# Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

#### **Project Information**

Project ID: PR-RGRW-01504

Project Name: Marta Z. Gonzalez Otero

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico/Morovis, PR

Preparer: Clifford Jarman

Certifying Officer Name and Title: Permit and Compliance Officer, Ivelisse Lorenzo Torres

Consultant (if applicable): Tetra Tech, 251 Calle Recinto Sur, Ste. 202, San Juan, PR 00091

**Direct Comments to:** PRDOH (environmentcdbg@vivienda.pr.gov)

#### **Project Location:**

The property is a 20.49-acre site located at Bo. Cuchillas Carr. 155 Km 43.0 in the Municipality of Morovis, Puerto Rico (Parcel ID # 166-000-004-34). The proposed project is located north of the residence at 18.299510, -66.399530.

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

The proposed use of grant funds is for the construction of two greenhouses and a perimeter fence.

Scope of Work #1 consists of the construction of two 60'  $\times$  30' greenhouses (18.29951, -66.39953) on a terrace with an approximate 150'  $\times$  60' footprint. Water would be supplied through aboveground PVC tubes from the existing connection approximately 98 feet to the west.

Scope of Work #2 is the installation of a fence around the perimeter of the terrace to keep livestock from the greenhouse plants. The fenced in area would be approximately 0.45 acres (18.29935, -66.39964; 18.29957, -66.39931; 18.29900, -66.39918; 18.29948, -66.39924). The existing area for the proposed greenhouses is used for agricultural purposes including a nearby greenhouse.

The new greenhouses will be built on an already graded area. The construction of the greenhouses and the fencing will require ground disturbance.

Previously used for livestock breeding, the land is now currently used to harvest culantro. Applicant does not have access to electricity and plans to connect the water supply with PVC tubes from an existing connection.

Site photos are included in **Appendix A**. Site maps (Figures 1a and 1b) are included in **Appendix B**.

#### 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 inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. The purpose of this project is to increase the productivity of the farm. This agricultural project associated with the construction of new greenhouses and fencing is in keeping with the overall objectives of the Economic Development Program.

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

The land was previously used for livestock breeding and is currently used to harvest culantro. The land proposed for the installation of two new greenhouses, water interconnection, and fencing is used for agricultural purposes. Therefore, there is no change in land use associated with the project. Some ground disturbance will be required.

#### Structure of this Environmental Review Report (ERR).

This ERR discusses the Funding Information immediately below. The environmental impacts of the proposed action are discussed in the Compliance with 24 CFR 58.5 and 58.6 Laws and Authorities checklist and Environmental Factors checklist. The listing of Additional Studies Performed, and Sources, Agencies and Persons Consulted follows the checklists. The discussions of Public Outreach, Cumulative Impacts, Alternatives, and Summary of Findings and Conclusions are presented at the end of the ERR, before the listing of Mitigation Measures and Determination signatures. The appendices contain detailed information.

Appendix A – Site Inspection

Appendix B – Maps

Appendix C – Additional Documentation

Appendix D – Endangered Species

Appendix E – SHPO Consultation

#### **Funding Information**

Grant Number	HUD Program	Funding Amount
B-18-DP-72-0001 B-17-DM-72-0001	CDBG-DR, Re-Grow Puerto Rico Urban-Rural Agricultural	\$11,938,162,230
	Program	

Estimated Total HUD Funded Amount: \$44,794

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$44,794

#### 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 REGULATION	ONS LISTED AT 24 CFR 58.6
Airport Hazards  24 CFR Part 51 Subpart D	Yes No	The project consists of the construction of two greenhouses with a PVC water pipe connection to the existing water supply, and a perimeter fence around the greenhouses. The nearest airport is approximately 116,395 feet from the proposed site. The nearest military airport is approximately 127,808 feet from the proposed site. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Refer to Figure 2 in Appendix B.
Coastal Barrier Resources  Coastal Barrier Resources  Act, as amended by the	Yes No	Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in inland central Puerto Rico. The distance to the nearest CBRS unit is 57,941 feet. Therefore, this project has no

Coastal Barrier Improvement Act of 1990 [16 USC 3501]		potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in <b>Appendix B</b> .
Flood Insurance  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No	The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C0670J, effective date November 18, 2009. The project site is in Zone X. This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in Appendix B.)
STATUTES, EXECUTIVE ORDERS,	AND REGULATI	ONS LISTED AT 24 CFR 58.5
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No	The Project site is not located in a county or air quality management district that is in attainment status or non-attainment status for any criteria pollutants. The Municipio of Morovis is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants" The project is for the purchase and installation of greenhouses with a water interconnection and fencing for an agricultural site. The installation and operation of the greenhouses will have no impact on air quality. The project is in compliance with Clean Air Act. Refer to EPA listing in Appendix C.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No	The project is located 56,607 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the PR Coastal Zone Management Plan. The project is in compliance with the Coastal Zone Management Act. See Figure 7 in <b>Appendix B</b> .
Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)	Yes No	A site visit conducted on November 14, 2022 indicated no visible signs of contamination or toxic substances at the project site. See <b>Appendix A</b> .
		Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project.

		There are no sites of environmental concern
		identified within 3,000 feet of the project site.
		Refer to Figures 8 and 9 in <b>Appendix B</b> . The project is in compliance with Contamination and Toxic Substances.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	The project will have No Effect on listed species. According to EPA NEPAssist Enviromapper, the nearest critical or proposed critical habitat is 47,434 feet to the west of the project location. Per the Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the Puerto Rican Boa can be found, but there are no critical habitats at this location. The proposed project will have no potential to affect species or habitats due to the nature of the activities involved in the project. If a Puerto Rican Boa is encountered, work will cease until it moves off the site or, failing that, the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers will be notified for safe capture and relocation of the animal, in accordance with the USFW Puerto Rican Boa Conservation Measures guidelines.
		n/population/156/office/41430.pdf
		Refer to Figures 10 and 11 in <b>Appendix B</b> and IPaC report in <b>Appendix D</b> . This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards	Yes No	The project does not include development, construction, or rehabilitation that will increase residential density.
24 CFR Part 51 Subpart C		The project is in compliance with Explosive and Flammable Hazard requirements.
		Refer to site visit report in <b>Appendix A</b> .
Farmlands Protection  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No	The western portion of the project site is designated as prime farmland. The project consists of the construction of two greenhouses with a PVC water pipe connection to the existing water supply, and a perimeter fence around the greenhouses. The project does not include any

		activities that could potentially convert agricultural land to nonagricultural use. This project is in compliance with the Farmland Protection Policy Act. Refer to Figure 12 in Appendix B.
Floodplain Management  Executive Order 11988, particularly section 2(a); 24  CFR Part 55	Yes No	The project site is not located in an Advisory Base Flood Elevation (ABFE) special flood hazard area. This project is in compliance with Executive Order 11988. (See Figure 6 in Appendix B.)
Historic Preservation  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No	The site was evaluated on December 14, 2022, by and SOI Qualified Archaeologist. Documentation with maps was subsequently submitted to SHPO on December 16, 2022 (Appendix E). SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential on Effects on January 11, 2023. (See Figure 13 in Appendix B and Appendix E).
Noise Abatement and Control  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No	HUD's noise regulations protect residential properties from excessive noise exposure. The project consists of the construction of two greenhouses with a PVC water pipe connection to the existing water supply, and a perimeter fence around the greenhouses at a rural farm site. HUD noise regulations do not apply as the project does not include new construction for residential use or rehabilitation of an existing residential property. The proposed project is in compliance with Noise Abatement and Control.
Sole Source Aquifers  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection  Executive Order 11990, particularly sections 2 and 5	Yes No	There are no wetlands in the project area. The proposed fencing is for the perimeter of the greenhouse terrace not the perimeter of the property. The NWI maps show a wetland northeast of the project area on the northern border of the property. The project does not

		require draining, dredging, channelizing, filling, diking, impounding or related activities on or near the wetland area as defined in Executive Order 11990. This project does not impact any on or off-site wetlands and includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. Refer to Figure 14 in Appendix B.
Wild and Scenic Rivers  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No	This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 210,209 feet. The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in Appendix B.
ENVIRONMENTAL JUSTICE		
Environmental Justice  Executive Order 12898	Yes No	No adverse environmental impacts were identified in any other compliance review portion of this project that may disproportionately be high for low-income and/or minority communities. Therefore, this topic complies with Executive Order 12898.

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.** 

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

- (1) Minor beneficial impact
- (2) No impact anticipated

- (3) Minor Adverse Impact May require mitigation
- **(4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELOP	MENT	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed project is located on a rural, private farm. The southwestern portion of the property containing the residence and existing greenhouse is zoned Agricola Productivo. The project site is not zoned. The project consists of the construction of two greenhouses with a PVC water pipe connection to the existing water supply, and a perimeter fence around the greenhouses. The proposed action is compliant with the current agricultural land use of the Project area.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The proposed project is located on a rural, mountainous area, on soil classified as Múcara clay (MuF), with 40 to 60 percent slopes, which has been flattened by heavy machinery, and is surrounded with dense, secondary woodland vegetation. The project site area is rated "moderate" for landslide susceptibility (see Figure 16). The proposed location of the greenhouses has been evenly graded. There will be little to no additional runoff associated with the project.
Hazards and Nuisances including Site Safety and Noise	2	During implementation of the project, construction activities may result in temporary elevation of ambient noise levels in immediate areas around active construction areas. The only nearby receptors are the owners of the farm.  There is no access to the project area by the public. Standard BMPs, such as construction fencing, would be applied to protect the farm resident public from typical construction hazards.
Energy Consumption	2	The project site does not have access to electricity. There would be no change in energy demand.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONON	MIC	
Employment and Income Patterns	2	Temporary employment of workers related to construction activities would result, but no new permanent jobs would be created as a result of this project. These workers are expected to come from the local region. However, since the project will include an economic component, it may aid in restoring some employment opportunities and increase income.  The proposed project would not negatively impact employment or income patterns.
Demographic Character Changes, Displacement		The proposed project would not result in demographic character changes or displacement. Given the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.

