

Environmental Assessment

Determinations and Compliance Findings for HUD-assisted Projects

24 CFR Part 58

Project Information

Project ID: PR-RGRW-01927

Project Name: ORAGRO LLC.

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico/Arroyo, PR

Preparer: Clifford Jarman

Certifying Officer Name and Title: Permit and Compliance Officers: Sally Acevedo Cosme, Pedro De León Rodríguez, María T. Torres Bregón, Angel G. López-Guzmán, Ivelisse Lorenzo Torres, Santa Damarys Ramírez Lebrón, and Janette I. Cambrelén

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 41.82-acre site located at Carr 751 Km 1.5 Bo. Pitahaya in the Municipality of Arroyo, Puerto Rico. The work would take place in two parcels (Parcel ID# 397-000-010-22 and 397-000-009-38). The coordinates of the entrance to the project property are 18.001670, -66.073170.

The property is located in a mountainous rural area of Arroyo near the western border with the town of Guayama. The property is surrounded by pastures and mature vegetation. The land was used in the past for growing fruit and raising cattle. A building is located to the south of the project coordinates.

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

The proposed use of grant funds is for the purchase of a tractor, cattle, and materials (metal fencing and wood fencing) to construct a fence and PVC pipe/tubing.

Scope of work (SOW) 1 is the replacement of a fence around the parcel to maintain the cattle secure in the area. The fence would be approximately 10,000 to 15,000 lineal feet encompassing an area of about 39.82 acres located at 18.005540, -66.073190. The

building materials for the fence are wood posts and metal wire. The maximum width of expected ground disturbance for installing the fence is 3 feet.

SOW 2 consists of the installation of a new fence made of wood posts and metal wires and installing a PVC tubing system in the center of the fenced area to provide water for the cattle. The new fence would be approximately 2,000 lineal feet encompassing an area of approximately 4.86 acres located at 18.009641, -66.074970. The PVC tubing system would be approximately 2,900 lineal feet long and with estimated depth approximately 4-6 inches below ground surface. The present infrastructure will be used for the source of the water. The maximum expected width of ground disturbance for the installation of the PVC tubing and new fence is 3 feet.

No new water or power connections will be needed for either SOW.

Site photos are included in **Appendix A**. A site map (Figure 1) is 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 island 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 fencing and water supply pipe and the purchase of a tractor and cattle is in keeping with the overall objectives of the Economic Development Program.

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

The land proposed for the installation of the PVC pipe/tubing 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-17-DM-72-0001, B-18-DP-72-0001, B-19-DP-78-0002, B-18-DE-72-0001	Community Development Block Grant – Disaster Recovery (CDBG-DR), CDBG-DR, Re-Grow Puerto Rico Urban-Rural Agricultural Program	\$11,938,162,230

Estimated Total HUD Funded Amount: \$49,861.19

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$49,861.19

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"/>	The project consists of the construction of fencing and water supply pipe, and the purchase of a tractor and cattle. The nearest civil airport is approximately 158,039 feet from the proposed site. The nearest military airport is the same airport. 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 Coastal Barrier	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in southeastern Puerto Rico. The distance to the nearest Otherwise Protected Area or CBRS unit is 16,452 feet. Therefore, this project has no potential to impact an Otherwise Protected Area or CBRS

Improvement Act of 1990 [16 USC 3501]		Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in Appendix 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 <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C1765H, effective date April 19, 2005. This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in Appendix B.)

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	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 Arroyo is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants" The construction of the fencing and water supply piping and the purchase of a tractor and cattle would 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 <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located 9,404 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 Appendix B.
Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A site visit conducted on April 11, 2023, no debris or rubbish or visible signs vegetative stress, contamination, or toxic substances were noted at the project site. Barrels used for trash collection were located at the entrance to the project area. Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project.

		<p>There are no sites of environmental concern identified within 3,000 feet of the project site.</p> <p>The project consists of the construction of fencing and water supply piping, and the purchase of a tractor and cattle. See Appendix C. Refer to Figures 8 and 9 in Appendix B. The project is in compliance with Contamination and Toxic Substances.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project will have No Effect on listed species. According to EPA NEPAAssist Enviromapper, the nearest critical or proposed critical habitat is 27,359 feet to the northwest 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 agricultural nature of the activities involved in the project. The fencing and water supply pipe would be located in an area that has been used for agricultural purposes and the tractor and cattle used in an area used for raising livestock.</p> <p>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.</p> <p>https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</p> <p>Refer to Figures 10 and 11 in Appendix B and IPaC report in Appendix D. This project is in compliance with the Endangered Species Act.</p>

<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project does not include development, construction, or rehabilitation that will increase residential density.</p> <p>The project is in compliance with Explosive and Flammable Hazard requirements.</p> <p>Refer to site visit report in Appendix A.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site includes land designated as farmland of statewide importance. The project consists of the construction of fencing and water supply pipe, and the purchase of a tractor and cattle. 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.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C1765J, effective date April 19, 2005. The project site is not located in Preliminary Firm or an Advisory Base Flood Elevation (ABFE) special flood hazard area. See Figures 4, 5 and 6 in Appendix B. This project is in compliance with Executive Order 11988</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>There is one recorded archaeological site within a half mile radius of the project area. This site is called the “Pithaya II” site (AY0100001) and is 0.25 miles south of the project location. It is a pre-columbian shell site. In 1979, it was identified as a small residuary site with only one area of shells and small ceramic fragments. In 2011, an attempt was made to revisit the site by archaeologists, and it was determined that if the site was once present, it was destroyed by the development of the area.</p> <p>The site was evaluated on April 18, 2023, by an SOI Qualified Archaeologist. Documentation with maps was subsequently submitted to SHPO on May 25, 2023 (Appendix E). SHPO concurred with a finding of No Historic Properties Affected within the project’s Area of Potential on Effects on June 8, 2023. Refer to Figure 13 in Appendix B and the report in Appendix E. This project is in</p>

		compliance with Historic Preservation requirements.
<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>HUD's noise regulations protect residential properties from excessive noise exposure. The project consists of the construction of fencing and water supply pipe, and the purchase of a tractor and cattle. 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.</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</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 Aquifer requirements.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The closest source of fresh water is the Nigua River, located 3,168 feet northwest of the project area. The closest coast is the Caribbean Sea located 14,361 feet south of the project area.</p> <p>The NWI maps shows a riverine wetland north of the project property. The proposed activities do not come near this riverine wetland.</p> <p>The NWI maps shows one riverine wetland on the project property near the southern boundary. The proposed fence will cross this stream twice along the southernmost part of the fence. A wetland review by a biologist states that soils data, historical imagery, and photo documentation indicates that the site does not meet all three parameters of wetland criteria based on USACE Wetland Determination Criteria (See Memo Report in Appendix C). The following general conditions relative to wetlands protection and water quality will be implemented.</p> <ul style="list-style-type: none"> • <i>Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and</i>

		<p><i>eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.</i></p> <ul style="list-style-type: none"> • <i>Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.</i> • <i>Design the fence so that any natural stream/run-off flow will not be interrupted.</i> <p>With these mitigations, 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.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 136,843 feet. The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in Appendix B.</p>

<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>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.</p>

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 or 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	The proposed project is located on a private farm. The project consists of the construction of fencing and water supply pipe, and the purchase of a tractor and cattle. The project site is zoned Rural General. 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 soil is mainly Descalabrado and Guayama soils (DgF2) with 20 to 60 percent slopes, eroded and Guayama clay loam, moderately deep variant, with 2 to 12 percent slopes, eroded. The project area is at about 889 feet of elevation. The proposed paths for the fencing and tubing are rated “low” to “high” for landslide susceptibility (see Figure 16 in Appendix B). There will be no human habitation associated with the proposed fences and tubing and therefore extensive mitigation measures will not be required, such as retaining walls or special engineering design.

		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. There is no access to the project area by the public. Standard BMPs, such as construction fencing, would be applied to protect the farm residents and public from typical construction hazards.
Energy Consumption	2	The project would not be connected to the local electricity provider. There would be no change in energy demand in the area.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
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	2	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 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	Waste vegetation from fence and piping installation activities will either be composted on site or at regional composting centers. Any soil would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., piping, posts, and wire) would be stored for later use. Any other 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 include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged.
Water Supply	2	Applicant has access to a water from existing water infrastructure. The proposed project would pipe water to newly fenced in areas. The project would have minor impact on water usage.
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 Resources	2	The proposed project will be situated on land previously used for agriculture. Applicant has access to a water from existing water infrastructure. The proposed project would pipe water to newly fenced in areas. The project will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	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	2	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 April 11, 2023 by Carlos 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:

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 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: www.epa.gov/environmental-topics/air-topics

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

US Fish and Wildlife Service, National Wetlands Inventory:
www.fws.gov/wetlands/data/mapper.html (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 project would allow more efficient raising of livestock. Water use would increase to a minor degree in better supply to the cattle but would only impact the existing site water supply.

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 raising of livestock through the construction of fencing and water supply piping and the purchase of a tractor and cattle. 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 to enclose the applicants land and use existing water connections. Alternative locations on the property would reduce the amount of grazing land and be farther from the water connections.

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

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

Summary of Findings and Conclusions:

The proposed activity has been found to not have any adverse effects on the 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
Wetlands and Water Quality Protection	Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.
Wetlands and Water Quality Protection	Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.

Wetlands and Water Quality Protection	Design the fence so that any natural stream/run-off flow will not be interrupted.
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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: 07/10/23

Name/Title/Organization: Clifford Jarman, Senior Environmental Scientist, Tetra Tech Inc.

Certifying Officer Signature:  Date: August 4, 2023

Name/Title: Santa D. Ramirez Lebron / 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-01927		
Applicant Name	ORAGRO LLC		
Property Address	Carr 751 Km 1.5 Bo. Pitahaya		
Parcel ID	397-000-010-22		
Coordinates	18.001670, -66.073170		
Inspector Name	Carlos O. Medina		
Inspection Date	04/11/2023		
Building Type	vacant		
Number of Units	1		
Number of Stories	1		
Year Built; Data Source	NA		
ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers)			
OBSERVATION ITEMS	YES	NO	COMMENTS
A. Is the structure in use ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B. Is structure a greenhouse ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C. Is Electricity connected ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D. Is water connected ? (Utilities or Well)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Are there any 55-gallon drums visible on site? If yes, are they leaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barrels used for trash collection are located at the entrance to the project area
3. Are there any (or signs of any) underground storage tanks on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Are there signs of ASTs on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Is there any stained soil or pavement on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Is a water drainage system in use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is a warehouse in use for storage of Fertilizer or Pesticides ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Are there any groundwater monitoring wells on the site or adjacent parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Is there evidence of a faulty septic system ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Is there distressed vegetation on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Is there any visible indication of MOLD ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

12. Is there any visible evidence of asbestos, chipping, flaking or peeling paint, or hazardous materials present in or on the structure?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Are any additional site hazards observed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15. Does the subject property have water frontage ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is there any indication of the presence of Wetlands ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Are there any obvious signs of animals or birds nesting on or near the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. Is the applicant aware of any significant historical event or persons associated with the structure, or of it being located in a historic district/area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19. Is a historic marker present?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Additional Notes:

Re Grow Additional Notes:
Case: PR-RGRW-01927
Project Name: ORAGRO LLC
Coordinates: 18.00167, 66.07317

Is the field graded? For what purpose the field was graded? Month, Year field graded: August, 2020, for the purpose in preparation of the soil.

Scope of Work: The purchase of tractor, cattle, and materials to construct a fence (metal fencing, wood fencing, and pipe).

Land current in use for: Vacant

Past Land use was: Cattle and grow of fruits.

The applicant plans to do:

Scope of work 1: A fence around the parcel to maintain the cattle secure in the area. The material to use for the fence are wood post and metal wire.

Scope of work 2: Installation of a PVC tube system to provide water to the cattle and a fence, the material to use for the fence are wood post and metal wire.

Where the applicant plans to do the ground disturbances for the scopes of work, add the coordinates, descriptions and approximately the measurements:

Scope of work 1: A fence around the parcel to maintain the cattle secure in the area. The material to use for the fence are wood post and metal wire.

Parcel coordinates: 18.00554, -66.07319

The applicant plans to construct approximately 10,000' to 15,000' lineal feet of fence in this lot of 41 "cuerdas de terreno".

Scope of work 2: Installation of a PVC tube system to provide water to the cattle and a fence, the material to use for the fence are wood

post and metal wire.

Parcel coordinates: 18.009641, -66.07497

The applicant plans to install a PVC tubes for water of approximately 2,900' lineal. The fence to construct will be approximately of 2,000' lineal feet in this lot of 5 "cuerdas de terreno".

Any new water connection or power connection? No power connection needed. For water he will use an existent water infrastructure.

