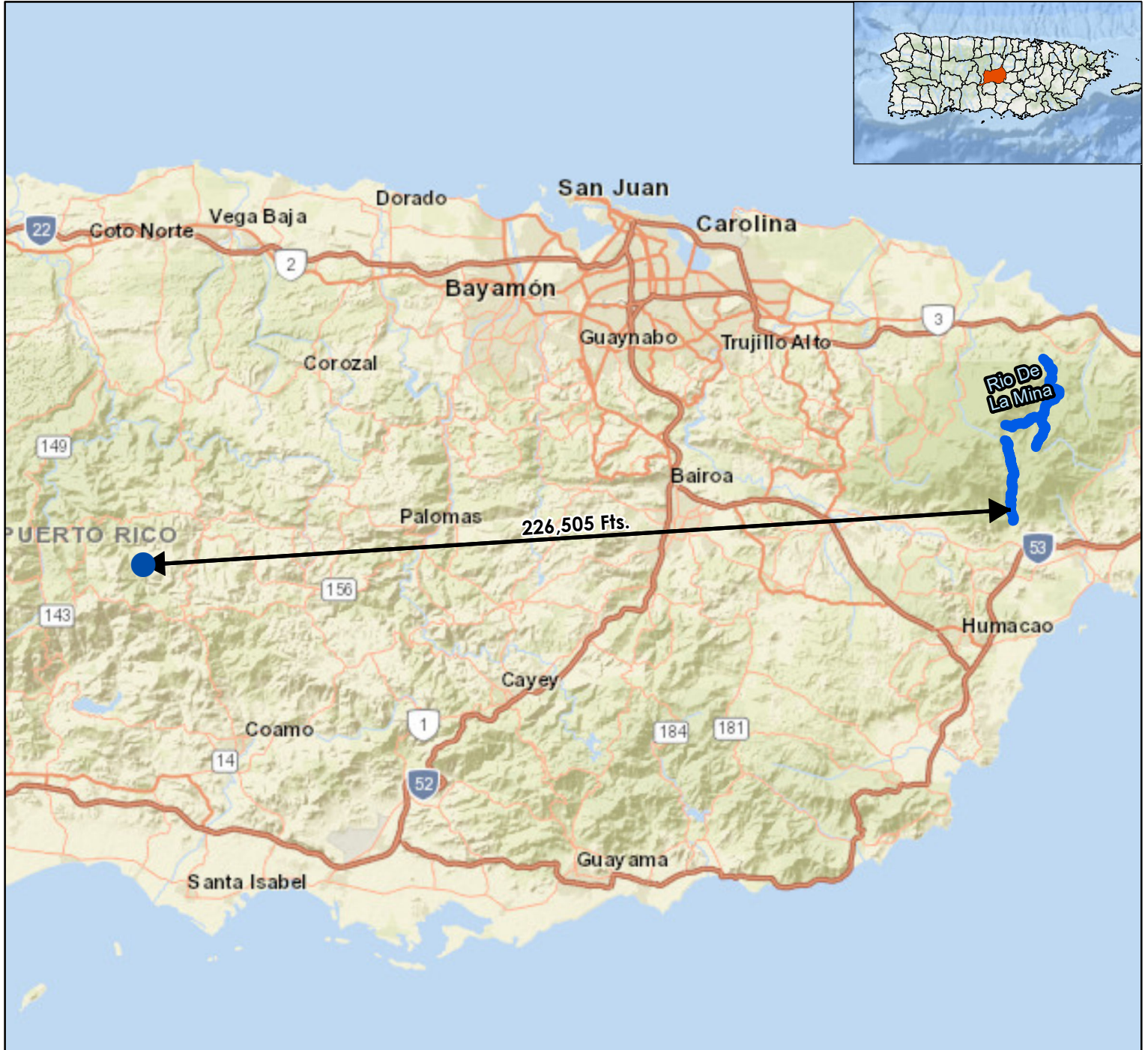


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Luz A. Torres Hernández
 Carr. 593 Km. 0.6
 Bo. Saltos
 Orocovi, PR 00720
 Catastro: 244-050-095-53
 Lat: 18.202909, Lon: -66.437147

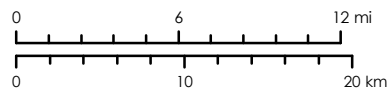
Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- ▬ Wild and Scenic Rivers



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Source

FWS National Wild and Scenic Rivers System
<https://www.rivers.gov/mapping-gis.php>

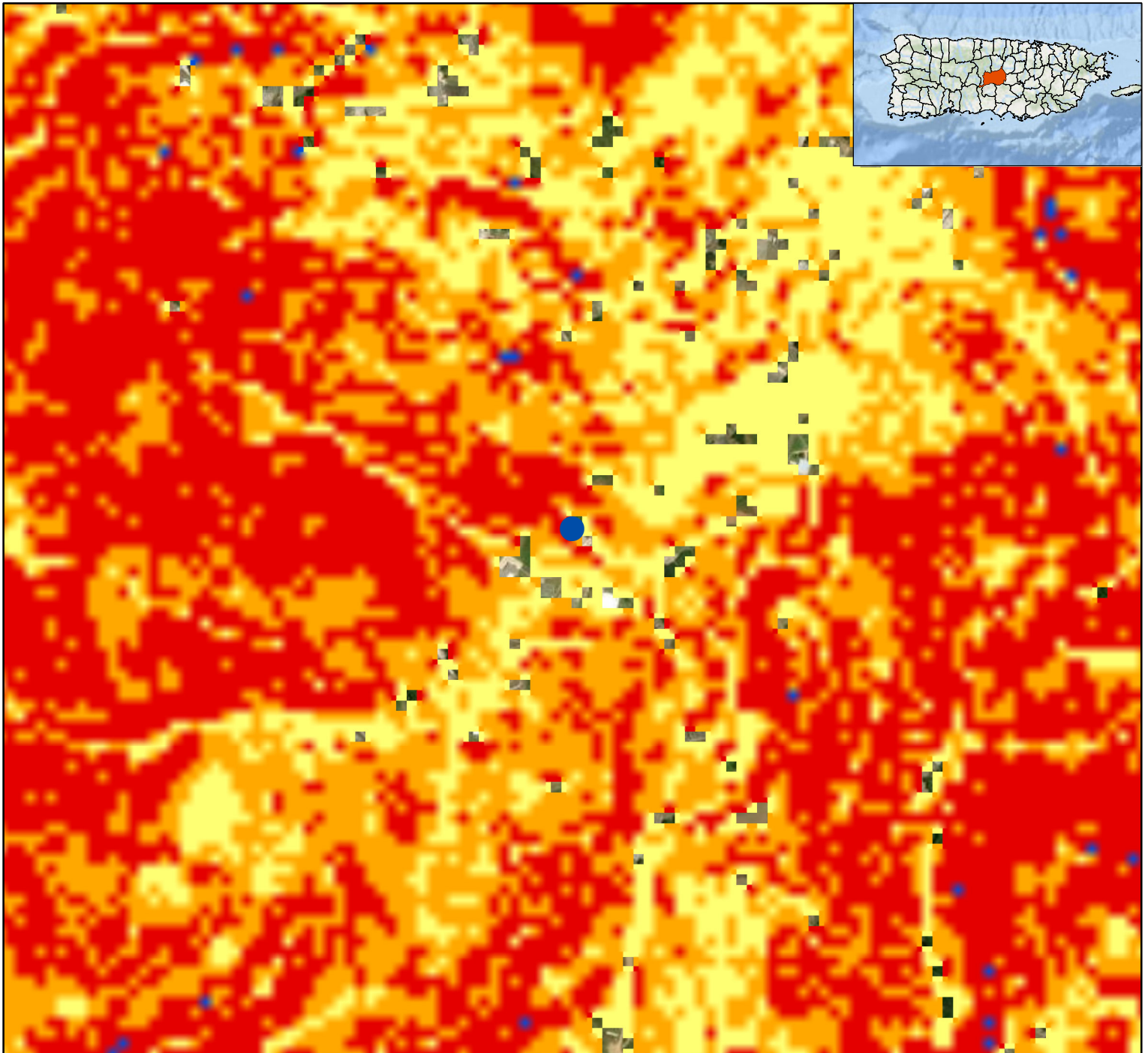


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Bo. Saltos
Orocovis, PR 00720
Catastro: 244-050-095-53
Lat: 18.202909, Lon: -66.437147