Environmental Assessment Factor	Impact Code	Impact Evaluation	
COMMUNITY FA	COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.	
Commercial Facilities	2	The agricultural activity of the project property will improve. Other commercial facilities would not be impacted by the proposed project.	
Health Care and Social Services	2	Health care and social services facilities would not be impacted by the proposed project. The project would not increase demand for health care and social services facilities.	
Solid Waste Disposal / Recycling	2	Any waste vegetation from clearing activities will either be composted on site or at regional composting centers. Any soil from grading would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., piping, structural materials, greenhouse covering fabrics) would be stored for later use. The remaining construction solid waste materials would be collected for transport to the local landfill.	

		The amount of impact of solid waste resulting from the construction of the proposed project would be minor. During operations, the products and by-products would be agricultural, which waste would be biodegradable.
Wastewater / Sanitary Sewers	2	The proposed project would not involve any wastewater or sanitary sewage. Current farm conditions would remain unchanged.
Water Supply	2	Applicant does not have access to municipal water supplies. The water for the greenhouses will be supplied via PVC tubes from an existing water connection approximately 100 feet to the west. The proposed project will have no impact on water supply. A new or amended water extraction permit will be required for the increase in water extraction.
Public Safety - Police, Fire and Emergency Medical	2	The proposed project would not create any new demand for emergency or health services.
Parks, Open Space and Recreation	2	The proposed project would not create or destroy any new parks, open space, or recreational activities. It also would not increase use of those facilities.
Transportation and Accessibility	2	The proposed project would not involve the creation of new roads nor any increase in long-term traffic on existing roads. There would be some minor use of the existing road during construction. All residents and businesses would retain access to their properties during and after the project.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water		The proposed project will be situated on previous agricultural property and will have no impact to unique natural features or
Resources		water resources.

Vegetation, Wildlife	The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. The proposed project will have no impact on vegetation and wildlife.
Climate Change	This is a small project with no measurable impact on climate change factors.  With respect to climate change impact on the project, agricultural activities could be affected by drought.

Additional Studies Performed: None required

**Field Inspection** (Date and completed by):

Site inspection was conducted on November 14, 2022 by Carlos A. Medina.

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

Puerto Rico State Historic Preservation Office

FAA, National Plan for Integrated Airport Systems: <a href="https://www.faa.gov/airports/planning\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf">www.faa.gov/airports/planning\_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf</a>

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

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: <a href="https://www.epa.gov/environmental-topics/air-topics">www.epa.gov/environmental-topics/air-topics</a>

US Fish and Wildlife Service, Environmental Conservation Online System:

https://ecos.fws.gov/ecp/report/species-listings-by-

state?stateAbbrev=PR&stateName=Puerto%20Rico&statusCategory=Listed

Federal Emergency Management Agency, Flood Mapping Service:

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

US Fish and Wildlife Service, National Wetlands Inventory:

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

US Geological Survey, Data Release of May Showing Concentration of Landslides Caused by Hurricane Maria,

www.sciencebase.gov/catalog/item/59de6459e4b05fe04ccd39d8

#### List of Permits Obtained:

None required

#### Public Outreach [24 CFR 58.43]:

The local community has been very proactive in the recovery process. Puerto Rico Department of Agriculture has worked closely with the agricultural community. The project includes 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 proposed project. The agricultural activities at the farm would increase to a minor degree above current levels due to the implementation of the project. Water use would increase to a minor degree but would only impact the existing farm well. There are no other wells nearby to be affected.

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

The RGRW Program's goal is to increase agricultural capacity while promoting and increasing food security island-wide. This Program seeks to enhance and expand agricultural production related to economic revitalization and sustainable development activities. The applicant submitted a proposal to enhance and expand agricultural production on their property. The proposed use of grant funds will allow the applicant to expand the cultivation, processing, and delivery of agricultural products through the construction of two new greenhouses, a water interconnection, and perimeter fencing. Any alternative that would involve an off-property location would not enhance and expand agricultural production or allow for the economic development for this applicant. The actions are proposed in an area near the existing

residence, greenhouse, and road. The proposed site has been previously cleared and graded. Alternative locations on the property would be farther from the existing facilities. An alternative location onsite and would require additional vegetation removal and grading.

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

Under the No Action Alternative, the applicant would not receive federal funding for the construction of two 60' x 30' greenhouses, water interconnection, and the installation of perimeter fencing which inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for the economic development for this applicant.

#### **Summary of Findings and Conclusions:**

The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with federal agencies associated with the topics evaluated above. There are no environmental review topics addressed above that result in the need for additional formal compliance steps with federal agencies or the requirement for mitigations other than those listed below. There may be additional approvals or permits from local agencies.

#### 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
Water Supply	The appropriate permit will be obtained before the increase in withdrawal of water from the existing well for use in the new greenhouses.

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: 02/07/23
Name/Title/Organization: Clifford Jarman, Senior Environmental Scientist, Tetra Tech Inc.
Certifying Officer Signature:
Name/Title: I. Lorenzo, Permits and Environmental Compliance Specialist

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

Appendix A





#### **Environmental Field Observation - Puerto Rico Department of Housing**

APPLICANT INFORMATION						
Application ID	PR-RGRW-01504					
Applicant Name						
Property Address		1 43 h 0 Bo. R	io Grande,			
Parcel ID		4-34				
Coordinates						
Inspector Name						
·						
Inspection Date Building Type						
Sullaing Type						
Number of Units	1					
Number of Stories	1					
Year Built; Data Source						
ENVIRONMENTAL OBSERVATIONS (attach		otes, as nece	essary, for any YFS answers)			
OBSERVATION ITEMS		YES NO COMMENTS				
OBSERVATION TEMS	11.3	NO	COMMENTS			
A. Is the structure in use?	<b>7</b>		Applicant have 1 greenhouse of 50' x 30' in use, NW of the plan terrace for the new greenhouses.			
B. is structure a greenhouse?	Ø		Applicant harvest are Culantro.			
C. Is Electricity connected?		$\overline{\checkmark}$				
D. Is water connected? (Utilities or Well)			Applicant stated a new water connection will be from am existing connection at the side of the terrace.			
1. Are there signs of <b>poor housekeeping</b> on site? (mounds of						
rubble, garbage, storm debris, solid waste, petroleum products,		$\overline{\mathbf{A}}$				
paint, pesticides, cleaning fluids, vehicle batteries, abandoned	_					
vehicles, pits, pools, ponds of hazardous substances, etc.)  2. Are there any 55-gallon drums visible on site? If yes, are they						
leaking?		_				
, and the second		$\square$				
3. Are there any (or signs of any) underground storage tanks on		$\overline{\checkmark}$				
the property?  4. Are there signs of ASTs on the parcel or adjacent parcel? If yes,						
list approximate size and contents, if known.						
, and approximate size and server is, in the server is			100 pounds			
			Propane gas			
5. Is there any stained soil or pavement on the parcel?		<b>☑</b>				
6. Is a water <b>drainage system</b> in use?						
		<u> </u>				
7. Is a warehouse in use for storage of <b>Fertilizer or Pesticides</b> ?		$\overline{\square}$				
<b>8</b> . Are there any <b>groundwater monitoring wells</b> on the site or adjacent parcel?		Ø				
9. Is there evidence of a faulty septic system?		Ø				
10. Is there distressed vegetation on the parcel?		$\overline{\mathbf{V}}$				
11. Is there any visible indication of MOLD?		V				







<b>12</b> . Is there any visible evidence of <b>asbestos</b> , <b>chipping</b> , <b>flaking or peeling paint</b> , <b>or hazardous materials</b> present in or on the structure?		V	
13. Are any additional site hazards observed?		V	
<b>14</b> . Is there any <b>permanent standing water</b> , such as a pond or stream, located on the site (do not include ponding from recent rain / weather events)?	Ø		
<b>15</b> . Does the subject property have <b>water frontage</b> ?		V	
<b>16</b> . Is there any indication of the presence of <b>Wetlands</b> ?		Ø	
<b>17</b> . Are there any obvious signs of <b>animals or birds nesting</b> on or near the site?		Ø	
<b>18</b> . Is the applicant aware of any <b>significant historical event or persons</b> associated with the structure, or of it being located in a historic district/area?		V	
19. Is a historic marker present?		V	

#### **Additional Notes:**

Case: PR-RGRW-01504

Correct coordinates: 18.29951, -66.39953° W

Footprint Terrace for the 2 new greenhouse is 150' x 60' approximately.

Scope of Work: Construction and installation of fence and two greenhouses.

Land current in use for: Applicant have 2 greenhouse in use approximately 60' NW of the Terrance where they plan to do 2 more

greenhouse. The are producing Culantro.

Past land use was: Breeding of livestock.

What the applicant plans to do: Applicant plans to do 2 greenhouse with approximately footprint of 60' x 30'. Additional a fence around the terrace.

Where the applicant plans to do the ground disturbance for the new structures: Applicant have a terrace designated for the two new construction of the greenhouse and the fence around it.

Scope of work Area 1: for the 2 new greenhouses 18.29951, -66.39953

Scope of work Area 2: The applicant stated they will do a fence around perimeter of the terrace. Coordinates are: 18.29935, -66.39964; 18.29957, -66.39931; 18.29900, -66.39918; 18.29948, -66.39924

Any new water connection, well, cisterns or power connection: Applicant plans to connected water supply with PVC tubes from an existing connection.