Site Sketch



Front of Structure

Photo Direction: North



Facing Away From Front

Photo Direction: South



Side #1 of Structure

Photo Direction: Northwest



Facing Away From Side #1

Photo Direction: Southeast



Back of Structure

Photo Direction: Northwest



Facing Away From Back

Photo Direction: Southeast



Side #2 of Structure

Photo Direction: West



Facing Away From Side #2

Photo Direction: East



Streetscape #1

Photo Direction: South



Streetscape #2

Photo Direction: North



Address

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: North



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: North



Scope Of Work

Photo Description: Scopes of work mapping area

Photo Direction: North



Scope Of Work

Photo Description: Scope of work 2

Photo Direction: Southeast



Scope Of Work

Photo Description: Scope of Work 2

Photo Direction: Northwest



Scope Of Work

Photo Description: Scope of work 2

Photo Direction: Southwest



Scope Of Work

Photo Description: Scope of work 2

Photo Direction: Southwest



Scope Of Work

Photo Description: Scope of work 2

Photo Direction: South



Scope Of Work

Photo Description: Scope of work 1

Photo Direction: South



Scope Of Work

Photo Description: Scope of work 1

Photo Direction: Southeast



Scope Of Work

Photo Description: Scope of work 1

Photo Direction: Southeast



Scope Of Work

Photo Description: Scope of work 1

Photo Direction: East



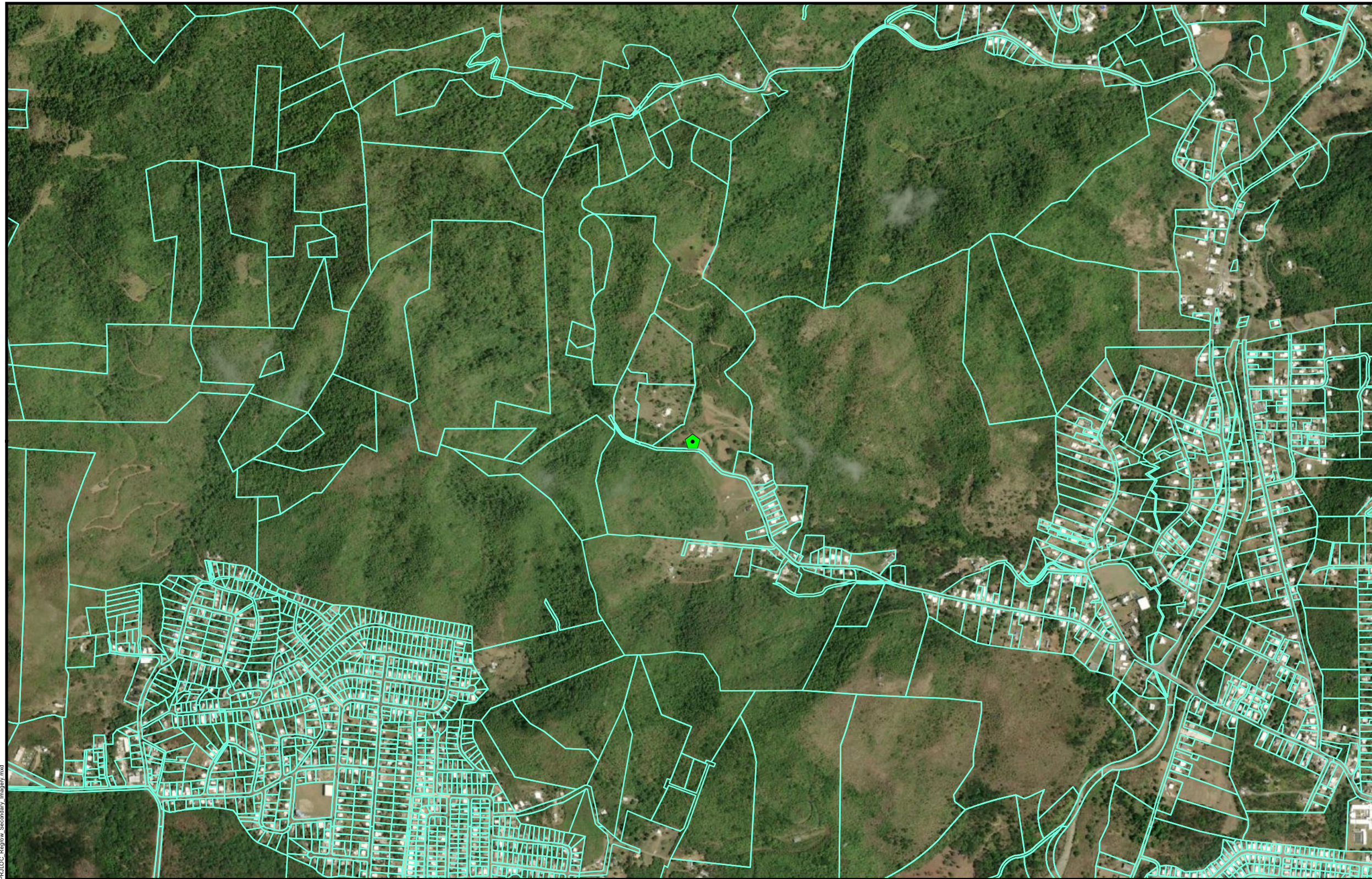
Scope Of Work

Photo Description: Scope of work 1

Photo Direction: Southeast



Appendix B



- Legend**
-  Project Parcel
 -  Parcels

PUERTO RICO



Figure 1: PROJECT LOCATION

APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

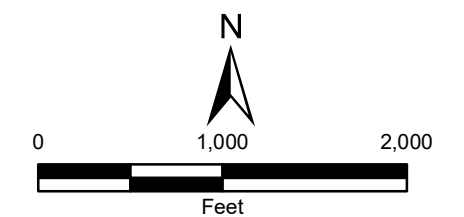
Name of Development: ORAGRO LLC

Parcel Coordinates: 18.00167 , -66.07317

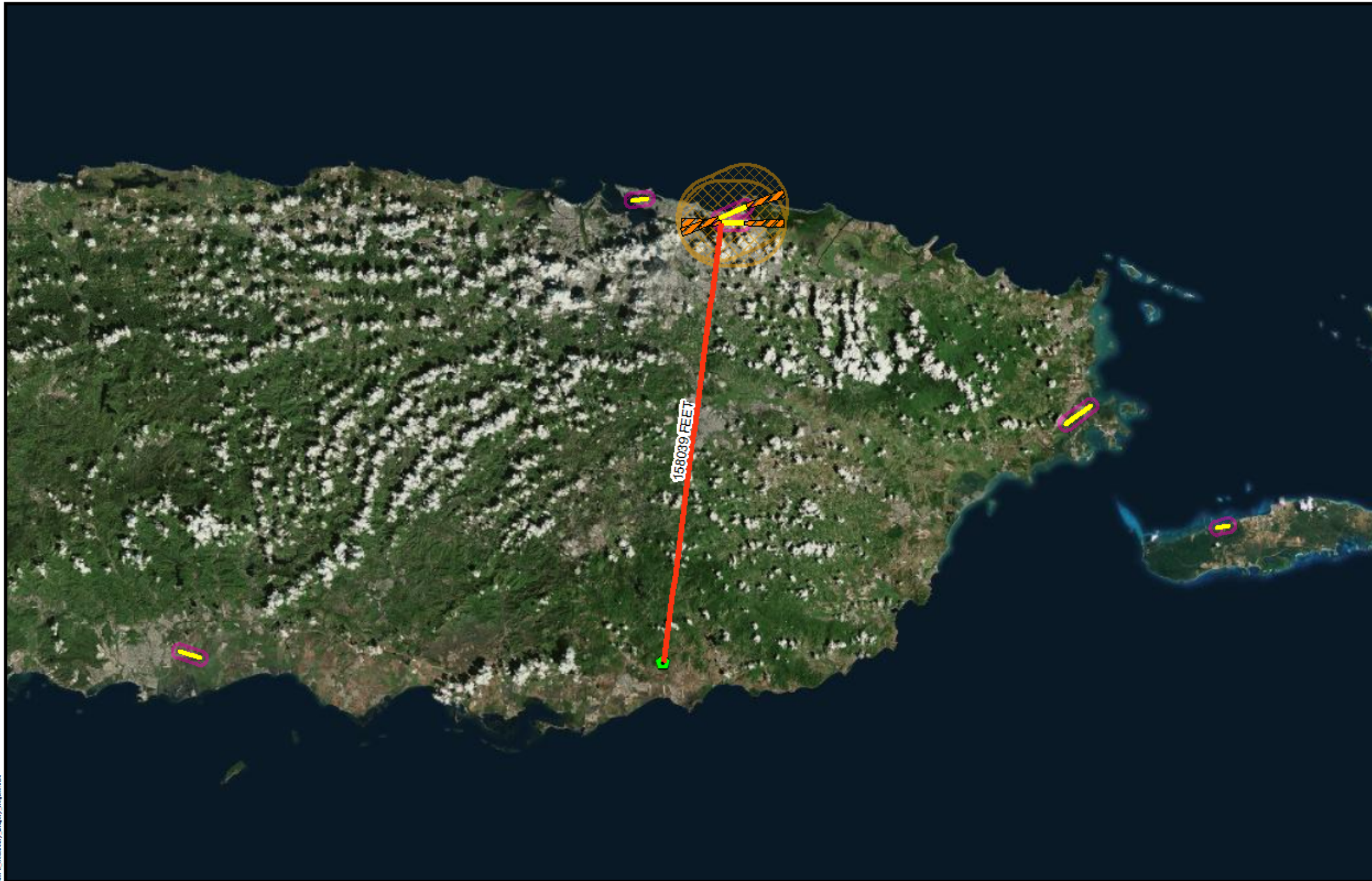


Source: U. S. Fish & Wildlife Service
<https://www.fws.gov>

Author: TG Date: 6/6/2023



File Path: \\slas202\gis\TCORP\AccessShare\TDR\ata\USPR\PR\LOC_Resrow_Secondary_Imager\m.d



Legend

-  Project Parcel
-  Civilian Runway Protection Zones
-  Military Accident Potential Zones
-  Airport Runways
-  Civilian Airport 2,500 Feet Buffer
-  Military Airport 15,000 Feet Buffer

**Distance to Nearest Airport
in Feet: 158039 Feet**

PUERTO RICO



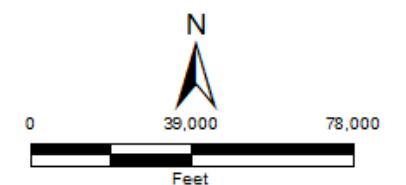
**Figure 2: AIRPORT ZONES
APPLICANT ID: PR-RGRW-01927**

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714
 Name of Development: ORAGRO LLC
 Parcel Coordinates: 18.00167, -66.07317