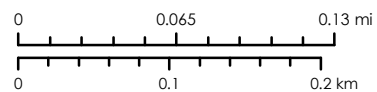
Figure 14: Landslide Susceptibility

Puerto Rico Department of Housing ReGrow



Legend:

-  PR-RGRW-01313
-  Low
-  Moderate
-  High
-  Very High
-  Extremely High



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

U.S. Geological Survey (USGS)
<https://pubs.er.usgs.gov/publication/ofr20201022>



1:5,000

Appendix 1: SHPO Consultation Package



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Thursday, August 1, 2024

Lauren B Poche

269 Avenida Ponce de León, San Juan, PR, 00917

SHPO-CF-07-25-24-06 PR-RGRW-01313 (Orocovis), Luz A. Torres Hernandez

Dear Ms. Poche,

Our Office has received and reviewed the above referenced project in accordance with 54 USC 306108 (commonly known as Section 106 of the National Historic Preservation Act, as amended) and 36 CFR Part 800: Protection of Historic Properties from the Advisory Council on Historic Preservation. The State Historic Preservation Officer (SHPO) is to advise and assist federal agencies and other responsible entities when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce the project's effects.

Our records support your finding of no historic properties affected within the project's area of potential effects.

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

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/OJR



Cuartel de Ballajá (Tercer Piso), Calle Norzagaray, Esq. Beneficencia, Viejo San Juan, PR 00901 | PO Box 9023935, San Juan, PR 00902-3935

July 25, 2024

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-01313 – Luz A. Torres Hernández – Carretera 593 Km 0 H6, Bo. Saltos, Orocovis, 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). On February 9, 2018, an allocation of Community Development Block Grant - Disaster Recovery (CDBG-DR) funds were 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, HORNE is submitting documentation for activities proposed by Luz A. Torres Hernández, located at Carretera 593 Km 0 H6, Bo. Saltos, in the municipality of Orocovis. The undertaking for this project includes the demolition of an existing storage and the construction of a new storage infrastructure (40' x 70' x 13'). Before Hurricane Maria, the structure measured approximately 22 by 80 feet. After the hurricane, only a section measuring about 22 by 10 feet remained. This remaining section, including its foundation, will be demolished. The new storage, which will measure 40' x 70' x 13', will be used to store and package plantains and bananas. The new storage will be placed on a concrete slab with a depth of 8 inches. The new storage will contain bathrooms that will discharge to an existing septic tank using existing sewer lines; no additional piping installation will be required. The water needed for the operation of

the new storage will be supplied by an above-ground line from an existing water intake from an existing well located approx. 200 feet from the existing storage.

Based on the submitted documentation, the Program requests a concurrence that a finding of no historic properties affected is appropriate for this proposed project.

Please contact me by email at lauren.poche@horne.com or phone at 225-405-7676 with any questions or concerns.

Kindest regards,


A handwritten signature in cursive script that reads 'Lauren B. Poche'.

Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager

LBP/JLE

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Luz A. Torres Hernández		
Case ID: PR-RGRW-01313		City: Orocovis

Project Location: Carr. 593 Km 0 H6, Bo. Saltos, Orocovis, Puerto Rico, 00720	
Project Coordinates: 18.202909 -66.437147	
TPID (Número de Catastro): 244-050-095-53	
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): ca. 1995	Property Size (acres): 9.23

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: August 29, 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-01313 consist of the demolition of an existing storage and the construction of a new storage infrastructure (40' x 70' x 13'). Before Hurricane Maria, the structure measured approximately 22 by 80 feet. After the hurricane, only a section measuring about 22 by 10 feet remained. This remaining section, including its foundation, will be demolished. The new storage that will measure 40' x 70' x 13', will be used to store and package plantains and bananas. The new storage will be placed on a concrete slab with a depth of 8 inches. It will include a bathroom that connects to an already existing septic tank situated on the north-facing right side of the structure, with all related sewer lines already in place and no additional piping required. The water needed for the operation of the new storage will be supplied via a new potable water line, approximately 200 feet in length, which will be installed above ground from an existing well. The complete cost of this new water line will be covered by the applicant. No ground disturbance will be necessary for the installation of the water lines. The power for the storage operation will be supplied by an existing PREPA/LUMA connection on the property. The project area is located at PR-593 km. 0 H6, Bo. Saltos within the Municipality of Orocovis.

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 new storage infrastructure and underground pipes

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Luz A. Torres Hernández	
Case ID: PR-RGRW-01313	City: Orocovis

for the bathroom plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

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 sites, archaeological materials of significant cultural properties within a half-mile (0.50 miles) radius of the project location. The closest reported archaeological site to the PR-RGRW-01313 project area is OR-6 (SHPO: OR0100008) located 0.69 miles southeast. The proposed project is located in Orocovis, at an elevation of 2,690 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Mucara. The project area APE is in MxF. The nearest water body is an unnamed creek located 0.23 miles southeast. The coast is approximately 14.75 miles southwest from the project area.


Within a 0.50 miles radius of the project area no archaeological surveys have been conducted.

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On August 18, 2023, we visually inspected the project area. The project area is located in the rural mountainous area of Orocovis. The storage will be installed on a slope, where the previous warehouse was located. The storage will be placed on a concrete floor. The soil in this area has been classified as Mucara clay, 40 to 60 percent slopes (MxF). This soil is moderately deep, very steep and well drained. It is on the side slopes and ridgetops of humid volcanic uplands. The permeability is moderate, and the available water capacity is low. Runoff is rapid. Natural fertility is medium. Slope and the depth to rock are the main limitations of this soil for nonfarm development.

There are no cultural resource studies within a half-mile radius of the property.

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On August 18, 2023, we visually inspected the project area. The topography is steep and the storage will be placed on a concrete floor where the previous storage that was removed by Hurricane Maria in 2017 was located. The area has good visibility.

Identification of Historic Properties - Architecture


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGRW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Luz A. Torres Hernández	
Case ID: PR-RGRW-01313	City: Orocovis

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is not within the boundaries of the National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center / Historic District.

The project area is in a rural and mountainous area of Orocovis. The area directly around the existing building consists of grass. It is located on a slope. The left and rear sections of the storage are inaccessible due to their proximity to the slope. The existing structure to be demolished is 22 ft x 10 ft and is made of concrete with a zinc roof. The building appears in a 1995 aerial image but is absent from the 1977 historic aerial image. It is likely, based on information gathered in the field and through the review of aeriels, the building was constructed ca. 1995. This structure is modern and does not meet the requirements to be eligible for listing on the National Register of Historic Places.