## PR-RGRW-01504

	430044400014330014300043000430004300043	**************
	Road to the property	
	***************************************	***************************************
	Greenhouse in use 50' x 30'	Applicant house
Scope of Work Area 2		8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8
	New terraces Scope of Work 1 150' x 60' 18.29951° N, -66.39953° W	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$





Photo Direction: South

Front of Structure



Facing Away From Front

Photo Direction: North





Side #1 of Structure
Photo Direction: Northeast



Facing Away From Side #1

Photo Direction: Southwest







Photo Direction: South









Facing Away From Side #2

Photo Direction: North





Photo Direction: South



Streetscape #2

Photo Direction: North









Photo Direction: Southwest

Photo Direction: Southwest



Photo Description: Architectural details

Photo Direction: Southwest



Structural Details

Photo Description: Architectural details

Photo Direction: South





Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: Northeast





Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: East





Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast





Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: East





Structure Occupied

Photo Description: Actual greenhouse in use.

Photo Direction: Northwest



Structure Occupied

Photo Description: Scope of Work Area 1

Photo Direction: South





Structure Occupied

Photo Description: Scope of work Area 2

Photo Direction: North



Greenhouse Photos

Photo Description: Greenhouse in use

Photo Direction: Southeast





Photo Description: Propane gas tank
Photo Direction: Southwest



Standing Water

Photo Description: Water pond

Photo Direction: North



Standing Water

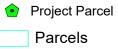
Photo Description: River

Photo Direction: West



Appendix B





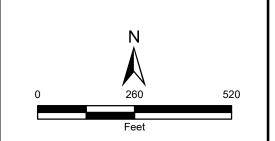
### **PUERTO RICO**

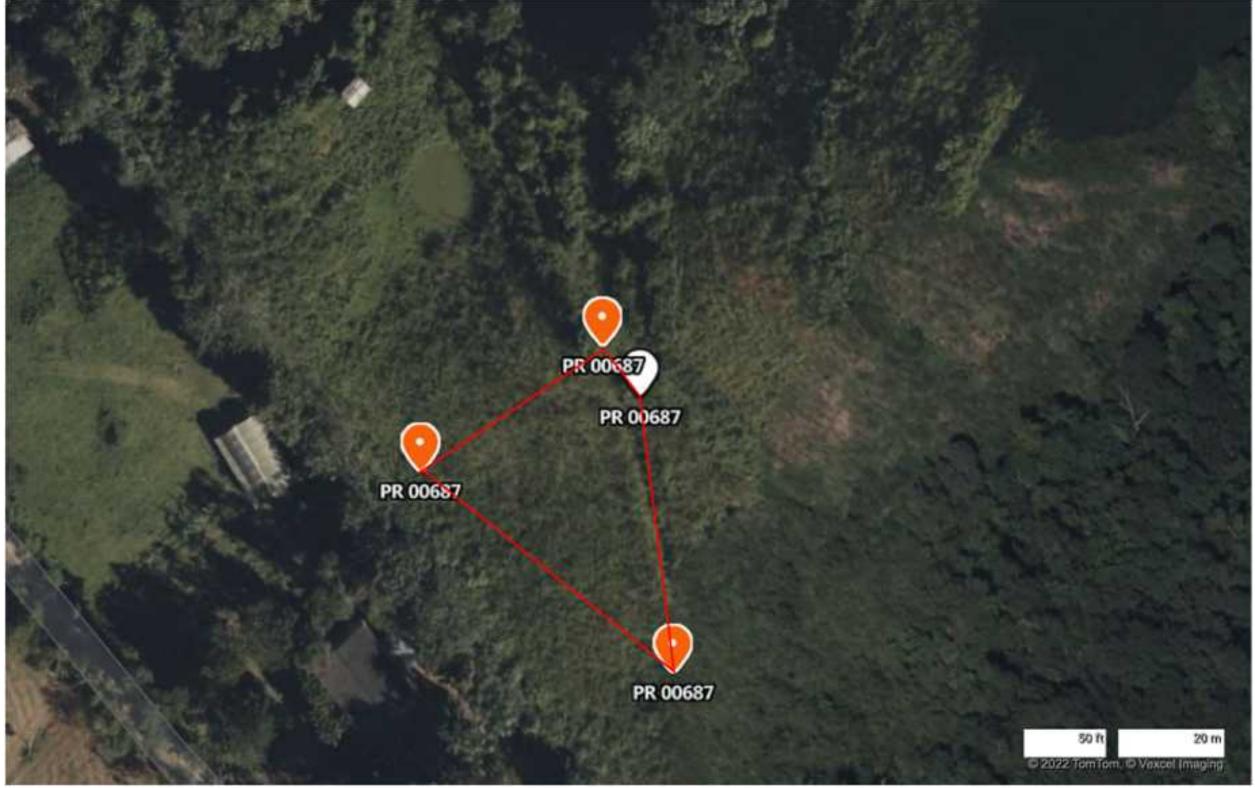




ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687
Parcel Coordinates: 18.299510, -66.399530







Fence corner coordinates 18.29935, -66.39964; 18.29957, -66.39931; 18.29900, -66.39918; 18.29948, -66.39924

## **PUERTO RICO**

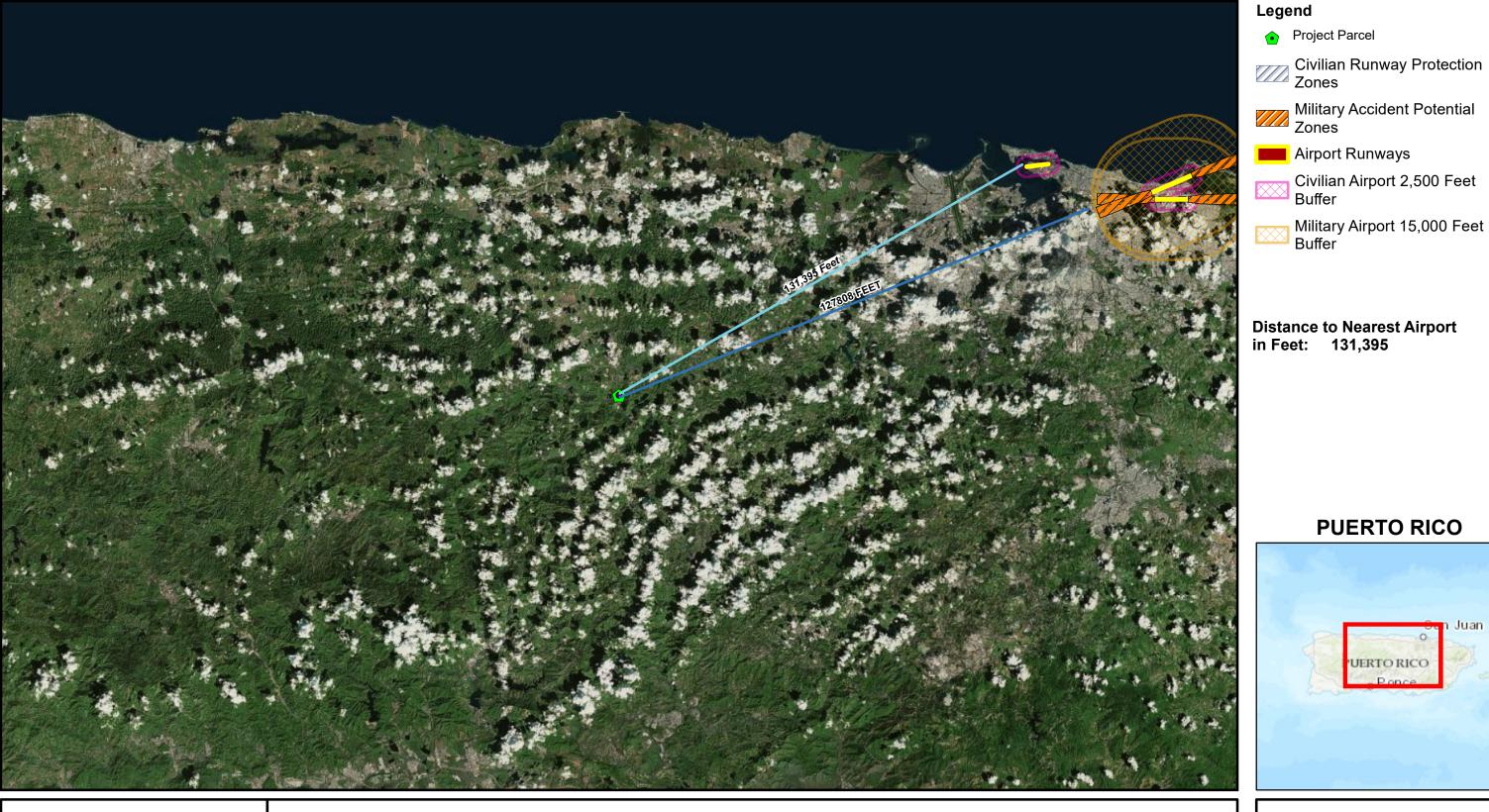




Figure 1b: FENCE LOCATION
APPLICANT ID: PR-RGRW-01504

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687
Parcel Coordinates: 18.299510, -66.399530