Source: USDOT
<https://www.faa.gov>

Author: TG Date: 6/15/2023





Legend

Project Parcel

Coastal Barrier Resources System Unit Type

Otherwise Protected

System Unit

Distance to Nearest Coastal Barrier Resources System in Feet: 16452 FEET

PUERTO RICO



**Figure 3: COASTAL BARRIERS IMPROVEMENT ACT
APPLICANT ID: PR-RGRW-01927**

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

Name of Development: ORAGRO LLC

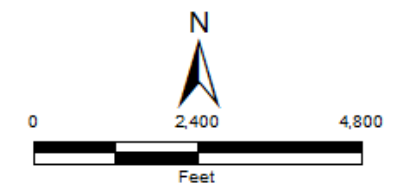
Parcel Coordinates: 18.00167, -66.07317

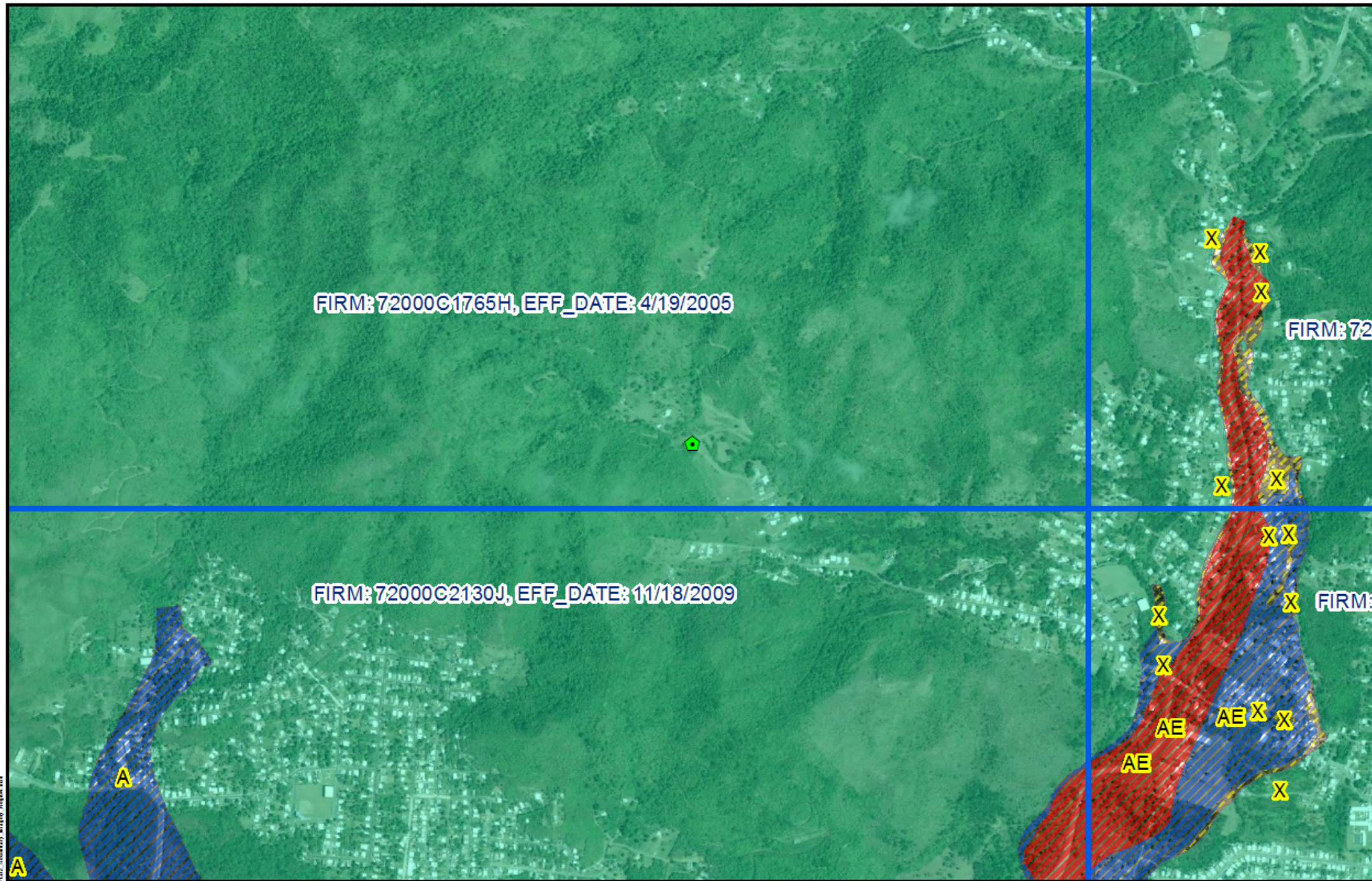


Source: U. S. Fish & Wildlife Service
<https://www.fws.gov>

Author: TG

Date: 6/5/2023





- Legend**
- Project Parcel
 - FIRM Panels
 - Floodway
 - 100 Yr Floodzone
 - 500 Yr Floodzone
 - Area Of Minimal Flood Hazard
 - Unmapped for Floodplain

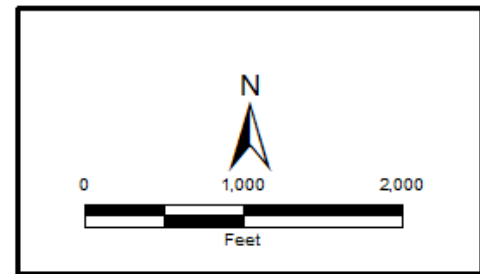


**Figure 4: FLOODPLAIN MANAGEMENT
 APPLICANT ID: PR-RGRW-01927**

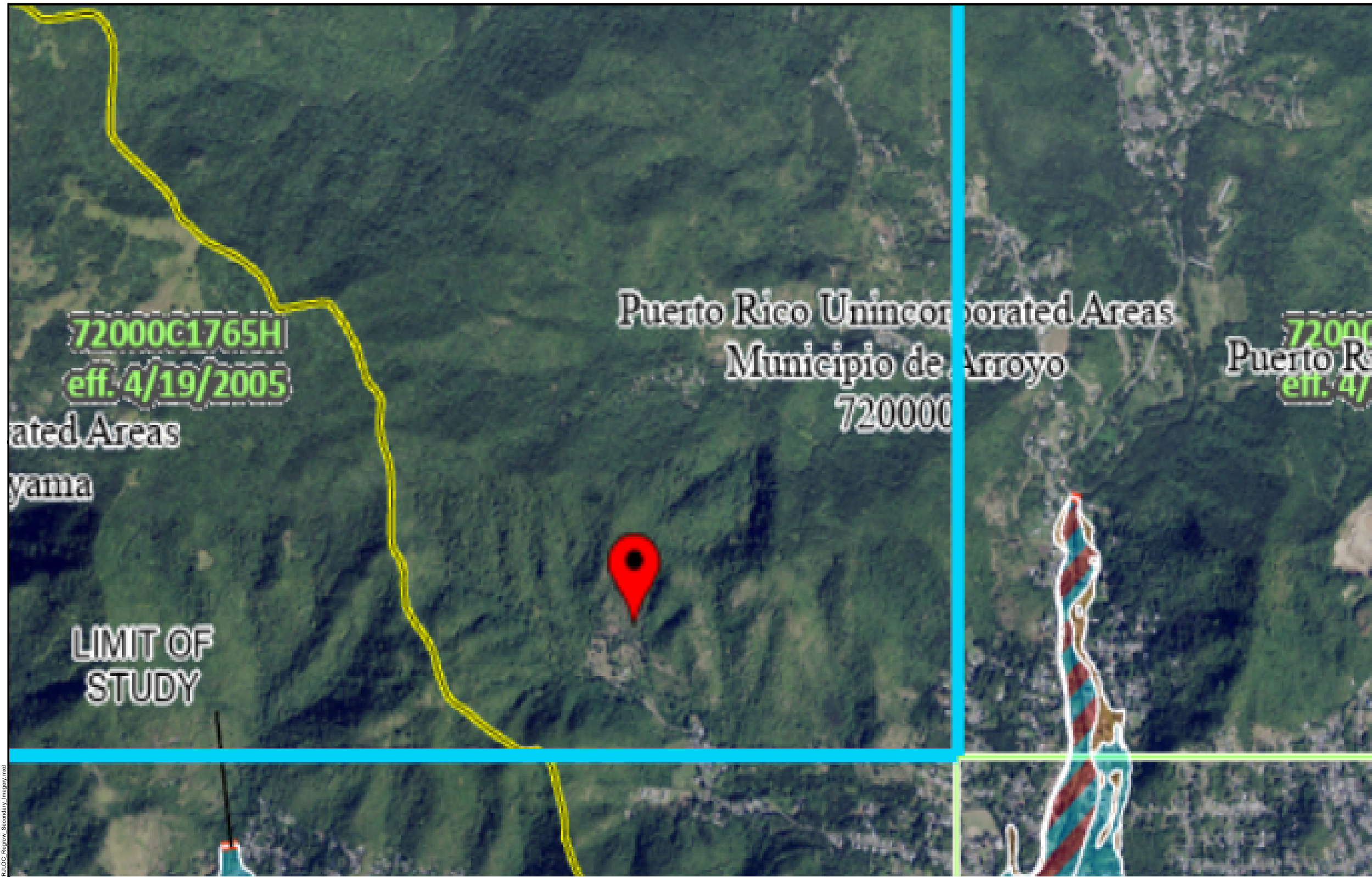
ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714
 Name of Development: ORAGRO LLC
 Parcel Coordinates: 18.00167, -66.07317



Source: FEMA
<https://msc.fema.gov>
 Author: TG Date: 6/1/2023



File Path: \\msc\geographic\BIDD\PROJECTS\PR\01927\01927\FIGURE_4_FLOODPLAIN_MANAGEMENT_Map.mxd



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		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
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

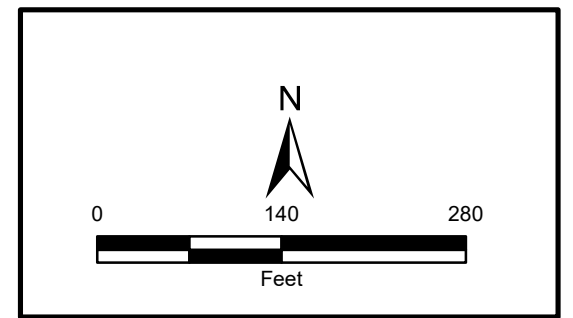


FIGURE 5: NATIONAL FLOOD HAZARD LAYER FIRMETTE

APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

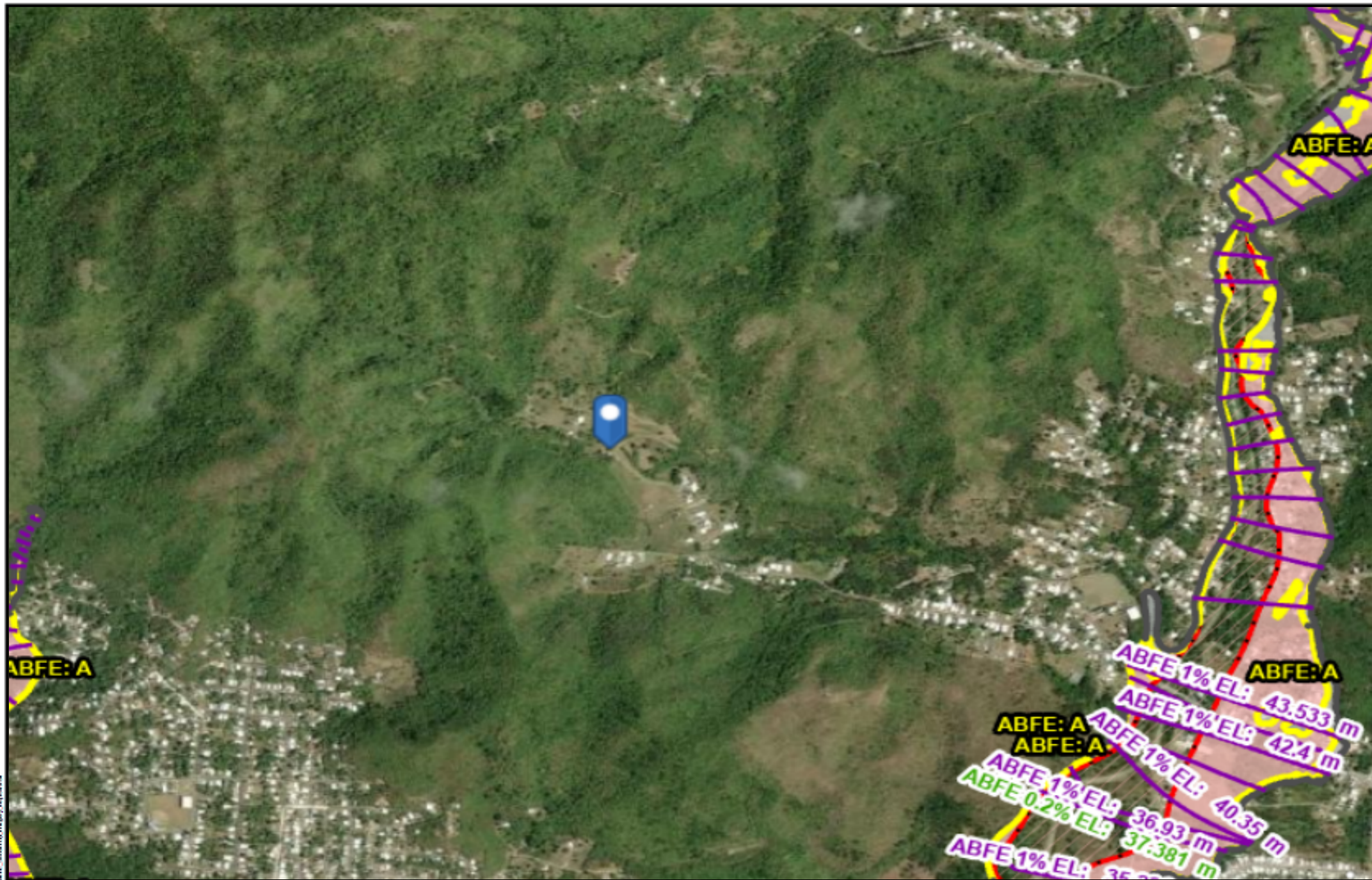
Name of Development: ORAGRO LLC

Parcel Coordinates: 18.00167 , -66.07317



Source: FEMA
<https://www.msc.fema.gov>
 Author: TG Date: 5/31/2023

File Path: \\nas011\gis\GIS\Projects\GIS\Projects\PR\PR\LOC_Regrow_Secondary_Imagery.mxd



Legend

PuertoRico_ABFE_1PCT
Advisory Base Flood Elevation (zoom in to make visible)

—

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

Flood Hazard Extent
— 1% Annual Chance Flood
— 0.2% Annual Chance Flood

Zone/BFE Boundary
□

Flood Hazard Area (zoom in to make visible)
Flood Hazard Zone

- A
- AO
- AE
- Coastal A Zone
- VE
- X 0.2% Annual Chance Flood
- A-Floodway
- AE-Floodway
- Coastal A Zone and Floodway