Determination

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 within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-01313 is located. The installation of the new storage will have no impact on the surface of the project area. The construction of public roads and agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Applicant: Luz A. Torres Hernández		
Case ID: PR-RGRW-01313	City: Orocovis	

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"/> Concurs with the information provided. <input type="checkbox"/> Does not concur with the information provided.	
Comments:	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:



Applicant: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis

Project (PR-RGRW-01313) Location - USGS Topographic Map



Application ID: PR-RGRW-01313

Luz A. Torres Hernandez

Carr 593 Km 0 H6

Bo. Saltos

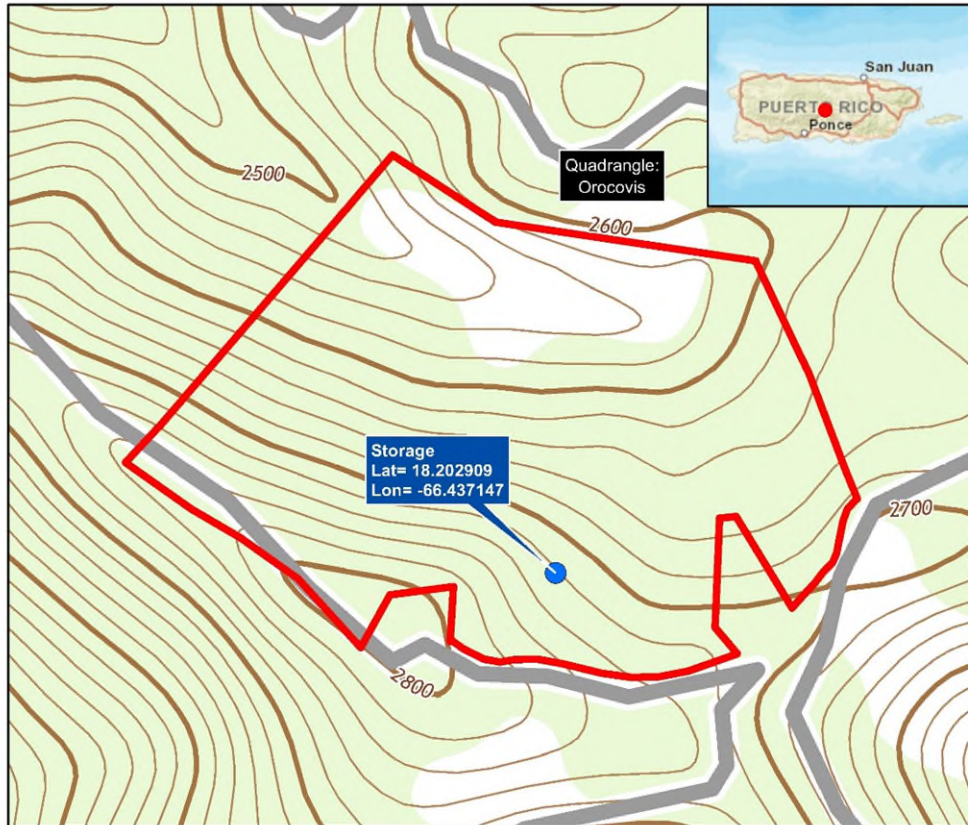
Orocovis, PR 00720

Catastro: 244-050-095-53

Lat: 18.202909, Lon: -66.437147

Location: USGS Topographic Map

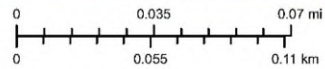
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01313
- PR-RGRW-01313 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), Mapbox, © 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

Project (PR-RGRW-01313) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
CORP. Borra 1 Suite 4-B, Calle Ponce 654, Anónima, San Juan, PR. 00902 Tel: 787/769-0295

Application ID: PR-RGRW-01313

Luz A. Torres Hernandez
Carr 593 Km 0 H6

Bo. Saltos
Orocovis, PR 00720

Catastro: 244-050-095-53

Lat: 18.202909, Lon: -66.437147

Soils Map
Puerto Rico Department of Housing ReGrow

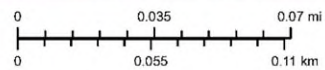


Legend

- PR-RGRW-01313
- PR-RGRW-01313 Parcel
- Soil Map Unit Symbol

Soil Map Unit Symbol

- CaF - Caguabo clay loam, 40 to 60 percent slopes
- MxF - Mucara clay, 40 to 60 percent slopes
- NaF - Naranjito silty clay loam, 40 to 60 percent slopes



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

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



Applicant: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis

Project (PR-RGRW-01313) Location with Previous Investigations - Aerial Map

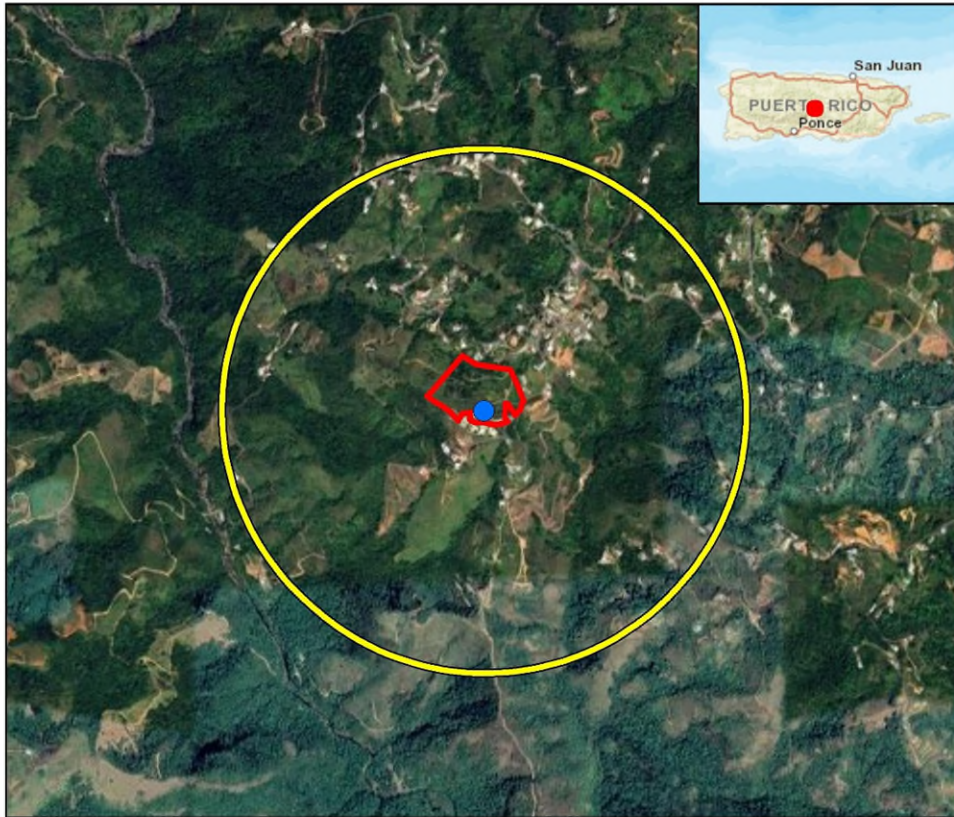


Previous Investigations: Aerial Map

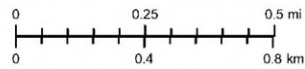
Puerto Rico Department of Housing ReGrow

Application ID: PR-RGRW-01313

Luz A. Torres Hernandez
Carr 593 Km 0 H6
Bo. Saltos
Orocovis, PR 00720
Catastro: 244-050-095-53
Lat: 18.202909, Lon: -66.437147



- Legend**
- PR-RGRW-01313
 - PR-RGRW-01313 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: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis

Photograph Key

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
10000 HWY 1 SUITE 101, SAN JUAN, P.R. 00925

Application ID: PR-RGRW-01313

Luz A. Torres Hernandez

Carr 593 Km 0 H6

Bo. Saltos

Orocovis, PR 00720

Catastro: 244-050-095-53

Lat: 18.202909, Lon: -66.437147

Location: Aerial Map
Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01313
- PR-RGRW-01313 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), Swire, © 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: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis



Photo #: 1

Description (include direction): Area where the storage will be installed, looking northwest.

Date: August 18, 2023



Photo #: 2

Description (include direction): Area where the storage will be installed, looking southeast.

Date: August 18, 2023



Applicant: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis



Photo #: 3

Date: August 18, 2023

Description (include direction): Right side of the storage to be demolished and area where the septic tank is located, looking north. All the pipes are already underground.



Photo #: 4

Date: August 18, 2023

Description (include direction): Front side of the storage to be demolished looking northwest.



Applicant: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis



Photo #: 5

Date: August 18, 2023

Description (include direction): View of the existing storage to be demolished looking northwest.



Applicant: Luz A. Torres Hernández

Case ID: PR-RGRW-01313

City: Orocovis



Photo #: 6

Date: August 18, 2023

Description (include direction): View of the existing water line that goes from the existing water well to a water outlet on the property, looking northwest. The new water line will go above ground from the water well to where the new storage will be built.