# **Figure 2: AIRPORT ZONES APPLICANT ID: PR-RGRW-01504**

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530

48,000

Military Accident Potential Zones

Civilian Airport 2,500 Feet

Military Airport 15,000 Feet

**PUERTO RICO** 

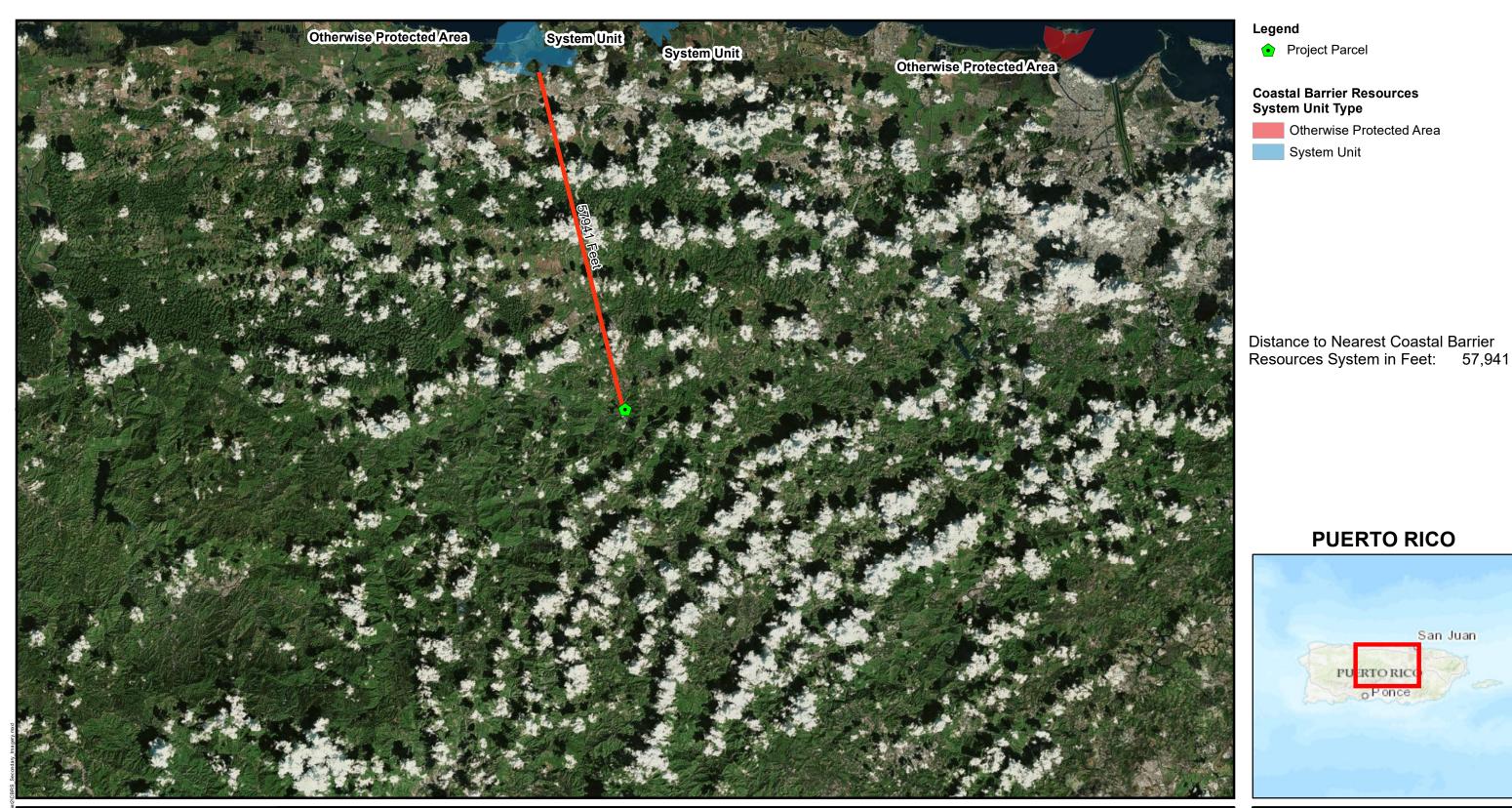
UERTO RICO

Airport Runways

Buffer

Buffer

# **TETRA TECH** Source: USDOT https://www.faa.gov



**TETRA TECH** 

Date: 10/4/2022

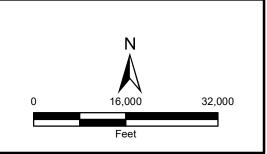
Source: U. S. Fish & Wildlife Service

https://www.fws.gov

# Figure 3: COASTAL BARRIERS RESOURCES ACT **APPLICANT ID: PR-RGRW-01504**

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687

Parcel Coordinates: 18.299510, -66.399530



**PUERTO RICO** 

San Juan

Otherwise Protected Area

System Unit

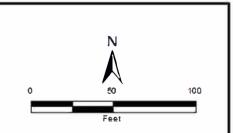




## Figure 4: FLOODPLAIN INSURANCE

**APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530



#### National Flood Hazard Layer FIRMette FEMA Legend SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT Without Base Flood Elevation (BFE) With BFE or Depth Zone AE, AO, AH, VE, AR SPECIAL FLOOD Regulatory Floodway HAZARD AREAS 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee, See Notes, Zone X OTHER AREAS OF FLOOD HAZARD Area with Flood Risk due to Levee Zone D NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs OTHER AREAS Area of Undetermined Flood Hazard Zone D AREA OF MINIMAL FLOOD HAZARD GENERAL - - - Channel, Culvert, or Storm Sewer STRUCTURES | | | | Levee, Dike, or Floodwall 20.2 Cross Sections with 1% Annual Chance 17.5 Water Surface Elevation Puerto Rico Unincorporated Areas - - Coastal Transect Municipio de Movis Base Flood Elevation Line (BFE) Limit of Study 720000 Jurisdiction Boundary -- Coastal Transect Baseline Profile Baseline 72000C0670J **FEATURES** Hydrographic Feature eff. 11/18/2009 Digital Data Available No Digital Data Available MAP PANELS Unmapped The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location. This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/18/2023 at 3:14 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes. 250 500 1,000 1,500 Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



#### **FIGURE 5: FIRMETTE MAP**

#### **APPLICANT ID: PR-RGRW-01504**

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687

Parcel Coordinates: 18.299510, -66.399530



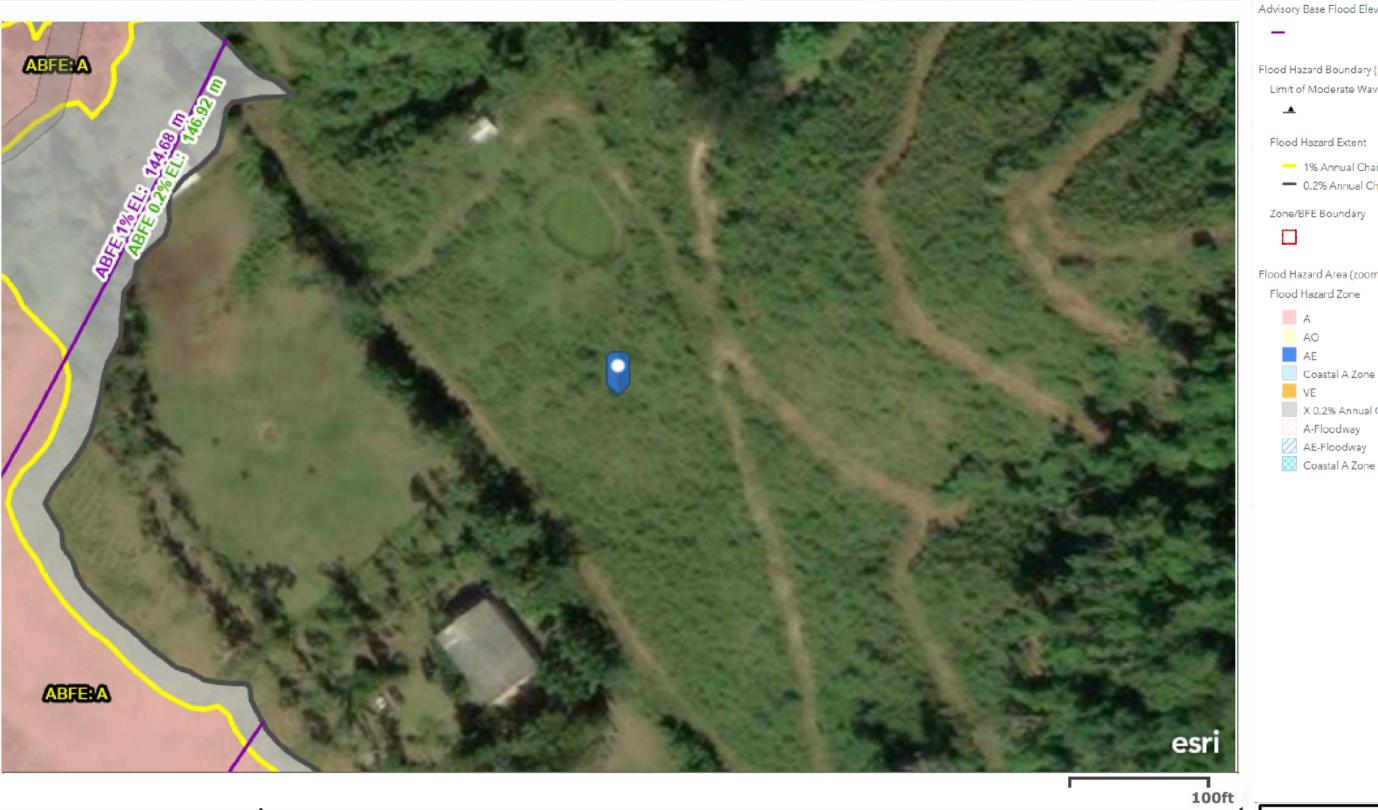


Figure 6: FLOODPLAIN MANAGEMENT **APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530

**TETRA TECH** Source: FEMA

https://gis.fema.gov\_

Date: 2/16/2023

PuertoRico\_ABFE\_1PCT

Legend

Advisory Base Flood Elevation (zoom in to make visible)

Flood Hazard Boundary (zoom in to make visible) Limit of Moderate Wave Action (LiMWA)

- 1% Annual Chance Flood

- 0.2% Annual Chance Flood

Flood Hazard Area (zoom in to make visible)

X 0.2% Annual Chance Flood

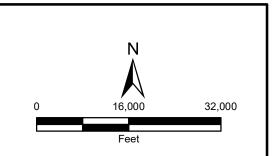
Coastal A Zone and Floodway



Figure 7: COASTAL ZONE MANAGEMENT **APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687