PUERTO RICO



Figure 6: ADVISORY BASE FLOOD ELEVATION

APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

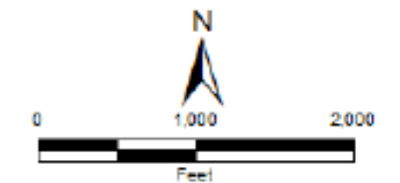
Name of Development: ORAGRO LLC

Parcel Coordinates: 18.00167 , -66.07317





Source: FEMA
<https://gis.fema.gov>

Author: TG Date: 6/7/2023





Legend

-  Project Parcel
-  Coastal Zone Management Boundary

Distance to Nearest Coastal Zone: 9404 FEET

PUERTO RICO



18.00167, -66.07317
 TETRA TECH
 6/5/2023

Figure 7: COASTAL ZONE MANAGEMENT

APPLICANT ID:PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

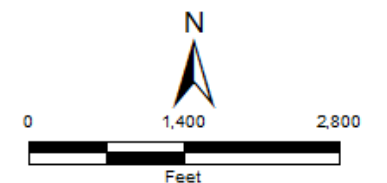
Name of Development: ORAGRO LLC

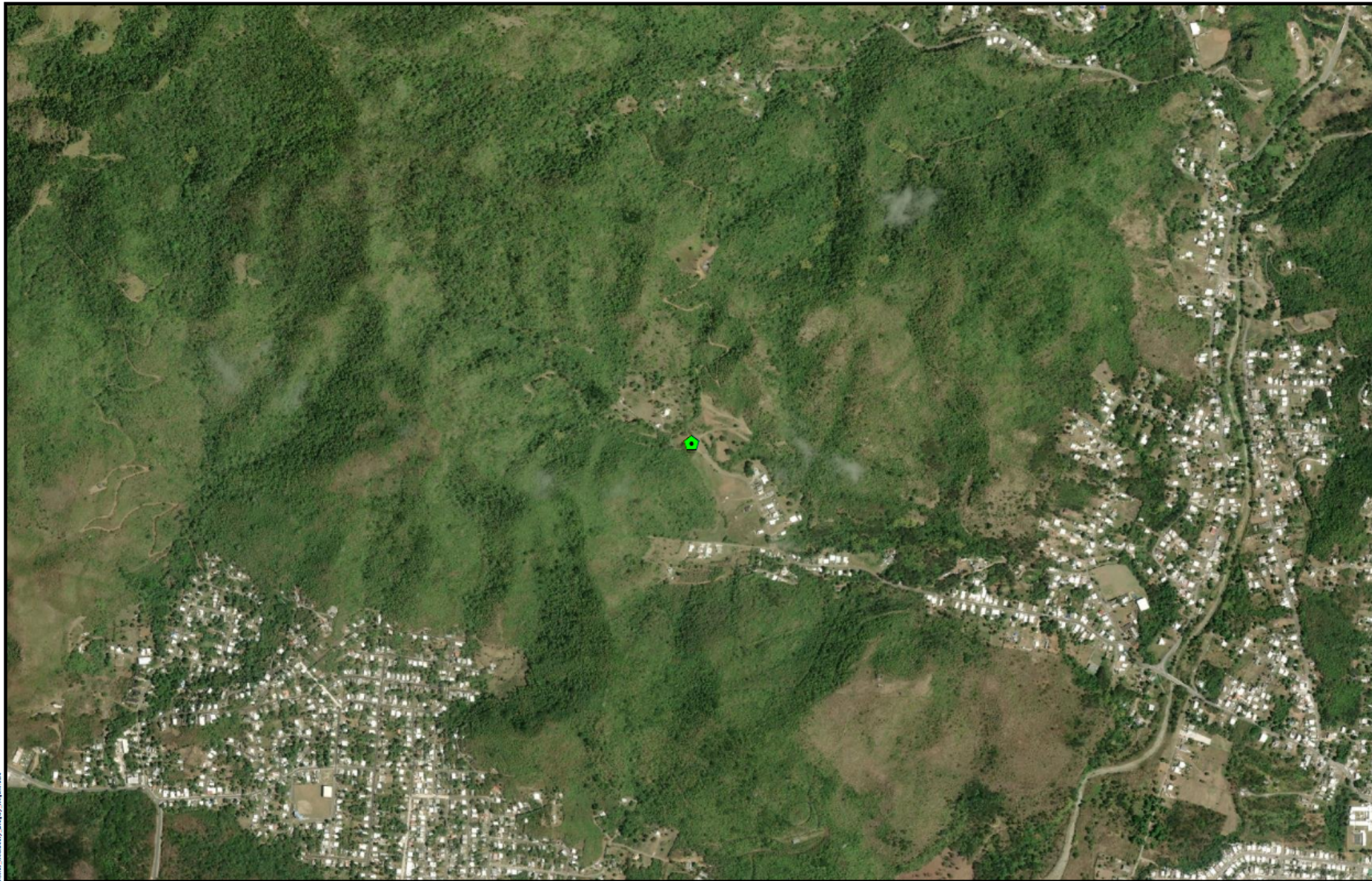
Parcel Coordinates: 18.00167, -66.07317



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

Author: TG | Date: 6/5/2023





- Legend**
- RCRA
 - Project Parcel
 - ▲ Toxic Release Inventory Site
 - Superfund Site
 - Brownfield Sites
 - 3000 Ft Buffer TRI
 - 3000 Ft Buffer Superfund
 - 3000 Ft Buffer RCRA
 - 3000 Ft Buffer Brownfield

PUERTO RICO



**Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS,
CONTAMINATION, AND RADIOACTIVE SUBSTANCES
APPLICANT ID: PR-RGRW-01927**

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714
 Name of Development: ORAGRO LLC
 Parcel Coordinates: 18.00167, -66.07317

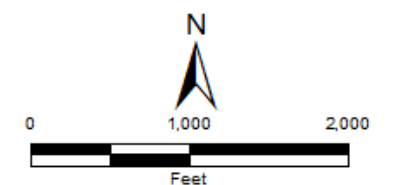


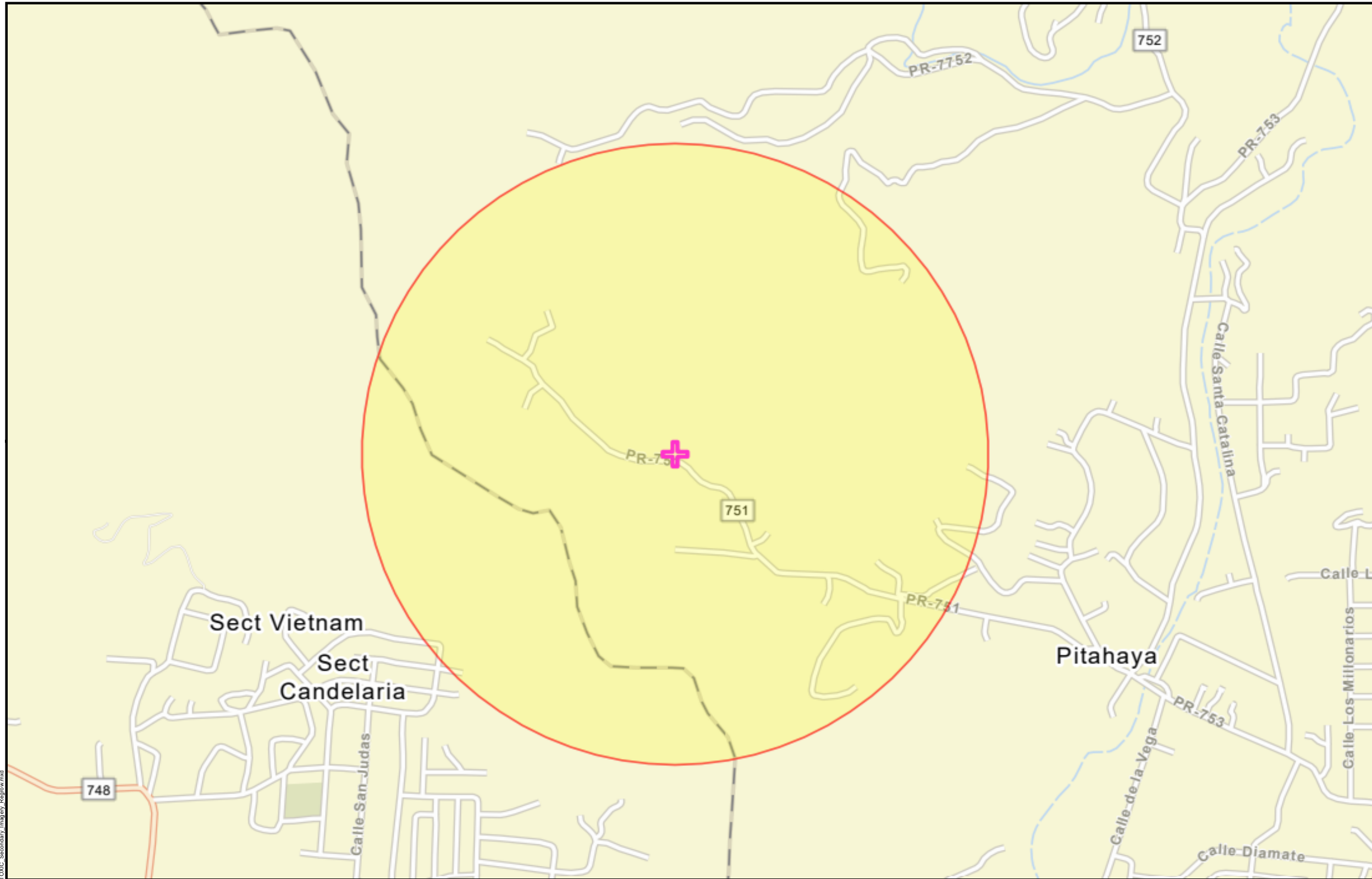
Source: E.P.A.

<https://www.epa.gov/fs/geospatial-data-download-service>

Author: JBI/AK

Date: 6/1/2023





Legend

- Superfund (NPL)
- Toxic Substances Control Act (TSCA)
- Toxic Releases (TRI)
- Brownfields (ACRES)
- Hazardous Waste (RCRAInfo)

PUERTO RICO



Figure 9: NEPA Assist Map

APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

Name of Development: ORAGRO LLC

Parcel Coordinates: 18.00167 , -66.07317

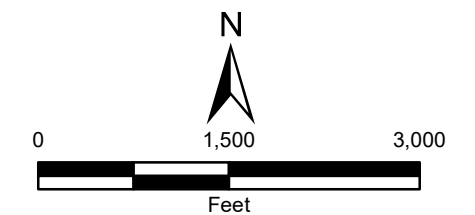


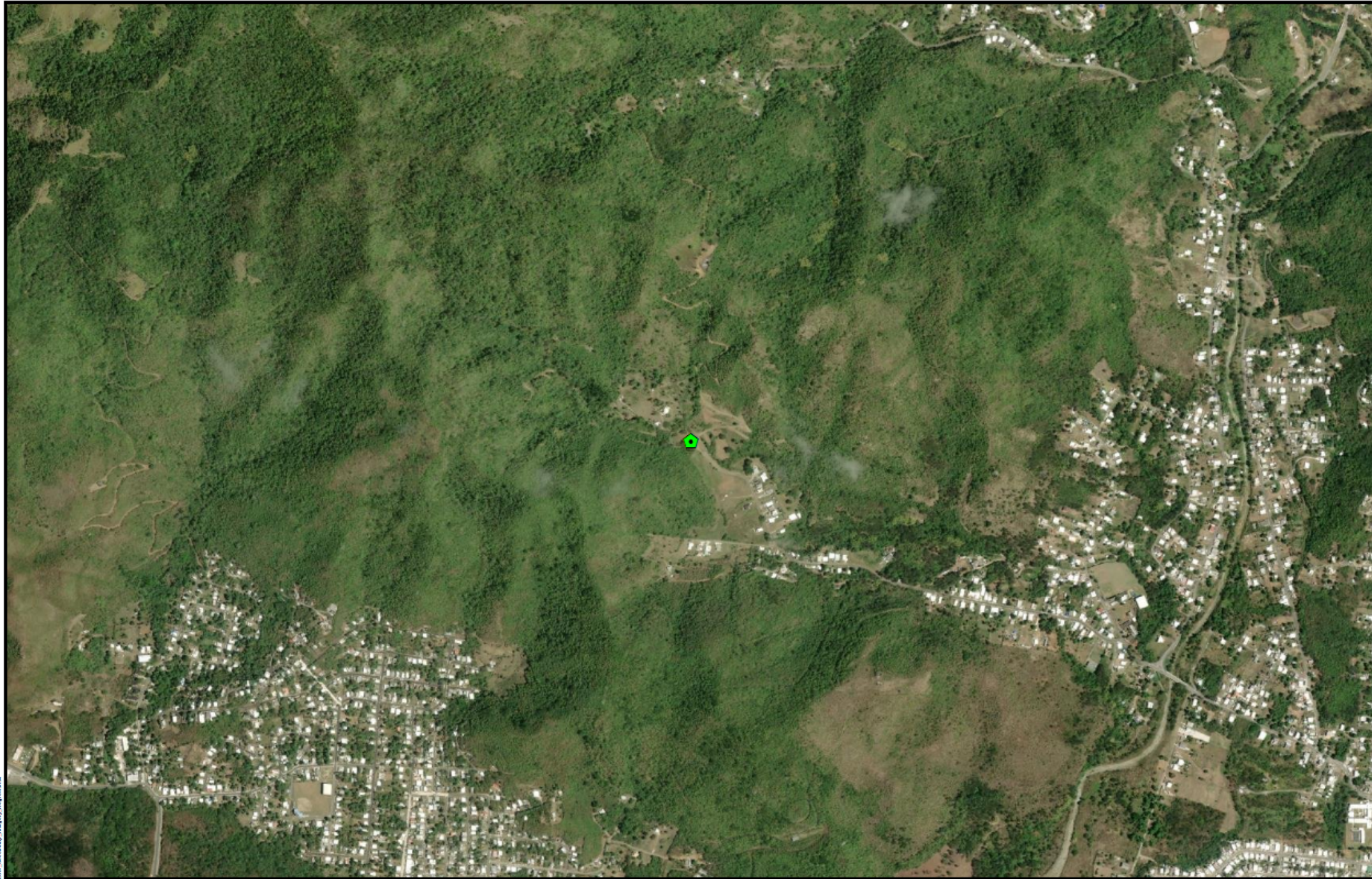
Source: E.P.A.