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

April 30, 2024

Arch. Carlos A. Rubio Cancela

Executive Director

Puerto Rico State Historic Preservation Office

Cuartel de Ballajá, Third Floor

San Juan, Puerto Rico 00901

Re: Authorization to Submit Documents for Consultation

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 review services, among others, that will support the objectives of the agenda for both CDBG-DR and CDBG -MIT Programs.

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,

Aldo A. Rivera Vázquez, PE

Director

Division of Environmental Permitting and Compliance

Office of Disaster Recovery

Appendix 2: Puerto Rico Nonattainment/ Maintenance Status for each count by year for all pollutants



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/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

Important Notes

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

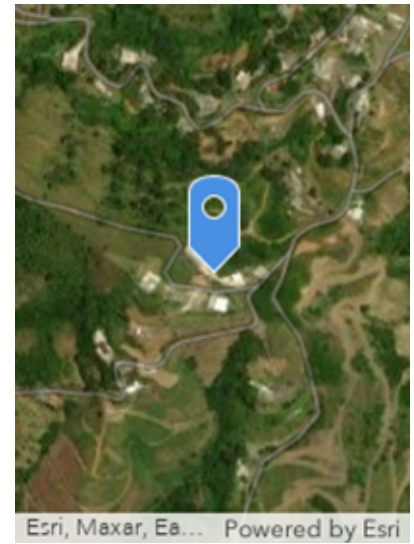
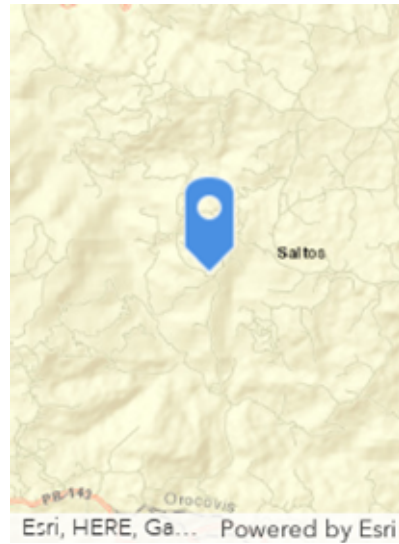
County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or Part County	Population (2010)	State/County FIPS Codes
PUERTO RICO								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11121314151617181920212223	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	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: Site Inspection Report and EJScreen Community Report

APPLICANT/LOCATION INFORMATION

Applicant ID:	PR-RGRW-01313
Applicant Name:	Luz A. Torres Hernandez
Parcel ID:	245-000-006-36-000
Latitude:	18.202674
Longitude:	-66.436933
Street Address:	Carr 593 Km 0 H6, Bo. Saltos
Municipio:	Orocovis
Zip Code:	00720
Site Inspector:	Egon Gonzalez
Date of Visit:	August 7, 2023
Time of Visit:	13:30
Building Type:	



FIELD OBSERVATIONS

Question	Answer	Notes
A. Is the structure in use?	No	Storage to pack greens and store equipment
B. Is the structure a greenhouse?	No	
C. Is Electricity connected? (Utilities or Well)	Yes	Electricity supplied by electric company. power will go above ground
D. Is water connected? (Utilities or Well)	Yes	Water supplied by community water well
1. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, strom debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	Yes	Abandoned vehicles
2. Are there any 55-gallon drums visible on site? If yes, are they leaking?	No	
3. Are there any (or signs of any) underground storage tanks on the property?	No	
4. Are there signs of AST on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	Yes	AST are empty
5. Is there any stained soil or pavement on the parcel?	No	
6. Is a water drainage system in use?	No	
7. Is a warehouse in use for storage of Fertilizer or Pesticides?	Yes	Fertilizer and pesticide storage
8. Are there any groundwater monitoring wells on the site or adjacent parcel?	Yes	
9. Is there evidence of a faulty septic system?	No	
10. Is there distressed vegetation on the parcel?	No	
11. Is there any visible indication of mold?	No	
12. Is there any visible evidence of asbestos, chipping, and flaking or peeling paint, or hazardous materials present in or on the structure?	No	
13. Are any additional site hazards observed?	Yes	Landslide near site
14. Is there any permanent standing water, such as a pond or stream, located on the site(do not include ponding from recent rain / weather events)?	No	
15. Does the subject property have water frontage?	No	
16. Is there any indication of the presence of wetlands?	No	
17. Are there any obvious signs of animals or birds nesting on or near the site?	No	
18. Is the applicant aware of any signifcant historcal event or persons associated with the structure, or of it being located in a historic district/ area?	No	
19. Is a historic marker present?	No	

Front of Structure

Photo Direction:

Comments:



Facing Away from Front

Photo Direction:

Comments:



Side #1 of Structure

Photo Direction:

Comments:



Facing Away From Side #1

Photo Direction:

Comments:



Back of Structure

Photo Direction:

Comments:



Facing Away from Back

Photo Direction:

Comments:



Side #2 of Structure

Photo Direction:

Comments:



Facing Away from Side #2

Photo Direction:

Comments:



Streetscape #1

Photo Direction:

Comments:



Streetscape #2

Photo Direction:

Comments:



Address

Photo Direction:



Architectural Details 1

Photo Direction:

Photo Description: AST are empty



Architectural Details 2

Photo Direction:

Photo Description: Pesticide and fertilizer storage



Architectural Details 3

Photo Direction:

Photo Description: Pesticide and fertilizer storage



Architectural Details 4

Photo Direction:

Photo Description: what is left of the existing storage



Architectural Details 5

Photo Direction:

Photo Description: underground
Septic tank
location: 18.203034, -66.437256



Architectural Details 6

Photo Direction:

Photo Description: Abandoned
vehicles



Architectural Details 7

Photo Direction:

Photo Description: Community well pump



Architectural Details 8

Photo Direction:

Photo Description: community well pump and under ground pipes



Architectural Details 9

Photo Direction:

Photo Description: Electricity provided by power company



Architectural Details 10

Photo Direction:

Photo Description: Overview



Architectural Details 11

Photo Direction:

Photo Description: Water lines will go over ground



Architectural Details 12

Photo Direction:

Photo Description: Water line



Architectural Details 13

Photo Direction:

Photo Description: Groundwater monitoring well



Architectural Details 14

Photo Direction:

Photo Description: Plantains and bananas



Architectural Details 15

Photo Direction:

Photo Description: Overview



Architectural Details 16

Photo Direction:

Photo Description: Overview



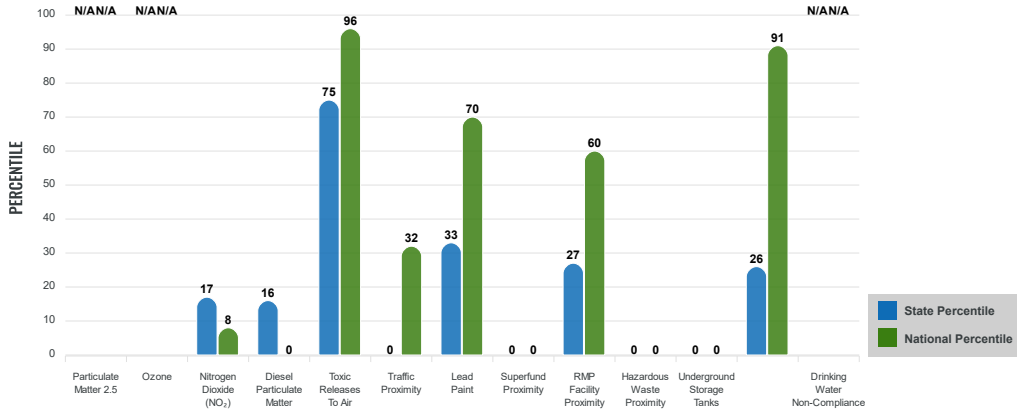
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