Parcel Coordinates: 18.299510, -66.399530



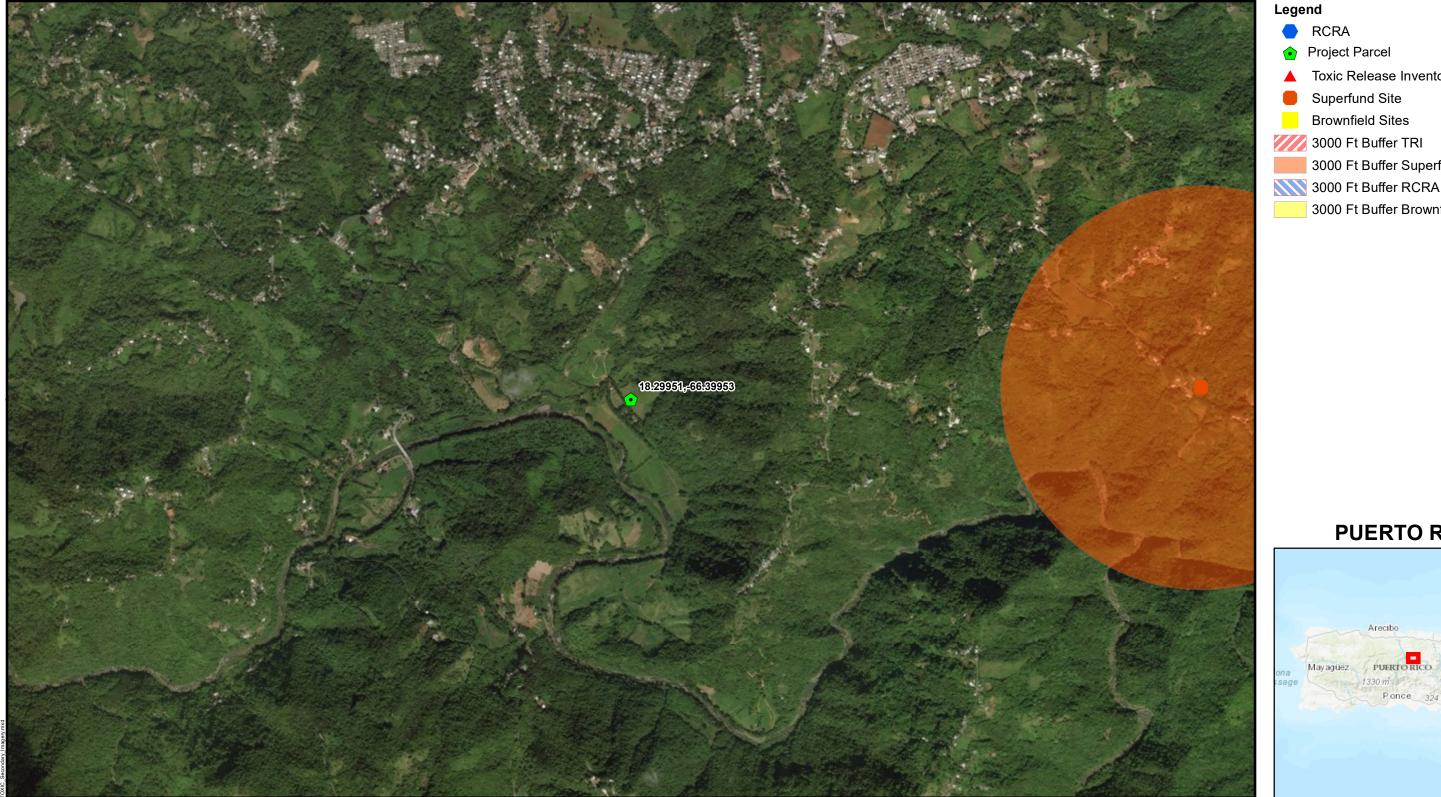
## **PUERTO RICO**



Source: NOAA's Ocean Service https://data.noaa.gov

**TETRA TECH** 

Date: 10/4/2022



**Project Parcel** 

Superfund Site **Brownfield Sites** 

Toxic Release Inventory Site

3000 Ft Buffer Superfund

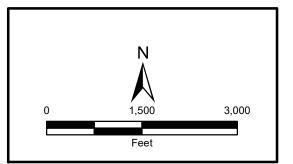
3000 Ft Buffer Brownfield

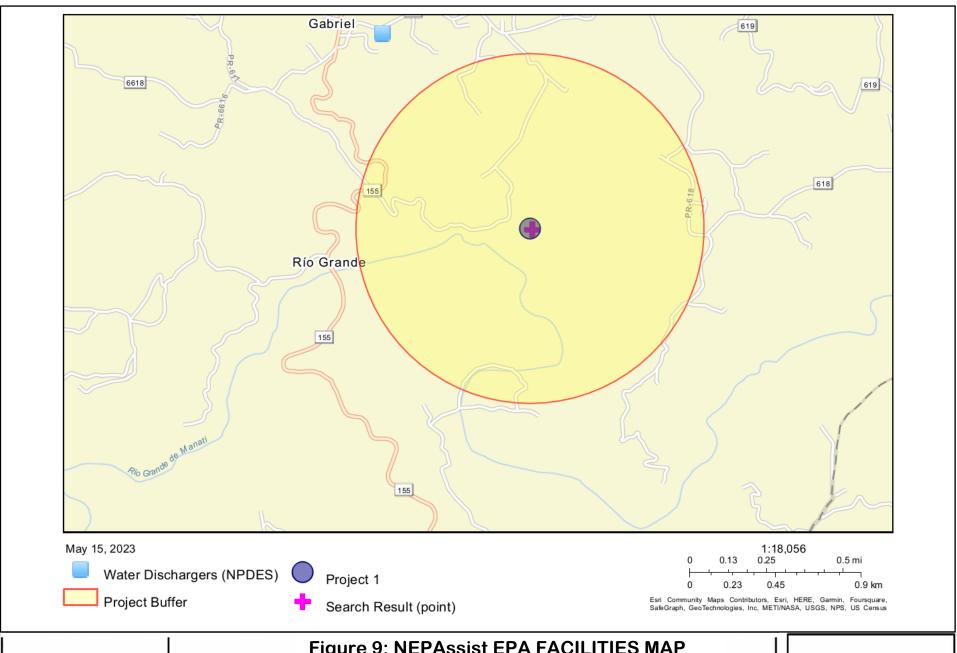




Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS, CONTAMINATION, AND RADIOACTIVE SUBSTANCES **APPLICANT ID: PR-RGRW-01504** 

> ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530







# Figure 9: NEPAssist EPA FACILITIES MAP APPLICANT ID: PR-RGRW-01504

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530





Project Parcel

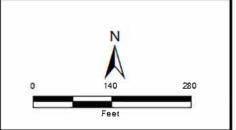


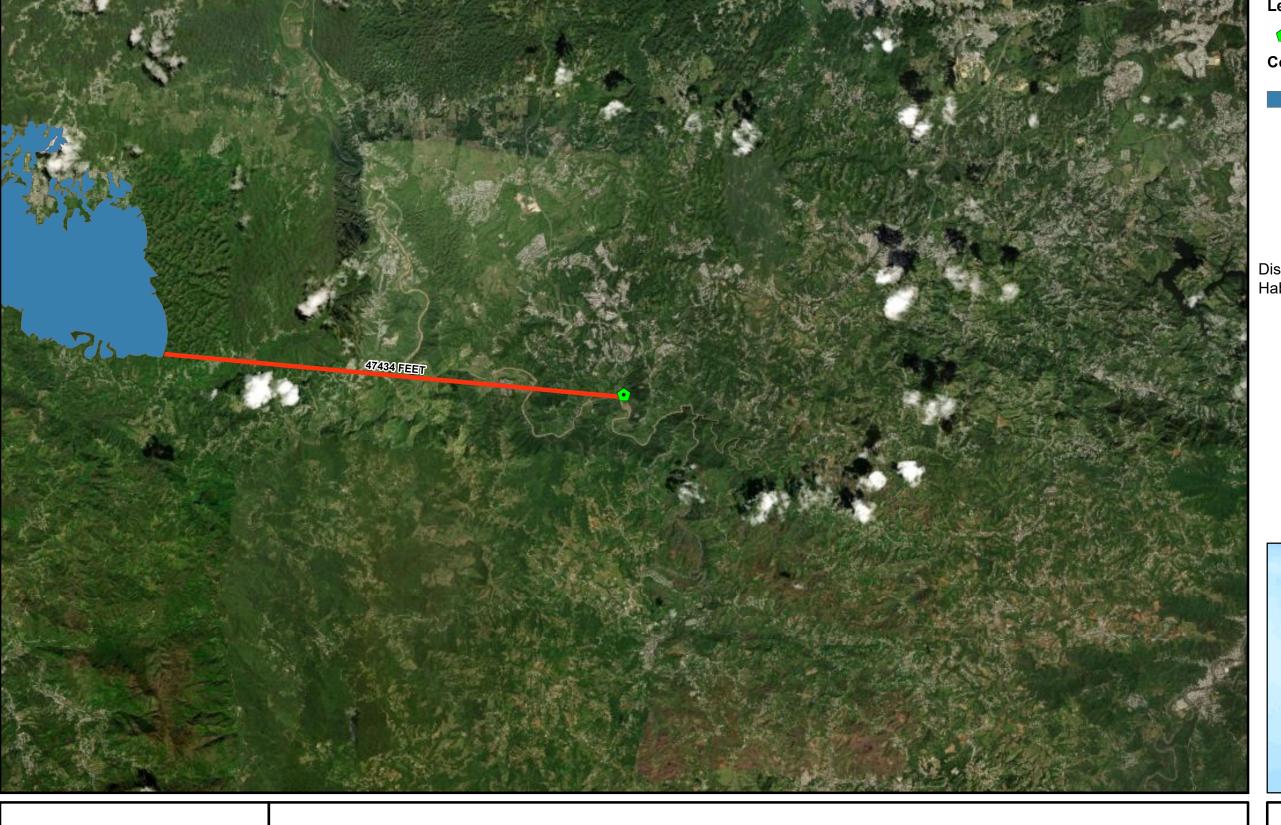


Figure 10: ENDANGERED SPECIES REPORT

APPLICANT ID: PR-RGRW-01504

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530





Legend

Project Parcel

**Common Name** 

Puerto Rico harlequin butterfly

Distance in feet to Nearest Critical Habitat: 47,434

## **PUERTO RICO**



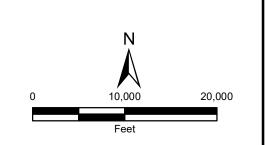
Figure 11: CRITICAL HABITAT

**APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530



Date: 10/4/2022



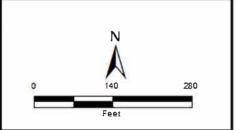




**APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530



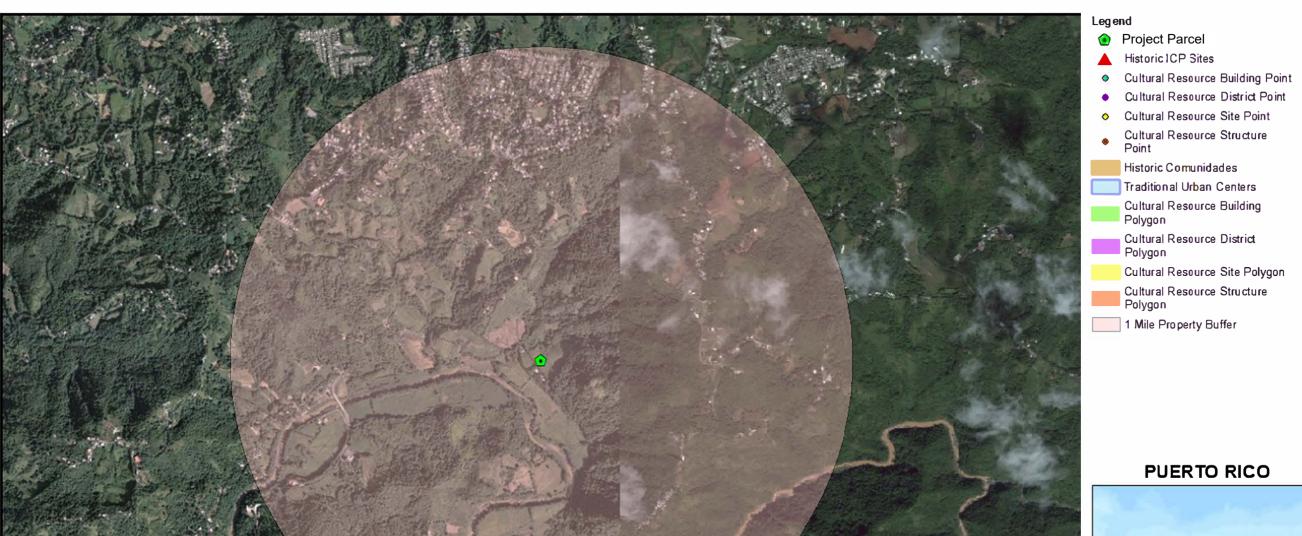


Prime farmland if drained

Prime farmland if protected from

**PUERTO RICO** 

PUERTORICO



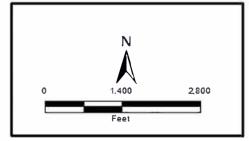


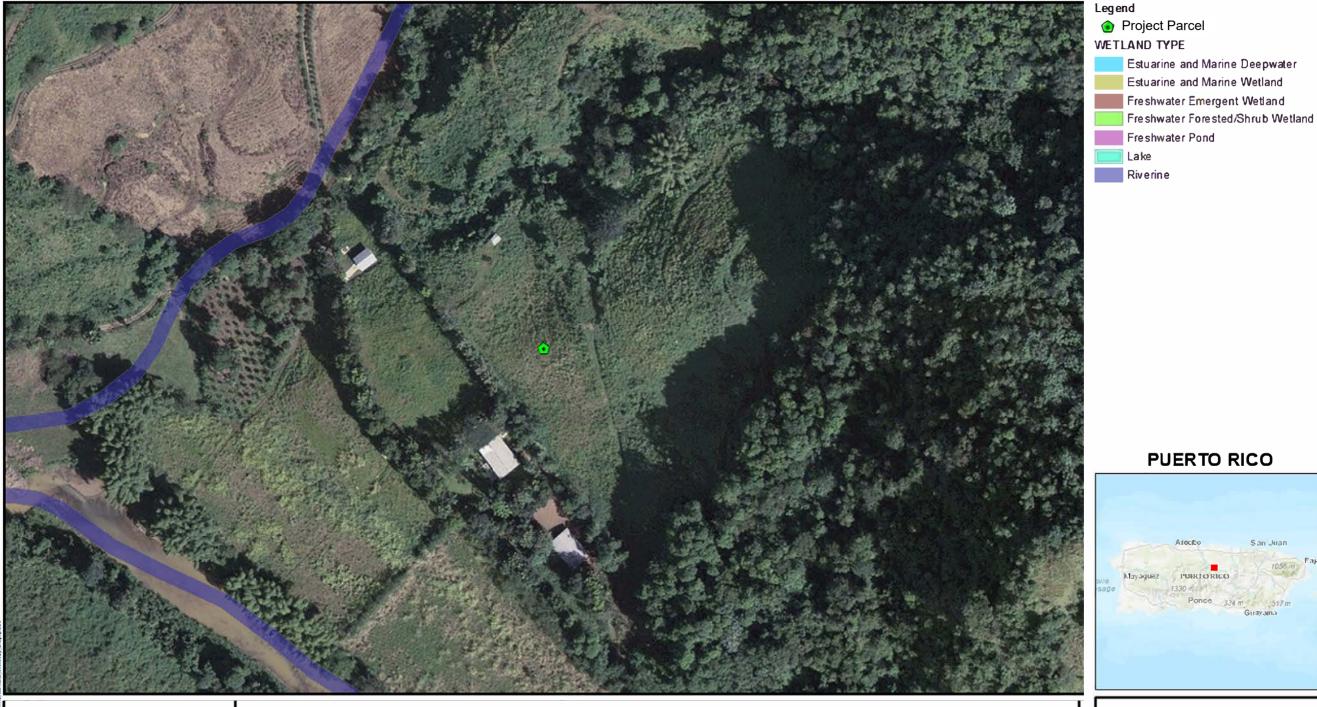


Date: 10/24/2022

Figure 13: HISTORIC PRESERVATION **APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530





## **PUERTO RICO**

Estuarine and Marine Deepwater Estuarine and Marine Wetland

Freshwater Pond

Lake

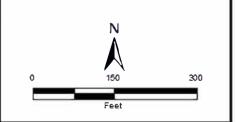


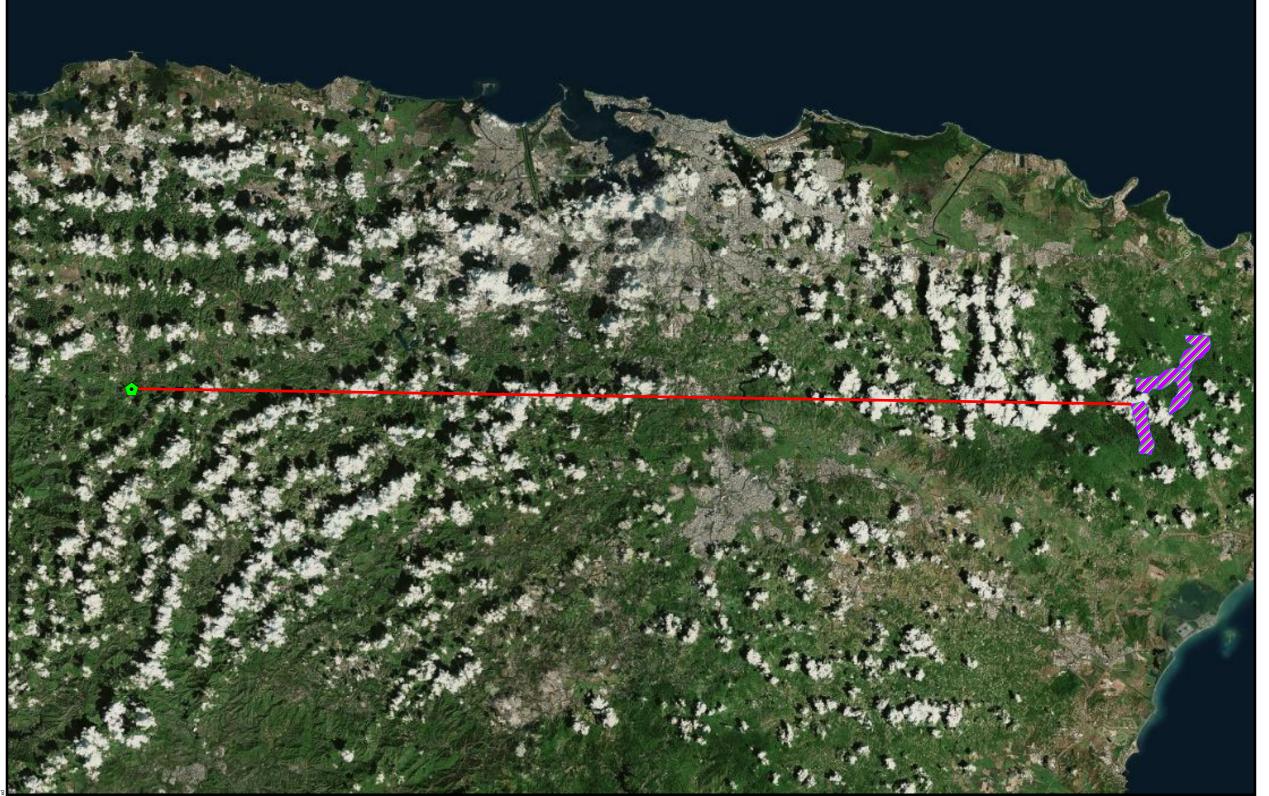
## Figure 14: WETLANDS **APPLICANT ID: PR-RGRW-01504**