<https://www.epa.gov/frs/geospatial-data-download-service>


Author: JB/AK

Date: 5/18/2023





Legend

 Project Parcel

PUERTO RICO



**Figure 10: ENDANGERED SPECIES ACT
APPLICANT ID: PR-RGRW-01927**

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

Name of Development: ORAGRO LLC

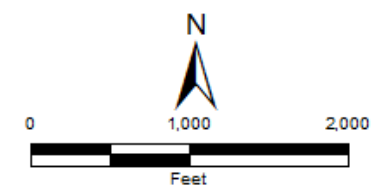
Parcel Coordinates: 18.00167, -66.07317



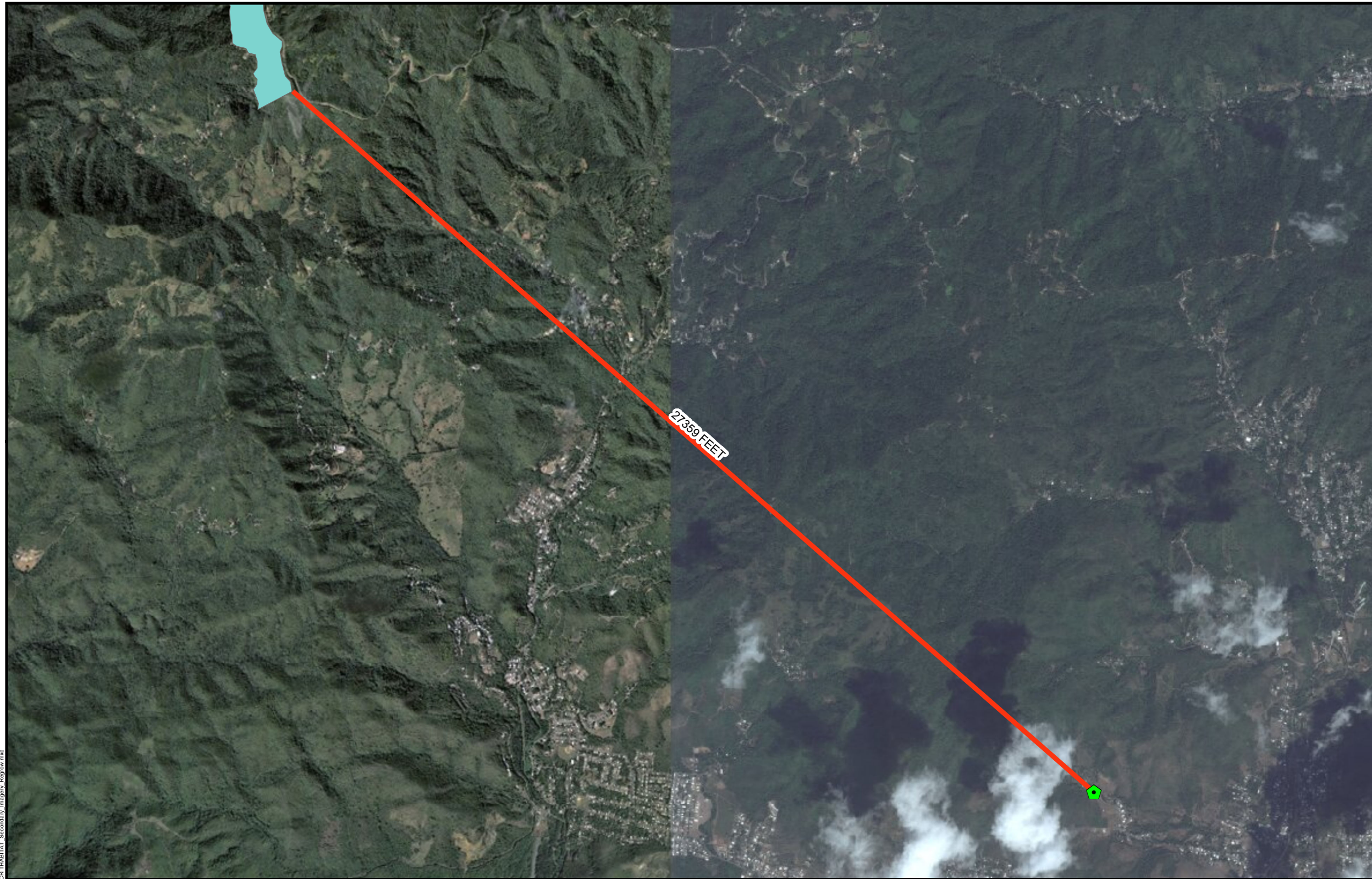
Source: U.S. FISH & WILDLIFE SERVICE
<https://ecos.fws.gov>

Author: TG



Date: 6/1/2023



U.S. FISH & WILDLIFE SERVICE AND TERRITORY OF PUERTO RICO



Legend

-  Project Parcel
- comname**
-  Golden coqui

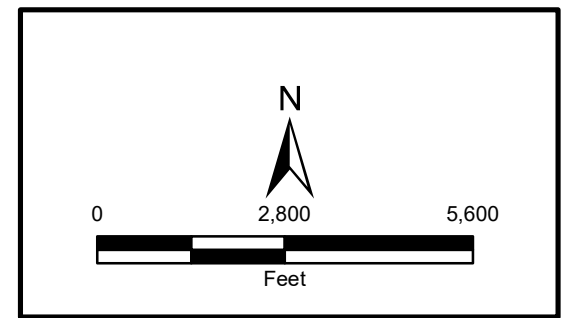
Distance to Nearest Critical Habitat in Feet: 27359 FEET

PUERTO RICO



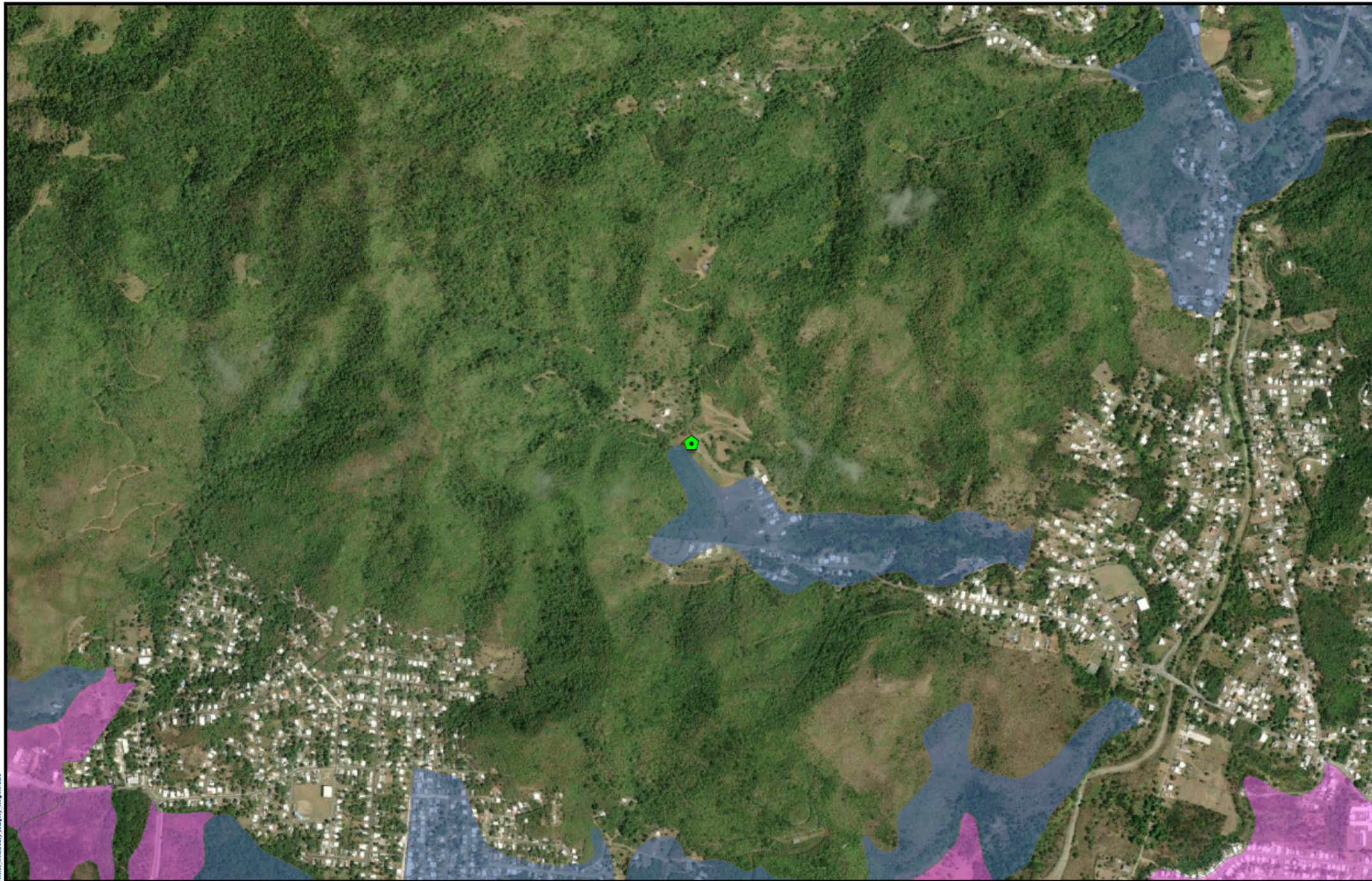
Figure 11: CRITICAL HABITATS
APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714
 Name of Development: ORAGRO LLC
 Parcel Coordinates: 18.00167, -66.07317











Source: U.S. FISH & WILDLIFE SERVICE
<https://ecos.fws.gov>
 Author: TG Date: 6/1/2023

File Path: \\sala202\gis\GIS\CDR\PR\Access\Shane\DR\Data\USFWS\CriticalHabitats_Secondary_Imagery_Export.mxd



Legend

-  Project Parcel
- Farm Class**
-  All areas are prime farmland
-  Farmland of statewide importance
-  Farmland of statewide importance, if irrigated
-  Prime farmland if drained
-  Prime farmland if irrigated
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Prime farmland if protected from flooding or not frequently flooded during the growing season