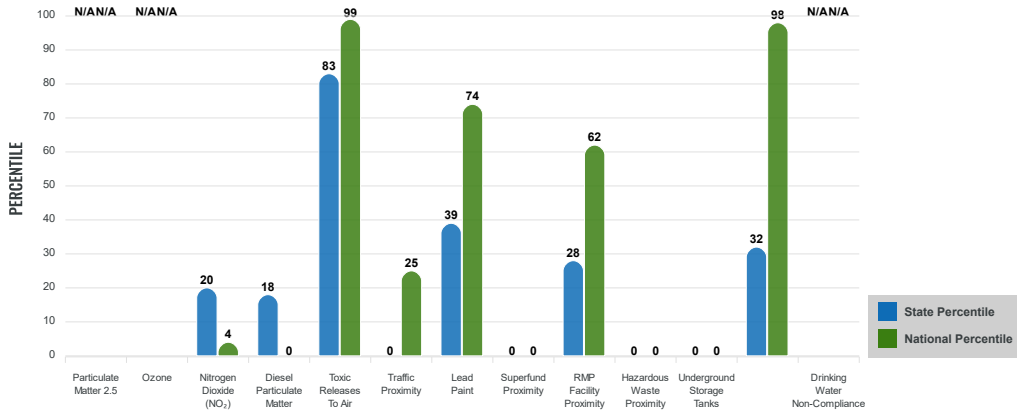
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low income, percent persons with disabilities, percent less than high school education, percent limited English speaking, and percent low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



Report for 1 mile Ring Centered at 18.202908,-66.437148

Report produced August 19, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
ENVIRONMENTAL BURDEN INDICATORS					
Particulate Matter 2.5 (µg/m ³)	N/A	N/A	N/A	8.45	N/A
Ozone (ppb)	N/A	N/A	N/A	61.8	N/A
Nitrogen Dioxide (NO ₂) (ppbv)	2.1	5.5	16	7.8	2
Diesel Particulate Matter (µg/m ³)	0.0159	0.0618	16	0.191	0
Toxic Releases to Air (toxicity-weighted concentration)	1,600	4,300	72	4,600	68
Traffic Proximity (daily traffic count/distance to road)	22,000	1,100,000	0	1,700,000	7
Lead Paint (% Pre-1960 Housing)	0.045	0.16	32	0.3	25
Superfund Proximity (site count/km distance)	0	0.23	0	0.39	0
RMP Facility Proximity (facility count/km distance)	0.057	0.66	27	0.57	28
Hazardous Waste Proximity (facility count/km distance)	0	1.2	0	3.5	0
Underground Storage Tanks (count/km ²)	0	0	0	3.6	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	88	670,000	27	700,000	54
Drinking Water Non-Compliance (points)	N/A	N/A	N/A	2.2	N/A
SOCIOECONOMIC INDICATORS					
Demographic Index USA	3.46	N/A	N/A	1.34	98
Supplemental Demographic Index USA	4.8	N/A	N/A	1.64	99
Demographic Index State	4.95	4.63	63	N/A	N/A
Supplemental Demographic Index State	3.29	2.72	77	N/A	N/A
People of Color	100%	97%	31	40%	98
Low Income	80%	70%	60	30%	97
Unemployment Rate	28%	14%	86	6%	98
Limited English Speaking Households	78%	66%	70	5%	99
Less Than High School Education	35%	20%	85	11%	94
Under Age 5	4%	3%	66	5%	43
Over Age 64	16%	23%	22	18%	48

*Diesel particulate matter index is from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/bans/air-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	0
Air Pollution	0
Brownfields	0
Toxic Release Inventory	0

Other community features within defined area:

Schools	1
Hospitals	0
Places of Worship	0

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for 1 mile Ring Centered at 18.202908, -66.437148
 Report produced August 19, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	N/A	N/A	N/A	20%	N/A
Heart Disease	N/A	N/A	N/A	5.8	N/A
Asthma	N/A	N/A	N/A	10.3	N/A
Cancer	N/A	N/A	N/A	6.4	N/A
Persons with Disabilities	22.5%	22.7%	50	13.7%	91

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	N/A	N/A	N/A	12%	N/A
Wildfire Risk	N/A	N/A	N/A	14%	N/A

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	26%	29%	49	13%	87
Lack of Health Insurance	1%	7%	2	9%	6
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access Burden	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for 1 mile Ring Centered at 18.202908,-66.437148

Report produced August 19, 2024 using EJScreen Version 2.3

Appendix 4: USFWS Consultation Package and supporting documentation



United States Department of the Interior

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



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

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

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

Re: CDBG-DR PR-RGRW-01313 Luz A. Torres
Hernández, Orocovis, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated May 15, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the demolition of an existing storage (22 feet (Ft) x 80 Ft) and the construction of a new storage infrastructure (40 Ft x 70 Ft x 13 Ft) that will be placed in an 8 inches depth concrete slab. Underground pipes will be laid for both sewer and potable water. The construction of the warehouse won't involve tree removal, however, clearing vegetation, like grass, might be necessary. The proposed warehouse will be located on State Road PR-593, Km. 0.6, Bo. Saltos (18°12'10.5"N 66°26'13.7"W) in the municipality of Orocovis.

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

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0088200). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa, Puerto Rican sharp-shinned hawk and Puerto Rican broad-winged hawk, which determined that the proposed actions for this project may affect, but is not likely to adversely affect (NLAA) these

species. Conservation measures for the Puerto Rican boa will be implemented. The Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican boa, Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk.

Based on the nature of the project, scope of work, information available, and analysis of the existing habitat (the land has been used for agricultural uses for over 10 years), PRDOH has determined that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican parrot.


We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican parrot. Although there will be no tree removal, the Service recommends that PRDOH implement the following conservation measures for the bird species in case an encounter occurs:

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

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

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

Sincerely,

SILMARIE PADRON  Digitally signed by
SILMARIE PADRON
Date: 2024.06.25
20:18:25 -0400

Silmarie Padrón
Acting Field Supervisor

drr

May 10, 2024

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

RE: Informal Consultation for Case PR-RGRW-01313 located at Carr. 593 Km 0.6, Bo. Saltos, Orocovis, Puerto Rico 00720.

Dear Mr. Tawes:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-01313, located at coordinates for the warehouse: latitude 18.202909, longitude -66.437147; on Carr. 593 Km 0.6, Bo. Saltos, Orocovis, Puerto Rico 00720, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-01313 consist of the demolition of an existing storage and the construction of a new storage infrastructure (40' x 70' x 13'). The existing structure with dimensions 22' x 80' will be demolished including its foundation. The new structure will be used to store and pack plantains and bananas. The new storage will be placed on a concrete slab with a depth of 8 inches. The new storage will contain bathrooms that will discharge to an existing septic tank. The water needed for the operation of the new storage will be supplied from an existing water intake from an existing well. Underground pipes will be laid for both sewer and potable water. Power for the facility will be supplied by an existing PREPA/LUMA connection, with all electrical connections above ground and not anchored to it.

Existing Conditions and Trends:

The proposed project parcel 244-050-095-53-000 is designated as Not Prime Farmland, See Figure 4: Farmland Protection Map. The project area is located in the rural mountainous area of Orocovis. The storage will be installed next to a slope on a flat surface, where the previous warehouse was located. The storage will be placed on a concrete floor, refer to Photo 1 and Photo 2. The soil in this area has been classified as Mucara clay, 40 to 60 percent slopes (MxF). This soil is moderately deep, very steep and well drained. The land has been used for agricultural uses for over 10 years and the proposed project will not change the land use associated with these placements. The construction of the warehouse won't involve tree removal, however, clearing vegetation, like grass, might be necessary, but its impact would be minimal given that the new warehouse will occupy the same area as the previous storage was located

before Hurricane Maria in 2017. The closer Final Critical Habitat is located 52,049 feet from the project location, see Figure 5: Critical Habitats Map. There are no wetlands on or near the project activity area, see Figure 6: Wetlands Map.