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Parcel Coordinates: 18.299510, -66.399530



Date: 10!4'2022





▶ Project Parcel▶ Nearest WSRWild and Scenic Rivers

Distance to Nearest Wild and Scenic River in Feet: 210209

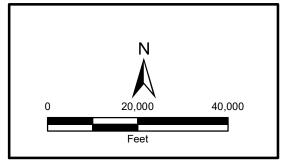
## **PUERTO RICO**

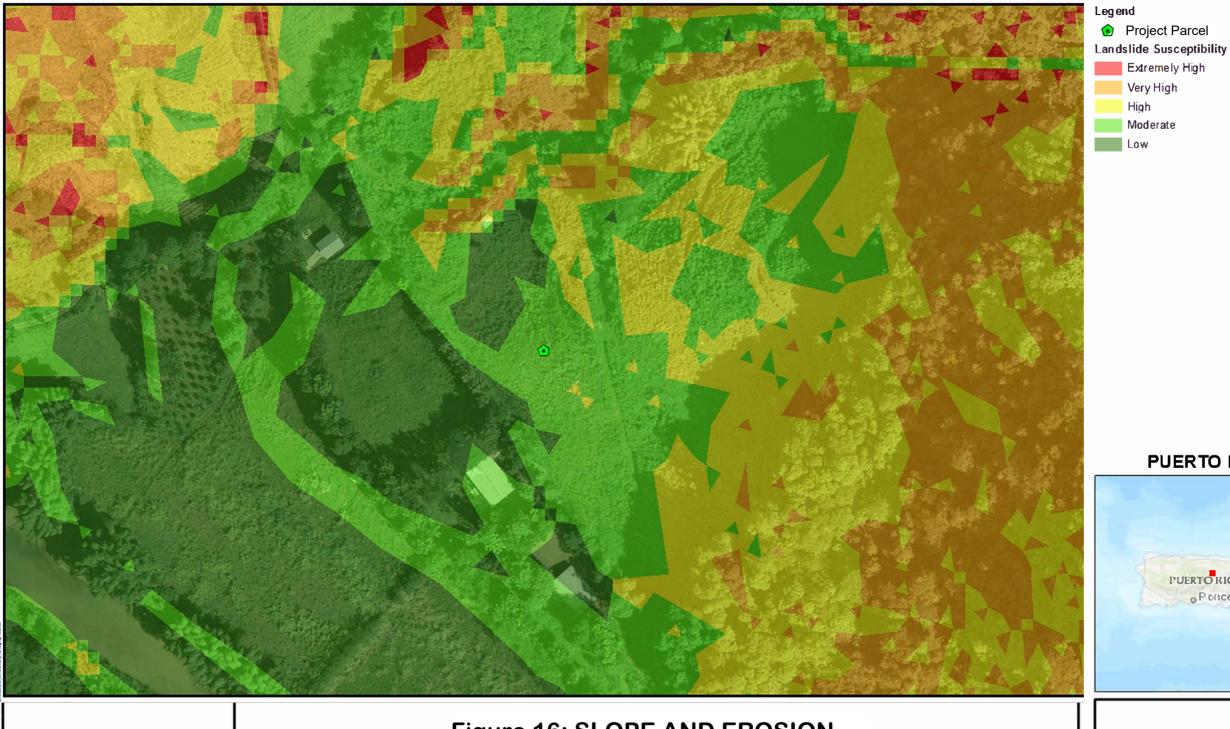




Figure 15: WILD AND SCENIC RIVERS ACT APPLICANT ID: PR-RGRW-01504

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687 Name of Development: Marta Z. Gonzalez Otero Parcel Coordinates: 18.299510, -66.399530





#### **PUERTO RICO**

Extremely High Very High High Moderate





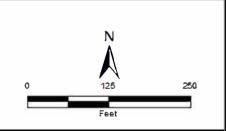
Date: 10/4/2022

ttps://usgs.maps.arcgis.com apps/webappviewerhdex.html?id=10506ecc7f15491daee17647f19248ee

Figure 16: SLOPE AND EROSION **APPLICANT ID: PR-RGRW-01504** 

ADDRESS: Carr 155 km 43 h 0 Bo. Rio Grande, PR 00687

Parcel Coordinates: 18.299510, -66.399530



Appendix C

## O EPA Med States Environmental Protection Agen

Green Book

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

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

Data is current as of December 31, 2021

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 Ptvl-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).

mportant Notes			_																					Download Na	alonal Daiaset	dbf I XIS	Data diction
County	NMQS	Area Name										Nona	ttainn	nent ir	Year								Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FPS Codes
PUERTO RICO																											
Arecibo Municipio	Lead (2008)	Arecibo, FR														11	12 13	14	15 1	6 17	18	19 20 21	"		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, FR																			18	19 20 21	II		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR																			18	19 20 21	11		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, FR	92	93 94	4 95	96 9	7 98	99 0	0 01	02 (	03 04	05	06 0	07 08	09								02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR																			18	19 20 21	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, FR																			18	19 20 21	11		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR																			18	19 20 21	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR																			18	19 20 21	"		Part	52,441	72/137

Appendix D

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Morovis County, Puerto Rico



# Local office

#### Caribbean Ecological Services Field Office

- **\( (787) 834-1600**
- **(787) 851-7440**
- CARIBBEAN ES@FWS.GOV

#### MAILING ADDRESS

Post Office Box 491 Boqueron, PR 00622-0491

#### PHYSICAL ADDRESS

Office Park I State Road #2 Km 156.5, Suite 303} Mayaguez, PR 00680

# Endangered species

#### This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA</u> <u>Fisheries</u> for <u>species under their jurisdiction</u>.

- 1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
- 2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Reptiles

NAME STATUS

Puerto Rican Boa Chilabothrus inornatus

**Endangered** 

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6628

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

# Migratory birds

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

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

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

#### Additional information can be found using the following links:

- Birds of Conservation Concern <a href="https://www.fws.gov/program/migratory-birds/species">https://www.fws.gov/program/migratory-birds/species</a>
- Measures for avoiding and minimizing impacts to birds <a href="https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds">https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds</a>
- Nationwide conservation measures for birds <a href="https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf">https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf</a>

## There are no migratory birds of conservation concern expected to occur at this location.

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

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

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

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

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

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

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

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

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

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

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

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

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

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

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

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

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

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

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

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

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

## **Facilities**

## National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> 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 at this location.

## Fish hatcheries

There are no fish hatcheries at this location.

# Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> 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>U.S. Army Corps of Engineers District</u>.

#### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the <a href="NWI map">NWI map</a> to view wetlands at this location.

#### **Data limitations**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Appendix E

January 11, 2023

#### Lauren Bair Poche

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

SHPO: 12-16-22-02 PUERTO RICO DISASTER RECOVERY, CDBG-DR RE-GROW PR URBAN-RURAL AGRICULTURAL RE-GROW PROGRAM, PR-RGRW-01504, MARTA Z. GONZÁLEZ OTERO, CARR 155 KM 43.0, MOROVIS, PUERTO RICO

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/LGC





December 16, 2022

Carlos A. Rubio Cancela Director Ejecutivo Oficina Estatal de Conservación Histórica 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-01504 – Marta Z. González Otero – Bo. Cuchillas, Carr 155 Km 43.0, Morovis, Puerto Rico – No Historic Properties Affected

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for new construction activities proposed by Marta Z. González Otero at Bo. Cuchillas, Carr 155 Km 40.0, in the municipality of Morovis. The undertaking consists of the construction of two 60' x 30' greenhouses on a terrace and the installation of the fence around said terrace.

Based on the submitted documentation prepared by SOI-qualified Archaeologist Dr. Jesus E. Vega, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.

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



Kindest regards,

Lauren Bair Poche, M.A.

Architectural Historian, Historic Preservation Senior Manager

**Enclosures** 

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Subrecipient: Marta Z. González Otero	,
Case ID: PR-RGRW-01504	City: Morovis

Project Location: Bo. Cuchillas Carr. 155 Km 43.0 Morovis PR 00687

Project Coordinates: 18.299510, -66.399530

TPID (Número de Catastro): 166-000-004-34

Type of Undertaking:

□ Substantial Repair

☑ New Construction

Construction Date (AH est.): 1985

Property Size (acres): 20.49

SOI-Qualified Archaeologist: Jesus E. Vega, Ph.D.

Date Reviewed: December 14, 2022

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 the subrecipient are the construction of two 60' x 30' greenhouses on a terrace with an approximate 150' x 60' footprint and the installation of a fence around perimeter of the terrace in compliance with Section 106 NHPA Effect Determination. All activities will require ground disturbance. The property is located at Bo. Cuchillas Carr. 155 Km 43.0 in the Municipality of Morovis. Previously used for livestock breeding, the land is now currently used to harvest culantro. The applicant does not have access to electricity and plans to connect the water supply with PVC tubes from an existing connection. No existing structures are associated with this undertaking.

#### **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 will be centered on the area(s) potentially impacted by ground disturbance related to the following scope(s) of work: construction of two 60' x 30' greenhouses at 18.29951, -66.39953 and installation of a fence around perimeter at 18.29935, -66.39964; 18.29957, -66.39931; 18.29900, -66.39918; 18.29948, -66.39924. The direct APE includes a 15-meter buffer to the rear and sides. The visual APE is the viewshed of the proposed project.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Subrecipient: Marta Z. González Otero	,
Case ID: PR-RGRW-01504	City: Morovis

#### 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 the project area is within a half-mile distance of zero recorded archaeological sites and/or NRHP listed/eligible historic properties. "No data" denotes no corresponding Institute of Puerto Rican Culture (IPRC), State Historic Preservation Office (SHPO), or National Register of Historic Places (NRHP) identification was found. The proposed project is located on a rural, mountainous area, on soil classified as Múcara clay (MuF), with 40 to 60 percent slopes, that has been flattened by heavy machinery, and is surrounded with dense, secondary woodland vegetation. It is 160 meters above the mean sea level, approximately 14.16 miles from the north coast, and the closest body of fresh-water body, Quebrada La Mina, is 0.10 miles northwest, while the Río Grande de Manatí is 0.13 miles southwest.