PUERTO RICO

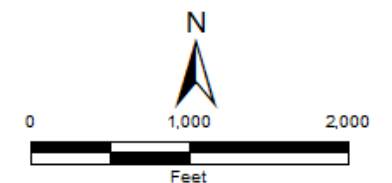


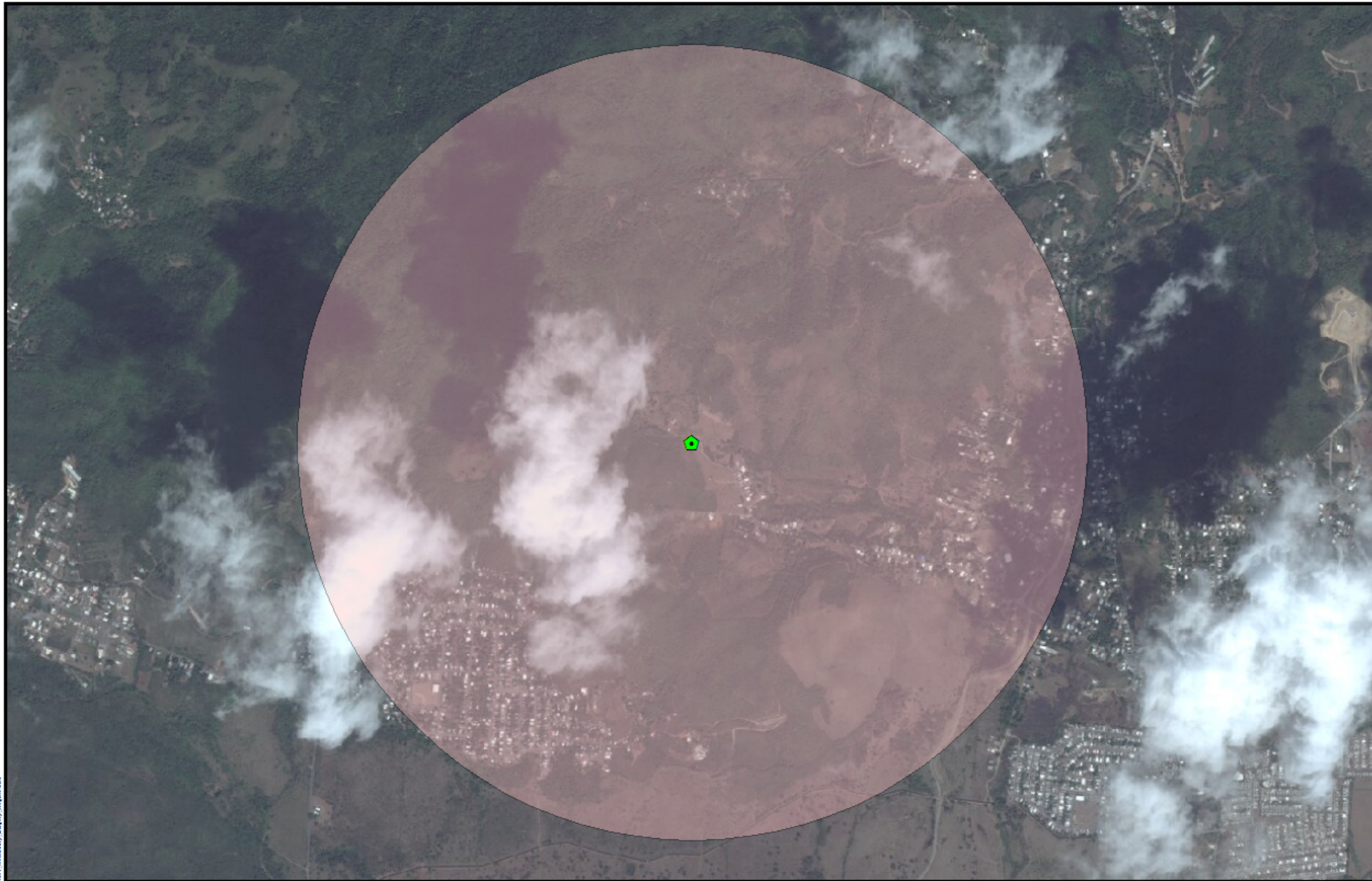
Figure 12: FARMLAND PROTECTION
APPLICANT ID: PR-RGRW-01927














ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714
 Name of Development: ORAGRO LLC
 Parcel Coordinates: 18.00167, -66.07317



Source: USDA
<https://websoilsurvey.sc.egov.usda.gov>
 Author: TG Date: 6/1/2023





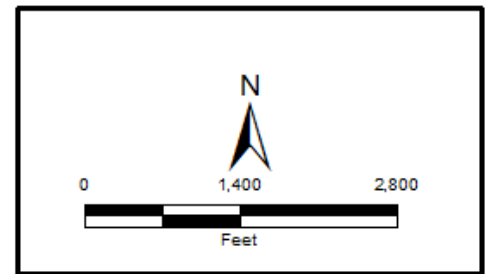
- Legend**
-  Project Parcel
 -  Historic ICP Sites
 -  Cultural Resource Building Point
 -  Cultural Resource District Point
 -  Cultural Resource Site Point
 -  Cultural Resource Structure Point
 -  Historic Comunidades
 -  Traditional Urban Centers
 -  Cultural Resource Building Polygon
 -  Cultural Resource District Polygon
 -  Cultural Resource Site Polygon
 -  Cultural Resource Structure Polygon
 -  1 Mile Property

PUERTO RICO



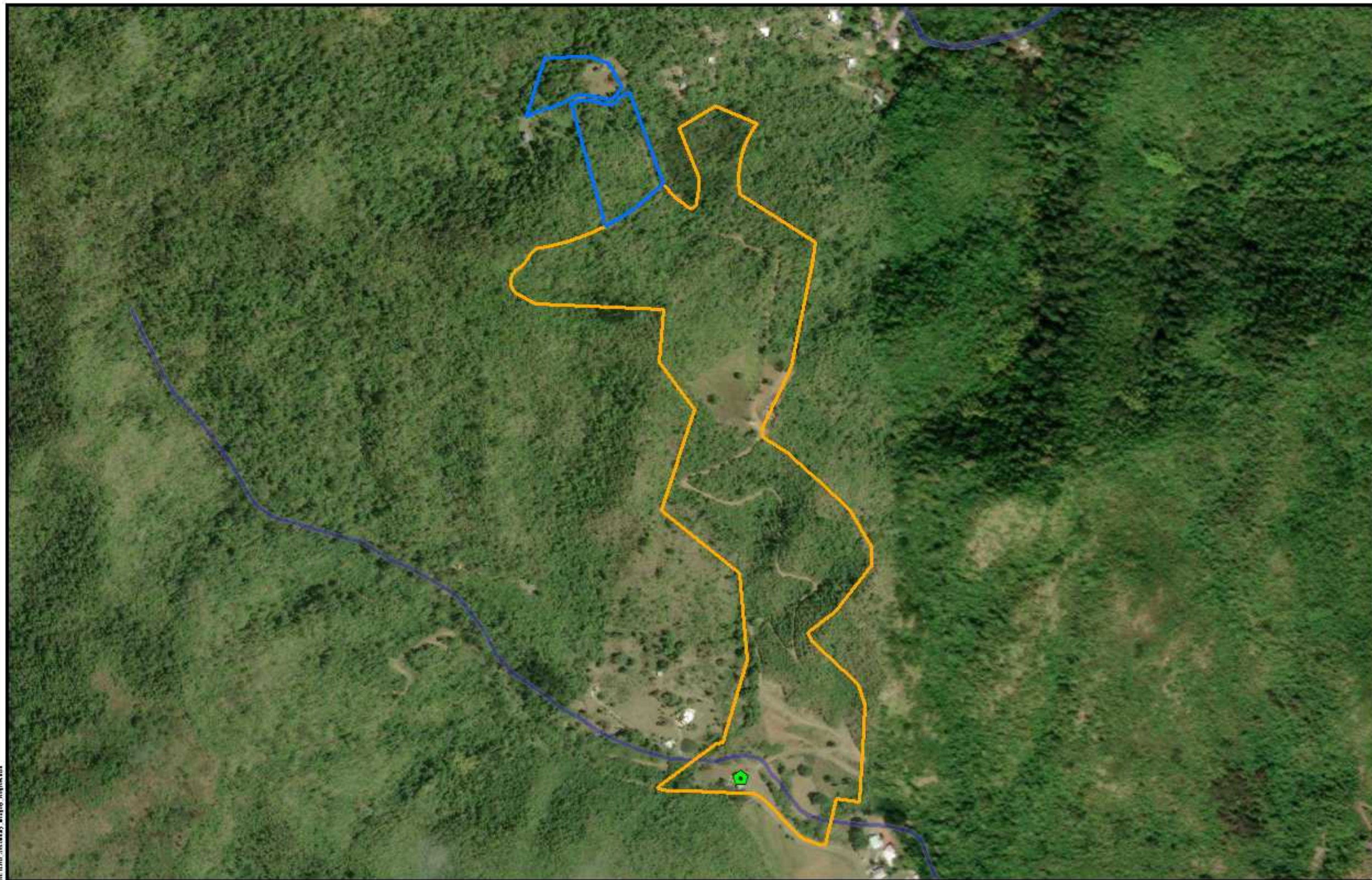
Figure 13: HISTORIC PRESERVATION
APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714
 Name of Development: ORAGRO LLC
 Parcel Coordinates: 18.00167, -66.07317



Source: National Park Service
<https://www.nps.gov/>
 Author: TG Date: 6/1/2023

The Park, METROGRAPH, HISTORIC ARCHIVES and HISTORIC PHOTO ARCHIVES, Secretary, Arroyo, Ponce, PR



- Legend**
-  Project Parcel
 -  Scope of Work 1
 -  Scope of Work 2
- WETLAND TYPE**
-  Estuarine and Marine Deepwater
 -  Estuarine and Marine Wetland
 -  Freshwater Emergent Wetland
 -  Freshwater Forested/Shrub Wetland
 -  Freshwater Pond
 -  Lake
 -  Riverine

PUERTO RICO



Figure 14: WETLANDS
APPLICANT ID: PR-RGRW-01927

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, PR 00714

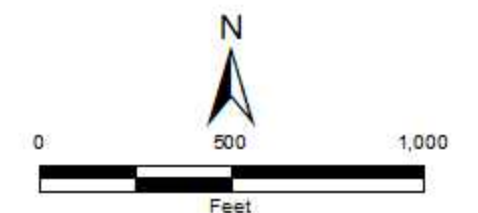
Name of Development: ORAGRO LLC

Parcel Coordinates: 18.00167, -66.07317



Source: U. S. Fish & Wildlife Service
<https://www.fws.gov>

Author: TG Date: 7/5/2023





- Legend**
- ▣ Project Parcel
 - Wild and Scenic Rivers

Distance to Nearest Wild and Scenic River in Feet: 136843 Feet

PUERTO RICO



**Figure 15: WILD AND SCENIC RIVERS ACT
APPLICANT ID: PR-RGRW-01927**

ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

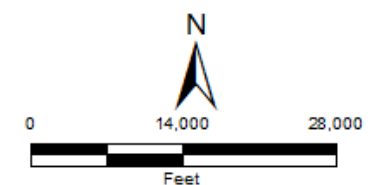
Name of Development: ORAGRO LLC

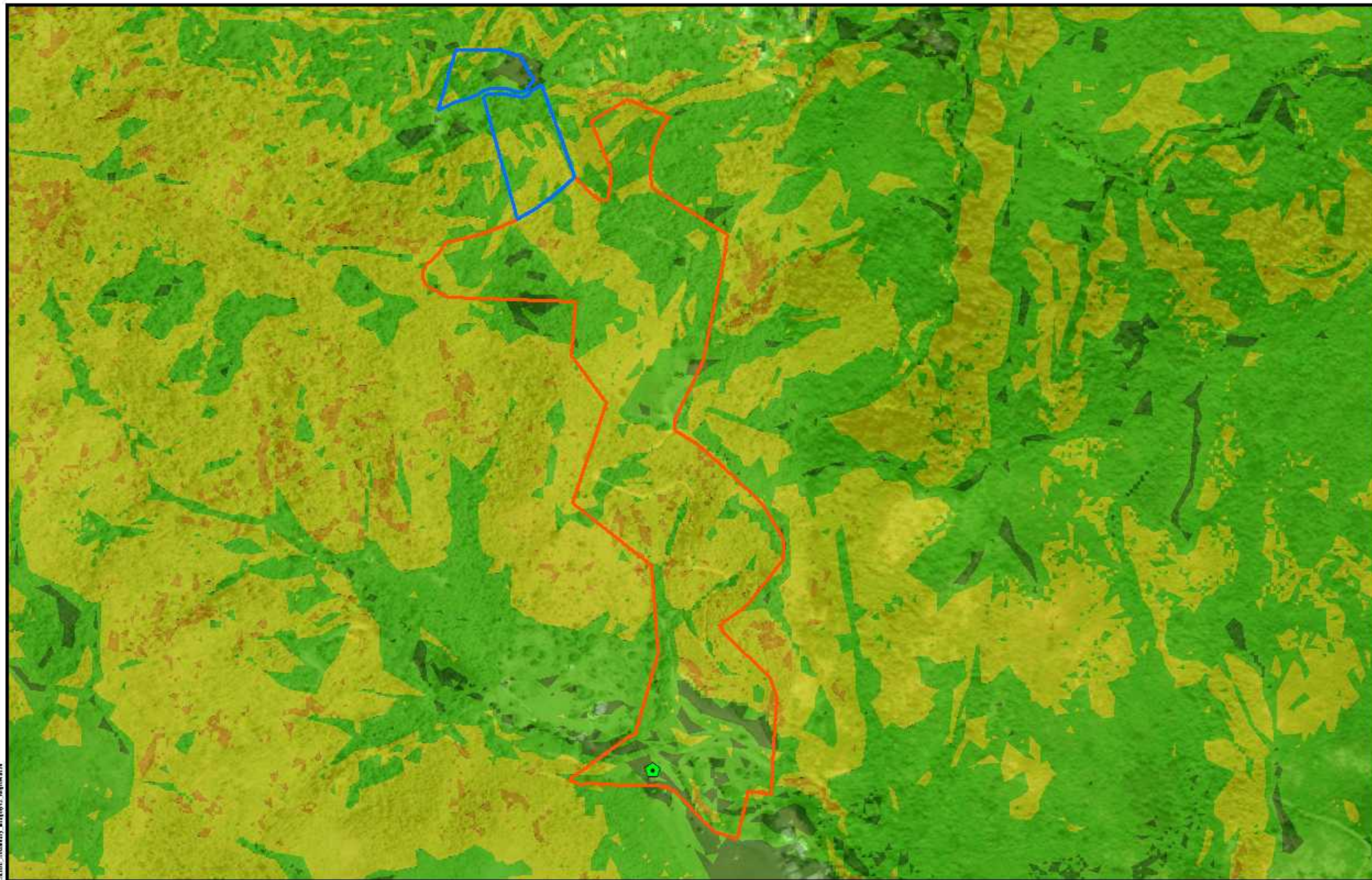
Parcel Coordinates: 18.00167, -66.07317



Source: U. S. Forest Service
<https://www.fs.usda.gov>

Author: TG Date: 6/9/2023





- Legend**
- Project Parcel
 - Scope of Work 1
 - Scope of Work 2
- Landslide Susceptibility**
- Extremely High
 - Very High
 - High
 - Moderate
 - Low