Using the Information for Planning and Consultation (IPaC) system (See Exhibit B), we have determined that the proposed project lies within the range of the following federally listed species and critical habitats:

Name of species	Threatened/Endangered/Candidate
Reptiles	
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	Endangered
Birds	
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	Endangered
Puerto Rican Sharp-shinned Hawk (<i>Accipiter striatus venator</i>)	Endangered
Puerto Rican Parrot (<i>Amazona vittata</i>)	Endangered
Critical Habitat	
There are no critical habitats within the project area.	

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated May 9, 2024, in the US Fish and Wildlife Service’s online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have “May Affect, but is Not Likely to Adversely Affect” (NLAA) determination on the Puerto Rican Boa, Puerto Rican Broad-winged Hawk and Puerto Rican Sharp-shinned Hawk, see Exhibit B. For the Puerto Rican Parrot it can say that it also has a NLAA determination since the habitat in or near the proposed project is not suitable for this species.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican boa (<i>Chilabothrus inornatus</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	Caribbean ES Puerto Rican Boa Conservation Measures (January 2024)
Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	No conservation measures
Puerto Rican Sharp-shinned Hawk (<i>Accipiter striatus venator</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	No conservation measures
Puerto Rican Parrot (<i>Amazona vittata</i>)	May Affect, but is Not Likely to Adversely Affect (NLAA)	No conservation measures

Critical Habitats

There are no critical habitats within the project area.

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination for the Puerto Rican Boa, Puerto Rican Broad-winged Hawk, Puerto Rican Sharp-shinned Hawk and Puerto Rican Parrot. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. Should you require any additional information, please contact Allison Cullett at allison.cullett@horne.com.

References:

Puerto Rican boa (*Chilabothrus inornatus*)

Species Profile: <https://ecos.fws.gov/ecp/species/6628>

USFWS Puerto Rican boa Conservation Measures:

<https://ipac.ecosphere.fws.gov/project/JVT2B77NXVBDNIBGRCVT5G4AAQ/documents/generated/7159.pdf>

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

Species Profile: <https://ecos.fws.gov/ecp/species/5512>

Puerto Rican Parrot (*Amazona vittata*)

Species profile: <https://ecos.fws.gov/ecp/species/3067>

Puerto Rican Sharp-shinned Hawk (*Accipiter striatus venator*)

Species profile: <https://ecos.fws.gov/ecp/species/604>

Exhibit A: Figures

Application ID: PR-RGRW-01313

Luz A. Torres Hernandez
Carr 593 Km 0 H6
Bo. Saltos
Orocovis, PR 00720

Catastro: 244-050-095-53
Lat: 18.202909, Lon: -66.437147

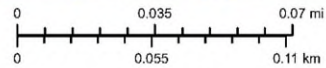
Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01313
- PR-RGRW-01313 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), Swire, Bing, Mapbox, 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/cdrprpc/>

Figure 1: PR-RGRW-01313 Location Map

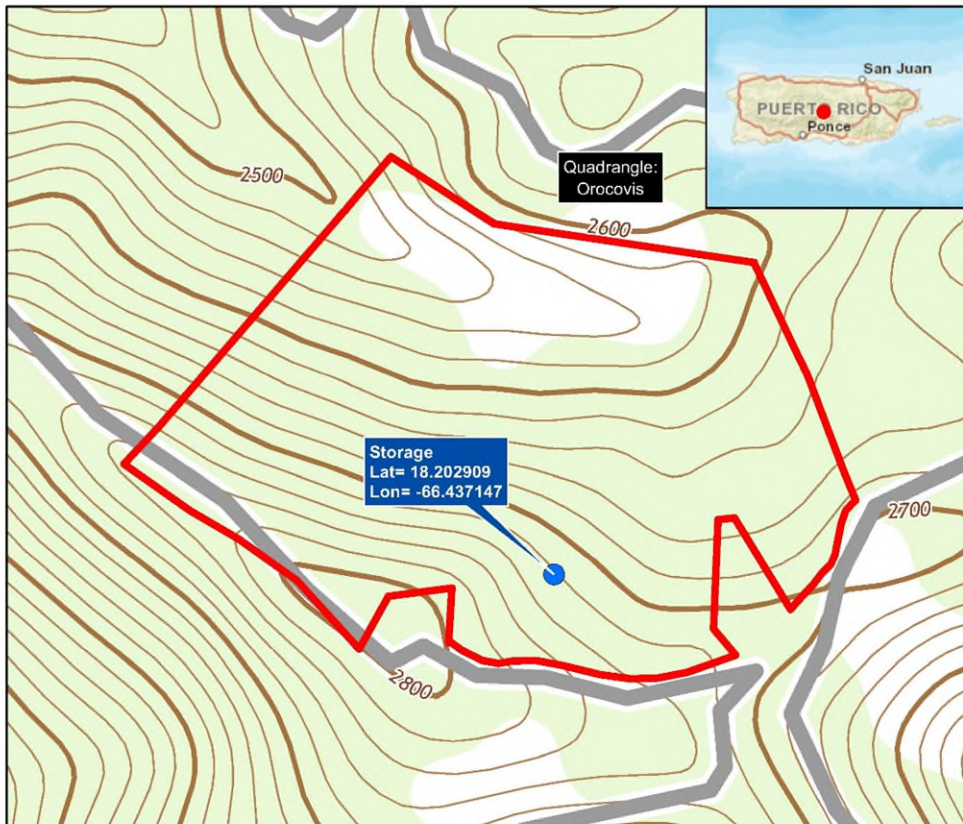
Application ID: PR-RGRW-01313

Luz A. Torres Hernandez
Carr 593 Km 0 H6
Bo. Saltos
Orocovis, PR 00720

Catastro: 244-050-095-53
Lat: 18.202909, Lon: -66.437147

Location: USGS Topographic Map

Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01313
- ▭ PR-RGRW-01313 Parcel

Contour Interval 20 Feet

0 0.035 0.07 mi
0 0.055 0.11 km

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

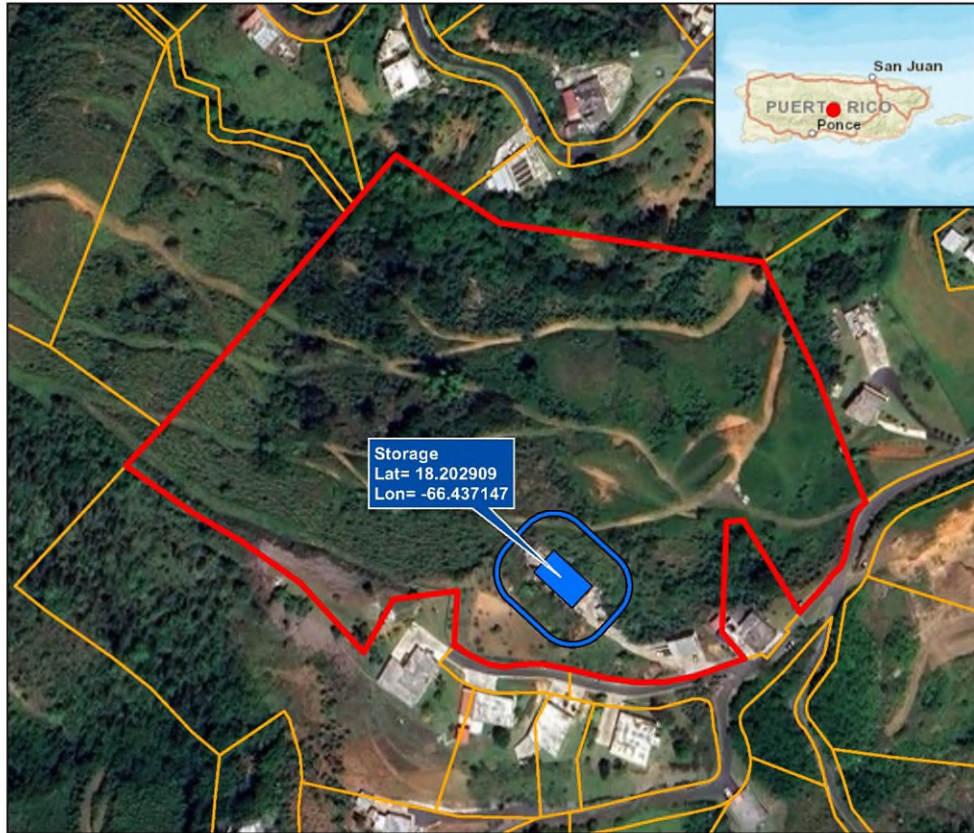
Source
United States Geological Survey (USGS)
National Geologic Map Database
https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html