Table 1. Archaeological Sites and/or NRHP Listed/Eligible Historic Properties Within a Half-Mile Radius of Project Area

Name	SHPO ID	IPRC ID	Location	Description	NRHP
N/A	N/A	N/A	N/A	N/A	N/A

Table 2. Cultural Resource Studies Conducted Within a Half-Mile Radius of Project Area

Author	Title	Year	SHPO/IPRC ID	Results	Location
N/A	N/A	N/A	N/A	N/A	N/A

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Subrecipient: Marta Z. González Otero	,
Case ID: PR-RGRW-01504	City: Morovis

#### **Determination**

The following historic properties have been identified within the APE:

- Direct Effect:
  - o N/A
- Indirect Effect:
  - o N/A

Based on the results of our historic property identification efforts, there are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project area. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to where the direct Area of Potential Effect (APE) of case PR-RGRW-01504 is located. The proposed project area is not within the boundaries or visual APE of any NRHP listed/eligible historic properties nor to a Traditional Urban Center or Historic District. Additionally, the closest fresh-water body is 0.10 miles (520.74 feet) away. The slope of the APE is excessive in terms of prehistoric settlement patterns. Surrounding terrain has been minimally impacted by the construction of agricultural infrastructure and dirt roads. Therefore, the Program has determined that project actions described in the undertaking will not impact any cultural properties.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM	GOVERNMENT OF PUERTO RICO
Section 106 NHPA Effect Determination	DEPARTMENT OF HOUSING
Subrecipient: Marta Z. González Otero	,
Case ID: PR-RGRW-01504	City: Morovis

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

Case ID: PR-RGRW-01504	City: Morovis
Recommendation	
The Puerto Rico Department of Housing requests that the Puerto following determination is appropriate for the undertaking (Choo	
□ No Adverse Effect	
Condition (if applicable):	
□ Adverse Effect	
Proposed Resolution (if appliable)	
This Section is to be Completed by SHPO Sta	ff Only
The Puerto Rico State Historic Preservation Office has reviewed and:	the above information
□ <b>Concurs</b> with the information provided.	
□ <b>Does not concur</b> with the information provided.	
Comments:	

Carlos Rubio-Cancela Date: State Historic Preservation Officer



**Section 106 NHPA Effect Determination** 

Subrecipient: Marta Z. González Otero

Case ID: PR-RGRW-01504

# City: Morovis Project (Parcel) Location – Area of Potential Effect Map (Aerial) Legend Tier 2 Site **TETRA TECH** Parcelario Source: CRIM

Date: 10/7/2022

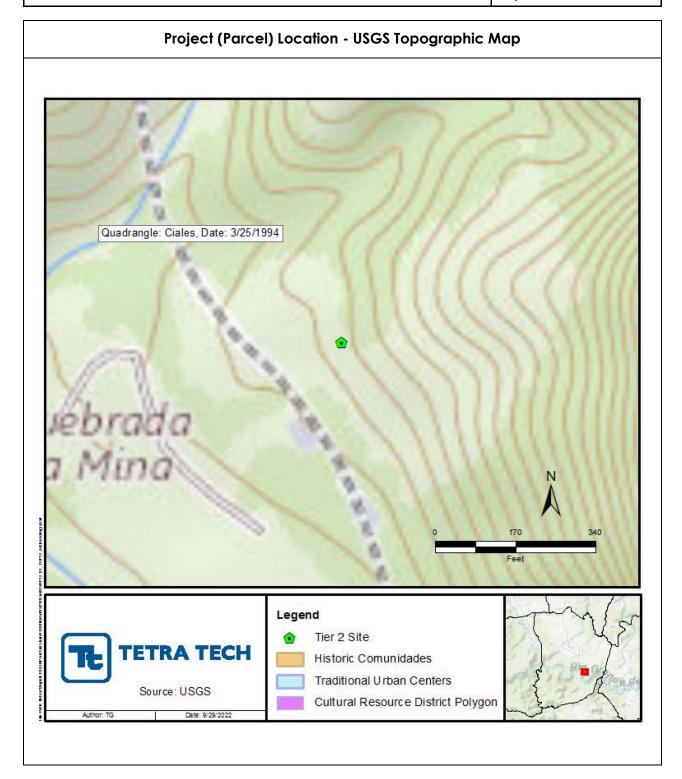


Case ID: PR-RGRW-01504 City: Morovis

# Project (Parcel) Location - Aerial Map Tier 2 Site Historic Comunidades **TETRA TECH** Traditional Urban Centers Cultural Resource District Polygon Source: CRIM Date: 9/22/2022



Case ID: PR-RGRW-01504 City: Morovis





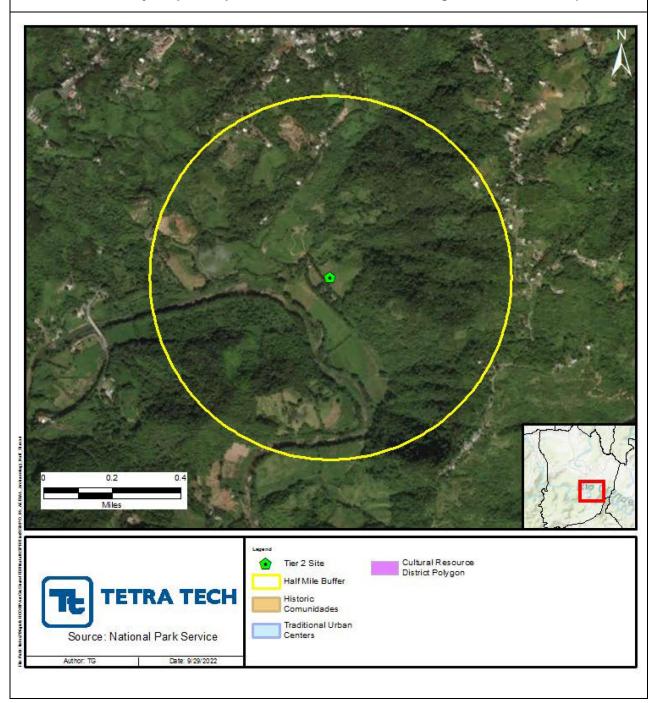
Case ID: PR-RGRW-01504 City: Morovis

# Project (Parcel) Location – Soils Map PeF MuF InD CbF To Rm **TETRA TECH** MuF;Mucara clay, 40 to 60 percent slopes Source:USDA To, Toa silty clay loam, 0 to 2 percent slopes, occasionally flooded



Case ID: PR-RGRW-01504 City: Morovis

#### Project (Parcel) Location with Previous Investigations - Aerial Map



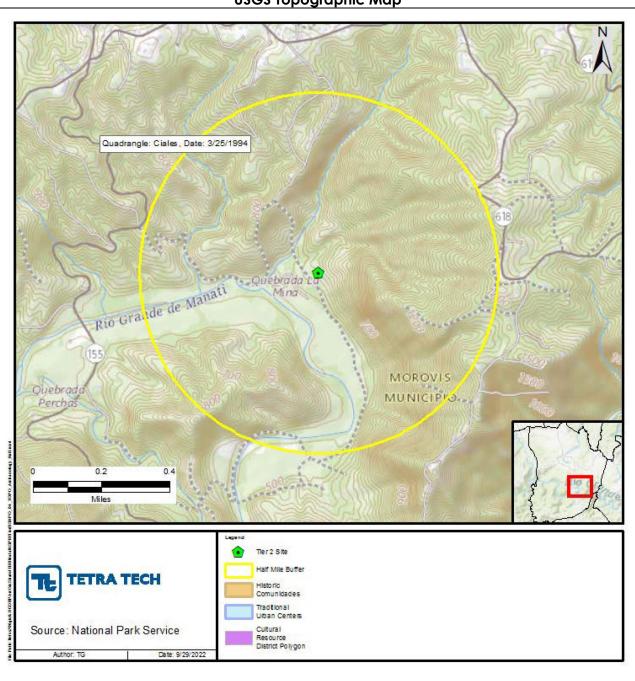


**Section 106 NHPA Effect Determination** 

Subrecipient: Marta Z. González Otero

Case ID: PR-RGRW-01504 City: Morovis

# Project (Parcel) Location with Previously Recorded Cultural Resources USGS Topographic Map



## PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM

#### REGROW I DERIO RICO I ROGRAM

Section 106 NHPA Effect Determination

Subrecipient: Marta Z. González Otero

Case ID: PR-RGRW-01504 City: Morovis



Photo #: 1 Description

**Date:** Nov. 14, 2022

Description (include direction): View to the Southeast

Scope Of Work 1, construction of two 60' x 30' greenhouses:

GOVERNMENT OF PUERTO RICO

18.29951, -66.39953



Photo #: 2	<b>Description (include direction):</b> View to the Northwest
<b>Date:</b> Nov. 14, 2022	Scope Of Work 2, installation of a fence around perimeter: 18.29935, -66.39964

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM



Section 106 NHPA Effect Determination

Subrecipient: Marta Z. González Otero

Case ID: PR-RGRW-01504 City: Morovis



**Photo #:** 3

**Description (include direction):** View top the Northeast

**Date:** Nov. 14, 2022

Scope Of Work 2, installation of a fence around perimeter: 18.29957, -66.39931



**Photo #:** 4

**Description (include direction):** View to the Southeast

**Date:** Nov. 14, 2022

Scope Of Work 2, installation of a fence around perimeter: 18.299000, -66.399180



October 20, 2022

#### Arch. Carlos A. Rubio Cancela

Executive Director State Historic Preservation Officer Cuartel de Ballajá Bldg. San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C Pérez Bofill, P.E. M.Eng Director of Disaster Recovery CDBG DR-MIT