PUERTO RICO



Figure 16: SLOPE AND EROSION
APPLICANT ID: PR-RGRW-01927

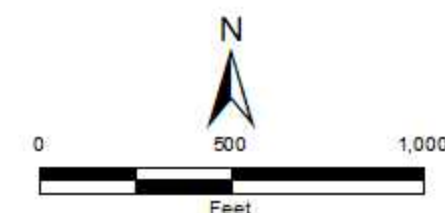
ADDRESS: Carr 751 Km 1.5 Bo. Pitahaya, PR 00714

Name of Development: ORAGRO LLC

Parcel Coordinates: 18.00167, -66.07317



Source: PRDOH
<http://maps.a.rgis.com>
<https://webapp/lewis/index.html?d=10506ecc7f15491d4ee17647f19248ee>
 Author: TG Date: 6/30/2023



Appendix C



Green Book [Contact Us](#)

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 May 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	11 12 13 14 15 16 17 18 19 20 21 22 23	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	92 93 94 95 96 97 98 99 00 01 02 03 04 05 06 07 08 09	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	18 19 20 21 22 23	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	52,441	72/137

Date: July 10, 2023

Applicant ID: PR-RGRW-01927

Street Address: Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, PR 00714

Subject: Site-Specific Wetland Review

A feature defined by the National Wetlands Inventory (NWI) as an intermittent streambed/riverine habitat that is seasonally flooded (**R4SBC**) is located inside the area of potential effect (APE). Photographic documentation from a site visit indicates that the APE is located in a mountainous terrain, surrounded by pastures and mature vegetation. The structure is located in a small clearing at the south end of the property. Photo documentation does not indicate hydrophytic vegetation nor hydrologic features within the APE however, a review of aerial imagery indicates areas of potential run off from higher elevation near the NWI mapped areas. Soils data from the United States Department of Agriculture Web Soil Survey indicates that no hydric soils are present within the NWI mapped area. A review of historic aerial imagery indicates that the property at the NWI mapped wetland was developed before the year 1994. Based on USACE Wetland Determination Criteria, this site does not meet all three parameters of wetland criteria.

The Re-Grow Project proposes two construction projects within the property boundary.

1. Replacement of a fence around the parcel to maintain the cattle secure in the area. The fence would be approximately 10,000 to 15,000 lineal feet encompassing an area of about 39.82 acres located at 18.005540, -66.073190. The building materials for the fence are wood posts and metal wire. The maximum width of expected ground disturbance for installing the fence is 3 feet.
2. Installation of a new fence made of wood posts and metal wires and installing a PVC tubing system in the center of the fenced area to provide water for the cattle. The new fence would be approximately 2,000 lineal feet encompassing an area of approximately 4.86 acres located at 18.009641, -66.074970. The PVC tubing system would be approximately 2,900 lineal feet long and with estimated depth approximately 4-6 inches below ground surface. The present infrastructure will be used for the source of the water. The maximum expected width of ground disturbance for the installation of the PVC tubing and new fence is 3 feet.

Based on a review of available resources, the project would not adversely impact wetlands if the General Conditions relative to wetlands protection and water quality will be implemented, including:

- a. Implement and maintain erosion and sedimentation control measures sufficient to prevent deposition of sediment and eroded soil in onsite and offsite wetlands and waters and to prevent erosion in onsite and offsite wetlands and waters.*
- b. Minimize soil compaction by minimizing project ground disturbing activities in vegetated areas, including lawns.*
- c. Design the fence so that any natural stream/run-off flow will not be interrupted.*

Shelby McDowell



B.S. Biologist, Tetra Tech

July 10, 2023

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

Arroyo 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

NOT FOR CONSULTATION

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 species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [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.

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

Reptiles

NAME	STATUS
<p>Puerto Rican Boa <i>Chilabothrus inornatus</i></p> <p>Wherever found</p> <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/6628</p>	Endangered

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.

You are still required to determine if your project(s) may have effects on all above listed species.

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 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 <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

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 [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a

BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

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

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

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

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

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

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

What are the levels of concern for migratory birds?

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

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

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

Details about birds that are potentially affected by offshore projects

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

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

What if I have eagles on my list?

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

Proper Interpretation and Use of Your Migratory Bird Report

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

Facilities

Wildlife refuges and fish hatcheries

Refuge and fish hatchery information is not available at this time

Wetlands in the National Wetlands Inventory (NWI)

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](#).

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 [NWI map](#) 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 tubercid 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.

NOT FOR CONSULTATION

Appendix E



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

June 8, 2023

Lauren Bair Poche

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

SHPO: 05-25-23-04 PUERTO RICO DISASTER RECOVERY, CDBG-DR RE-GROW
PR URBAN-RURAL AGRICULTURAL RE-GROW PROGRAM, PR-RGRW-01927,
ORAGRO LLC, CARR. 751 KM 1.5 BO. PITAHAYA, ARROYO, 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



May 25, 2023

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-01927 – ORAGRO LLC – Carr 751 Km 1.5 Bo. Pitahaya, Arroyo, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by ORAGRO LLC at Carr 751 Km 1.5 in Bo. Pitahaya in the municipality of Arroyo. The proposed activities for ORAGRO LLC. include the purchase of a tractor, cattle, and materials (metal fencing, wood fencing, and pipe) to construct a fence. Scope of Work 1 is the replacement of a fence around the parcel to maintain the cattle secure in the area. The building materials for the fence are wood posts and metal wire. The applicant plans to build approximately 10,000 to 15,000 lineal feet of fence in this lot of about 39.82 acres. The maximum expected ground disturbance is 3 feet. Scope of Work 2 consists of installing a PVC tubing system to provide water for the cattle and the installation of a new fence made of wood posts and metal wires. The PVC for water is approximately 2,900 lineal feet long and with estimated depth approximately 4-6 inches below ground surface. The fence that will be constructed is new and will be approximately 2,000 lineal feet in this lot of approximately 4.86 acres. No new water or power connections will be needed. For water, the present infrastructure will be used. The maximum expected ground disturbance is 3 feet.

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

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


Kindest regards,

A handwritten signature in cursive script that reads "Lauren B. Poche". The signature is written in a dark ink and is positioned below the text "Kindest regards,".

Lauren Bair Poche, M.A.

Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Subrecipient: ORAGRO LLC		
Case ID: PR-RGRW-01927	City: Arroyo	

Project Location: Carr 751 Km 1.5 Bo. Pitahaya	
Project Coordinates: 18.001670, -66.073170	
TPID (Número de Catastro): 397-000-010-22	
Type of Undertaking: <input type="checkbox"/> Substantial Repair <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): 1985	Property Size (acres): 41.82 acres

SOI-Qualified Architect/Architectural Historian: Maria F. Lopez Schmid
Date Reviewed: April 25, 2023
SOI-Qualified Archaeologist: Roberto G. Munoz-Pando, MA
Date Reviewed: April 18, 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 at ORAGRO LLC include the purchase of a tractor, cattle, and materials (metal fencing, wood fencing, and pipe) to construct a fence in the Municipality of Arroyo. The approximate center coordinates of the APE are 18.001670, -66.073170. Scope of Work 1 is the replacement of a fence around the parcel to maintain the cattle secure in the area. The building materials for the fence are wood posts and metal wire. Scope of Work 1 coordinates are 18.005540, -66.073190. The applicant plans to build approximately 10,000 to 15,000 lineal feet of fence in this lot of about 39.82 acres. The maximum expected ground disturbance is 3 feet. Scope of Work 2 consists of installing a PVC tubing system to provide water for the cattle and the installation of a new fence made of wood posts and metal wires. The coordinates for Scope of Work 2 are 18.009641, -66.074970. The PVC for water is approximately 2,900 lineal feet long and with estimated depth approximately 4-6 inches below ground surface. The fence that will be constructed is new and will be approximately 2,000 lineal feet in this lot of approximately 4.86 acres. No new water or power connections will be needed. For water, the present infrastructure will be used. The maximum expected ground disturbance is 3 feet.

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 the proposed locations of the proposed new and replacement fencing and the proposed location of the new buried water pipes. As these are linear projects, the APE will include a 5-meter buffer to either side of the proposed fence and water line routes. The

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Subrecipient: ORAGRO LLC		
Case ID: PR-RGRW-01927		City: Arroyo

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 is only one recorded archaeological within a half mile radius of the project area. This site is called the "Pithaya II" site (AY0100001) and is 0.25 miles south of the project location. It is a pre-Columbian shell site. In 1979, it was identified as a small residuary site with only one area of shells and small ceramic fragments. In 2011, an attempt was made to revisit the site by archaeologists, and it was determined that if the site was once present, it was destroyed by the development of the area. No cultural resource studies have been conducted within a half-mile radius of the project area.


The project area is at about 889 feet of elevation. The closest source of fresh water is the Nigua River, located .6 miles northwest of the project area. The closest coast is the Caribbean Sea located 2.72 miles south of the project area. The soil is mainly Descalabrado and Guayama soils (DgF2) with 20 to 60 percent slopes, eroded and Guayama clay loam, moderately deep variant, with 2 to 12 percent slopes, eroded. Given the aforementioned conditions, the probability for intact deposits in the project area is considered low.

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
Pithaya II	AY0100001	No data	0.25 miles south of project area	Pre-columbian, shell site. [1979] Small residuary site with just an area of shells and small ceramic fragments. [2011] Site revisit was attempted and if the site was present, it had been destroyed by the development in the area.	No data

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

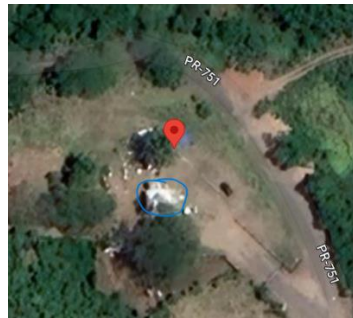
Author	Title	Year	SHPO/IPRC ID	Results	Location
No data	No data	No data	No data	No data	No data

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	
Subrecipient: ORAGRO LLC	
Case ID: PR-RGRW-01927	City: Arroyo

Identification of Historic Properties - Architecture

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 a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center, or Historic District. Additionally, there are **no** NRHP-eligible or listed properties within the half-mile buffer zone from the project area.

The property is located in a mountainous rural area of Arroyo near the western border with the town of Guayama. The project area is reached via road PR-751 that runs southeast from the project area. This road has commercial and residential buildings on either side. Developed residential areas in Arroyo are located east of the project area. The property is surrounded by pastures and mature vegetation. A building is located to the south of the project coordinates, indicated below. This building first appears in a 1995 aerial image, but it is not present in a 1977 aerial image. Therefore, the estimated date of construction for the building is c1985.




Figures 1 & 2. 1995 USGS aerial image and recent 2023 aerial image showing the building.



Figure 3. Photo of building in project area, view to the northwest.

The rectangular building south of the project area coordinates has concrete walls and a metal gabled roof. A porch with metal awnings is at the front. This building does not comply with the age requirements nor has special architectural characteristics to be considered eligible for listing to the National Register of Historic Places.