Figure 2: PR-RGRW-01313 Topographic Map

Application ID: PR-RGRW-01313

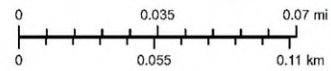
Luz A. Torres Hernandez
Carr 593 Km 0 H6
Bo. Saltos
Orocovis, PR 00720
Catastro: 244-050-095-53
Lat: 18.202909, Lon: -66.437147

Area of Potential Effect Puerto Rico Department of Housing ReGrow



Legend

- PR-RGRW-01313 Applicant Structure
- Area of Potential Effect
- PR-RGRW-01313 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 3: PR-RGRW-01313 Area of Potential Effect Map

Luz A. Torres Hernández
Carr. 593 Km. 0.6
Bo. Saltos
Oreocelis, PR 00720
Catastro: 244-050-095-53
Lat: 18.202909, Lon: -66.437147

Farmland Protection

Puerto Rico Department of Housing ReGrow

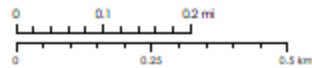


Legend:

● PR-RGRW-01313

Farm Class

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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

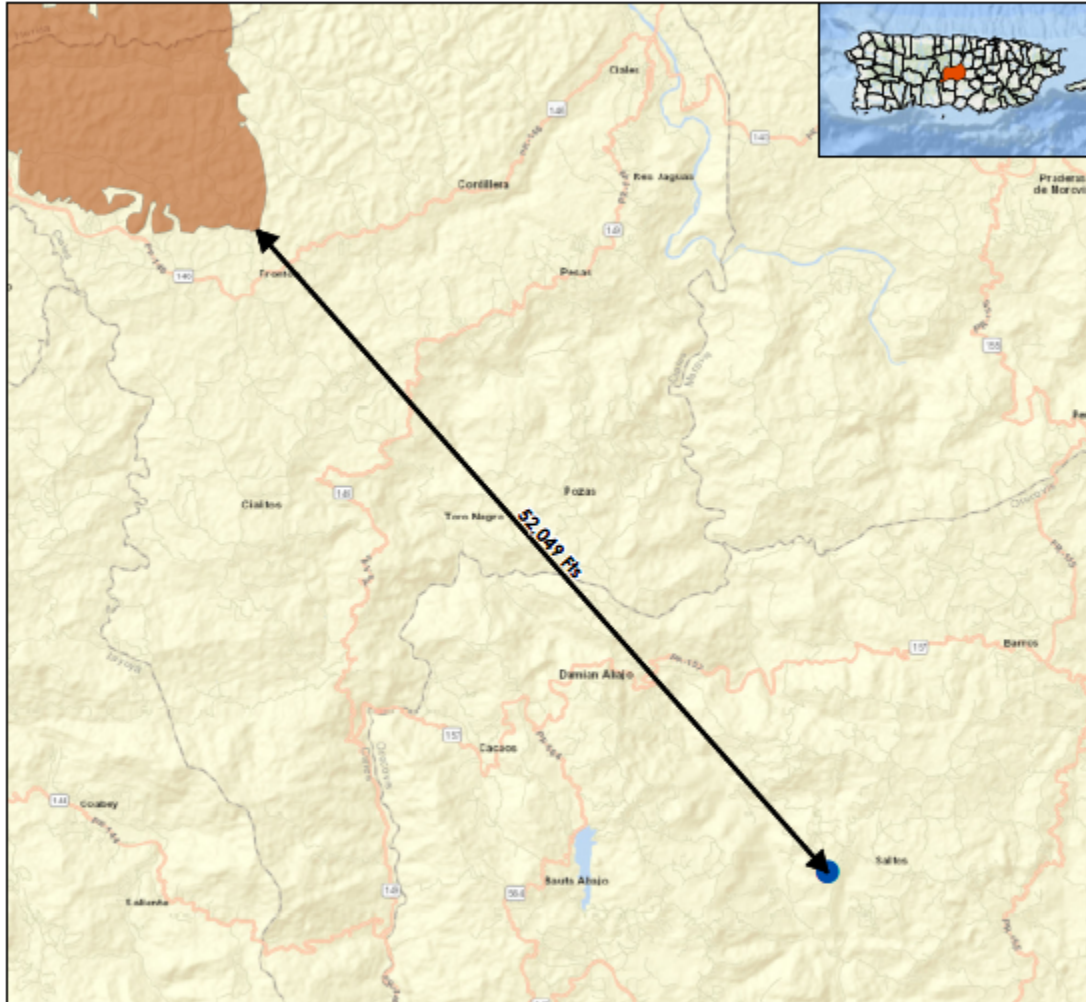


1:10,000

Figure 4: PR-RGRW-01313 Farmland Protection Map

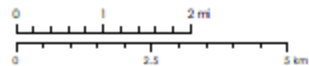
Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01313
- Critical Habitat



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

NOAA Office of Response and Restoration
<https://response.restoration.noaa.gov/>

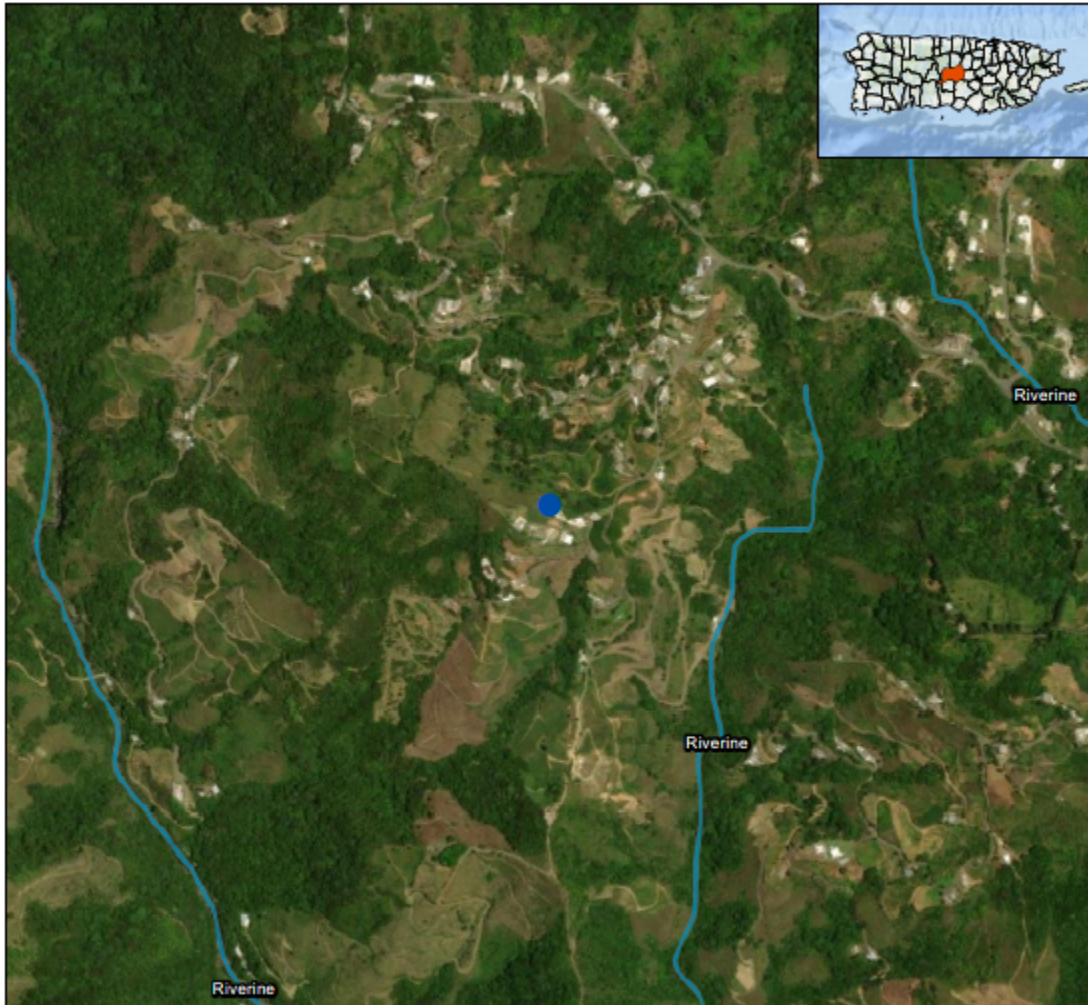


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Figure 5: PR-RGRW-01313 Critical Habitats Map

Wetlands Map

Puerto Rico Department of Housing ReGrow

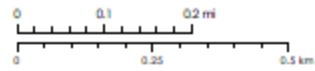


Legend:

● PR-RGRW-01313

National Wetlands Inventory

■ Riverine



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source

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



1:10,000

Figure 6: PR-RGRW-01313 Wetlands Map

Exhibit B: Information for Planning and Consultation (IPaC)



United States Department of the Interior



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

In Reply Refer To:
Project Code: 2024-0088200
Project Name: PR-RGRW-01313

05/09/2024 17:33:16 UTC

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

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

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0088200

Project Name: PR-RGRW-01313

Project Type: Biological Control

Project Description: The proposed activities for PR-RGRW-01313, consist of the demolition of and existing storage and the construction of a new storage infrastructure (40' x 70' x 13'). The existing structure with dimensions 22' x 80' will be demolished including its foundation. The new structure will be used to store and packaging of plantains and bananas. The new storage will be placed on a concrete slab with a depth of 8 inches. The new storage will contain bathrooms that will discharge to an existing septic tank. The water needed for the operation of the new storage will be supplied from an existing water intake from an existing well. The pipes for the sewer and potable water will be placed underground. The power needed for the storage operation will be supplied by an existing PREPA/LUMA connection. The project area is located at PR-593 km. 0 H6, Bo. Saltos within the Municipality of Orocovis.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.20352785,-66.43741386697708,14z>



Counties: Orocovis County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

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

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

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

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

BIRDS

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5512	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3067	Endangered
Puerto Rican Sharp-shinned Hawk <i>Accipiter striatus venator</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/604	Endangered

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/NFIF26OMOBCYBNSOGUKNO3KBEE/documents/generated/7159.pdf	Endangered

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

BALD & GOLDEN EAGLES

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

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

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

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

MIGRATORY BIRDS

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

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

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

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

WETLANDS

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

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

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

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.



United States Department of the Interior



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

In Reply Refer To:
Project code: 2024-0088200
Project Name: PR-RGRW-01313

05/09/2024 17:43:21 UTC

Subject: Consistency letter for the project named 'PR-RGRW-01313' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On May 09, 2024, Egon Gonzalez used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01313'. The project is located in Orocovis County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.20352785,-66.43741386697708,14z>



The following description was provided for the project 'PR-RGRW-01313':

The proposed activities for PR-RGRW-01313, consist of the demolition of and existing storage and the construction of a new storage infrastructure (40' x 70' x 13'). The existing structure with dimensions 22' x 80' will be demolished including its foundation. The new structure will be used to store and packaging of plantains and bananas. The new storage will be placed on a concrete slab with a depth of 8 inches. The new storage will contain bathrooms that will discharge to an existing septic tank. The water needed for the operation of the new storage will be supplied from an existing water intake from an existing well. The pipes for the sewer and potable water will be placed underground. The power needed for the storage operation will be supplied by an existing PREPA/LUMA connection. The project area is located at PR-593 km. 0 H6, Bo. Saltos within the Municipality of Orocovis.

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

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

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

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **045-143086218**

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

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

- Puerto Rican Parrot *Amazona vittata* Endangered

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

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

Action Description

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

1. Name

PR-RGRW-01313

2. Description

The following description was provided for the project 'PR-RGRW-01313':

The proposed activities for PR-RGRW-01313, consist of the demolition of an existing storage and the construction of a new storage infrastructure (40' x 70' x 13'). The existing structure with dimensions 22' x 80' will be demolished including its foundation. The new structure will be used to store and packaging of plantains and bananas. The new storage will be placed on a concrete slab with a depth of 8 inches. The new storage will contain bathrooms that will discharge to an existing septic tank. The water needed for the operation of the new storage will be supplied from an existing water intake from an existing well. The pipes for the sewer and potable water will be placed underground. The power needed for the storage operation will be supplied by an existing PREPA/LUMA connection. The project area is located at PR-593 km. 0 H6, Bo. Saltos within the Municipality of Orocovis.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.20352785,-66.43741386697708,14z>



QUALIFICATION INTERVIEW

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

No

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

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

No

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

No

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

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

No

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

No

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

No

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

No

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

No

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

No

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

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

No

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

No

12. Is the proposed project a new facility which would require earth moving, vegetation clearing, or debris removal using heavy machinery, the use of staging areas, construction of temporary access roads?

Yes

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

Automatically answered

Yes

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

Yes

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

No

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

Yes

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

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

Yes

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

Yes

19. Does the proposed project intersect the Puerto Rican sharp-shinned hawk area of influence?

Automatically answered

Yes

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

Automatically answered

Yes

21. Are you the Federal agency or designated non-federal representative for the proposed action?

No

Exhibit C: Field Visit Photos



Photo #: 1

Description (include direction): Area where the warehouse will be installed, looking northwest.

Date: August 18, 2023



Photo #: 2

Description (include direction): Area where the warehouse will be installed, looking southeast.

Date: August 18, 2023



U.S. FISH AND WILDLIFE SERVICE CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE

Conservation Measures for the Puerto Rican boa (*Chilabothrus inornatus*)

Section 7 (a)(1) of the Endangered Species Act (ESA) charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect federally listed species, such as Federal approval of private activities through the issuance of Federal funding, permits, licenses, or other actions. Any person that injures, captures, or kills a Puerto Rico boa is subject to penalties under the ESA. If Federal funds or permits are needed, the funding or permitting agency should initiate Section 7 consultation with the Service. To initiate a consultation under the Section 7 of the ESA, you must submit a project package with the established minimum requirements. These conservation measures should be incorporated into the project plans to minimize possible impacts to the species.

The endangered Puerto Rican (PR) boa (*Chilabothrus inornatus*, formerly *Epicrates inornatus*) is the largest endemic snake species that inhabits Puerto Rico. The PR boa is non-venomous and does not pose any life threatening danger to humans, but some individuals may try to bite if disturbed or during capture or handling. Its body color ranges from tan to dark brown with irregular diffuse marking on the dorsum, but some individuals lack marking and are uniformly dark. Juveniles may have a reddish color with more pronounced markings. In general, as they mature, their body color tends to darken.



The PR boa was federally listed in 1970. Currently, the species has an island-wide distribution and occurs in a wide variety of habitat types, ranging from wet montane to subtropical dry forest and can be found from mature forest to areas with different degrees of human disturbance such as roadsides or houses, especially if near their habitat in rural areas. The PR boa is considered mostly nocturnal, remaining less active, concealed or basking under the sun during the day.

The Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PR boa and its habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional conservation measures can be implemented besides the ones presented in this document.

Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: (787) 724-5700, (787) 230-5550, (787) 771-1124). **If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own.** Activities at other work sites, where no boas have been found after surveying the area, may continue.
5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.
7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.
8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
9. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

If you have any questions regarding the above conservation measures, please contact the Service:

- José Cruz-Burgos, Endangered Species Program Coordinator
 - Email: jose_cruz-burgos@fws.gov
 - Office phone (305) 304-1386
- Jan Zegarra, Fish and Wildlife Biologist
 - Email: jan_zegarra@fws.gov
 - Office phone (786) 933-1451