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: ORAGRO LLC	
Case ID: PR-RGRW-01927	City: Arroyo

Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the Program has determined that project actions will not affect the historic properties that compose the Area of Potential Effect. The closest archaeological site was the Pithaya II site located 0.25 miles south of the project area and the most recent data about this site (from 2011) indicates that it has already been destroyed. Because of the distance to water sources, the high altitude, the excessive slope, and the eroded soils, the probability for intact archaeological deposits in the project area is low. 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 Section 106 NHPA Effect Determination	
Subrecipient: ORAGRO LLC	
Case ID: PR-RGRW-01927	City: Arroyo

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:

Area of Potential Effect - Aerial Map






Source: CRIM

Author: TG

Date: 10/12/2022

Legend

-  Tier 2 Site
-  Parcelario
-  Area of Potential Effect

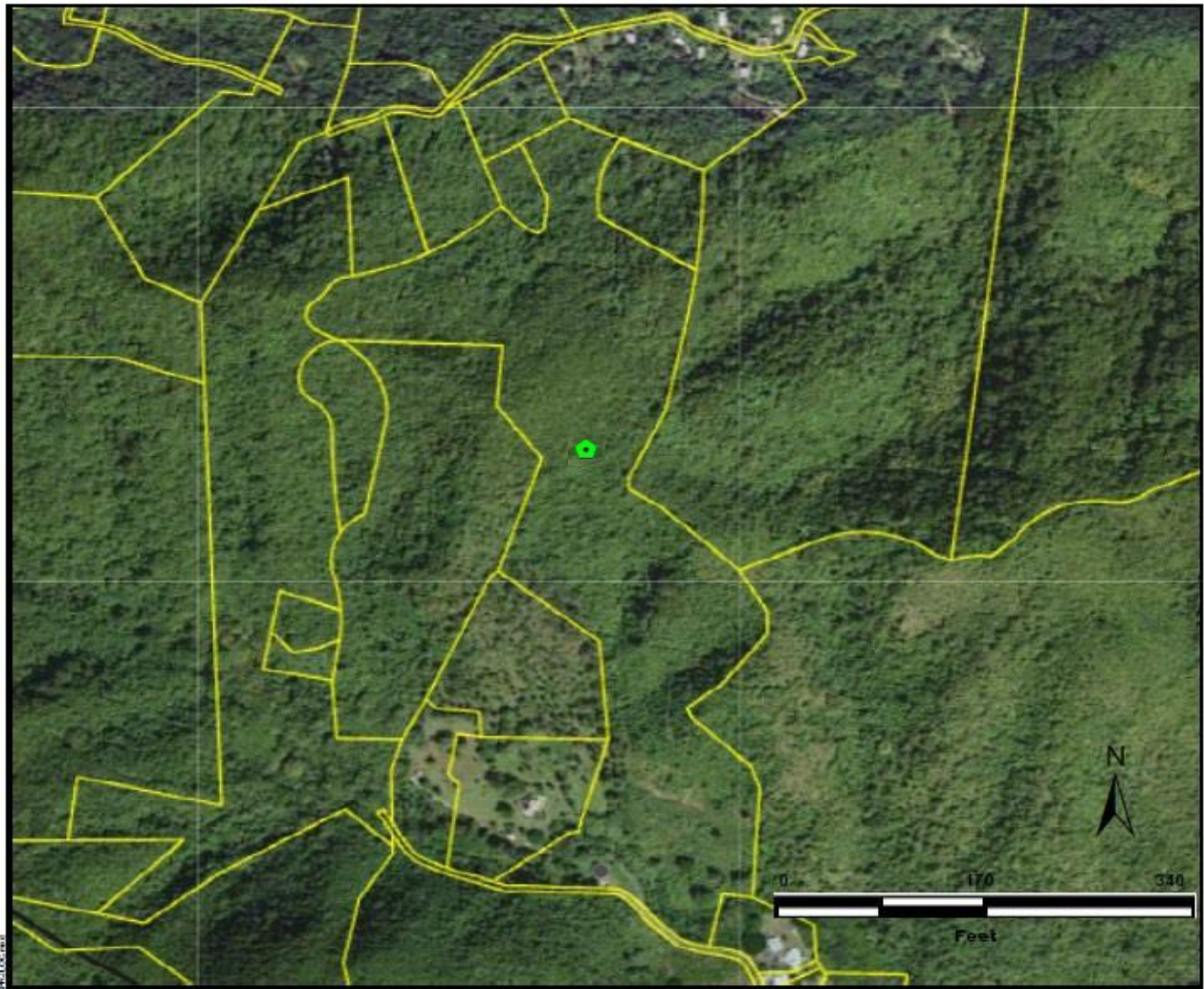


Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo

Project (Prcel) Location - Aerial Map



Source: CRIM

Legend

-  Tier 2 Site
-  Historic Comunidades
-  Traditional Urban Centers
-  Cultural Resource District Polygon



Author: TG

Date: 9/22/2022

Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo

Project (Parcel) Location - USGS Topographic Map







Source: USGS

Author: TG

Date: 9/29/2022

Legend

-  Tier 2 Site
-  Historic Comunidades
-  Traditional Urban Centers
-  Cultural Resource District Polygon



Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo

Project (Parcel) Location – Soils Map

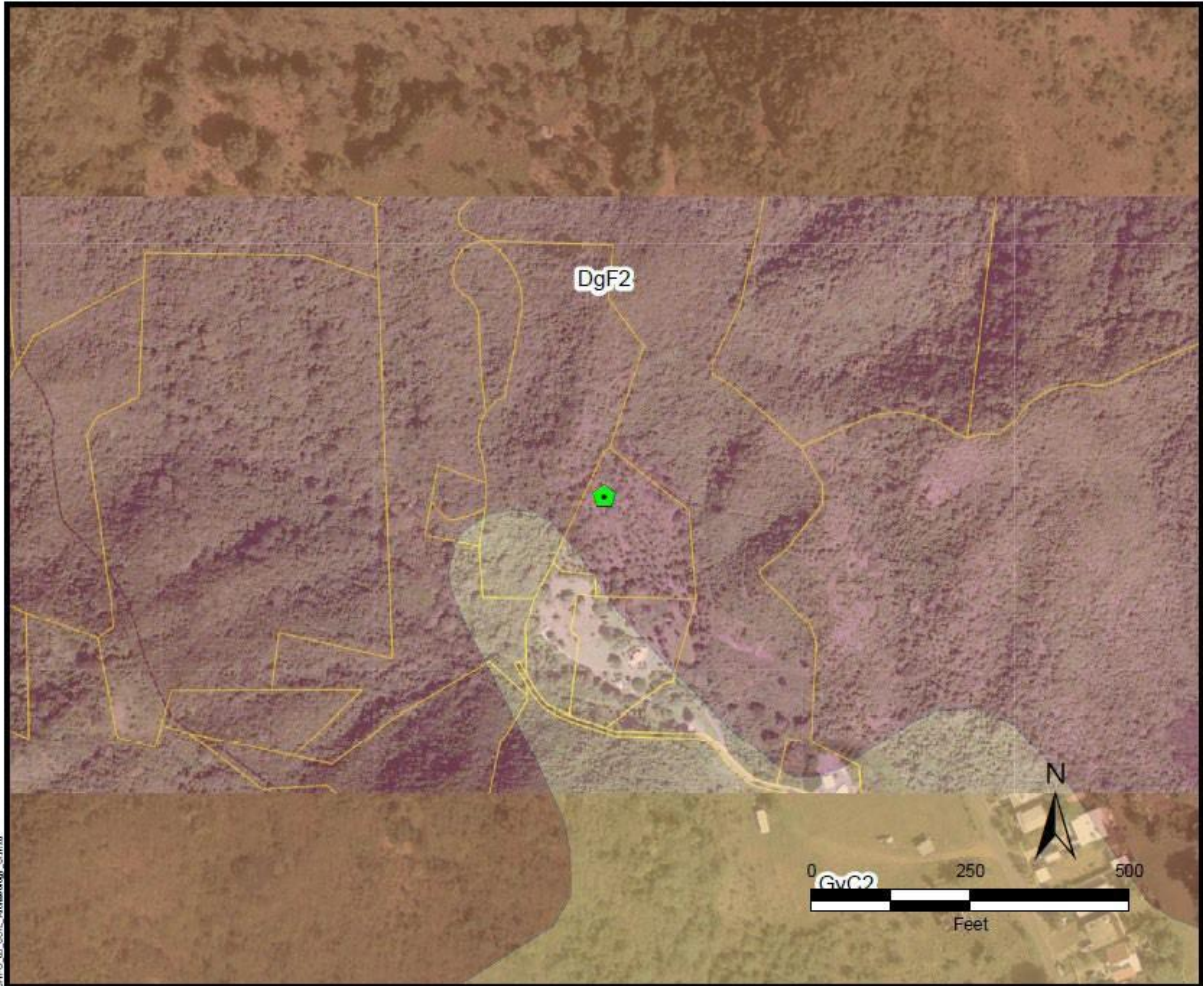


Photo: www.flickr.com/photos/13204745@N04/8592724940 © SOIL Architecture, 6/11/14



TETRA TECH

Source: USDA

Author: TG

Date: 9/30/2022

Legend

Tier 2 Site

Soil Type

- DgF2: Descalabrado and Guayama soils, 20 to 60 percent slopes, eroded
- GyC2: Guayama clay loam, moderately deep variant, 2 to 12 percent, slopes, eroded

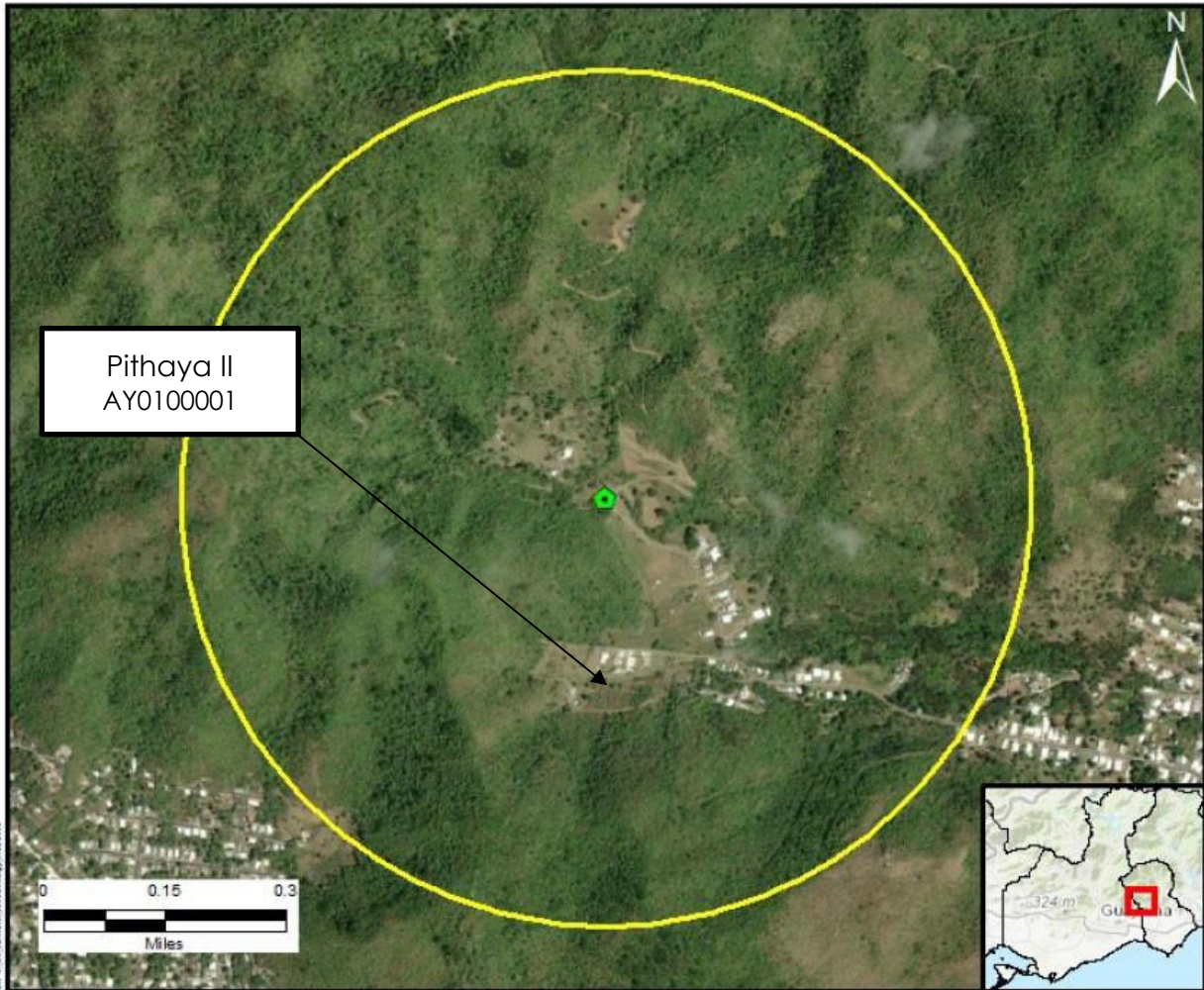


Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo

Project (Parcel) Location with Previous Investigations - Aerial Map



Source: National Park Service

Author: TG

Date: 9/29/2022

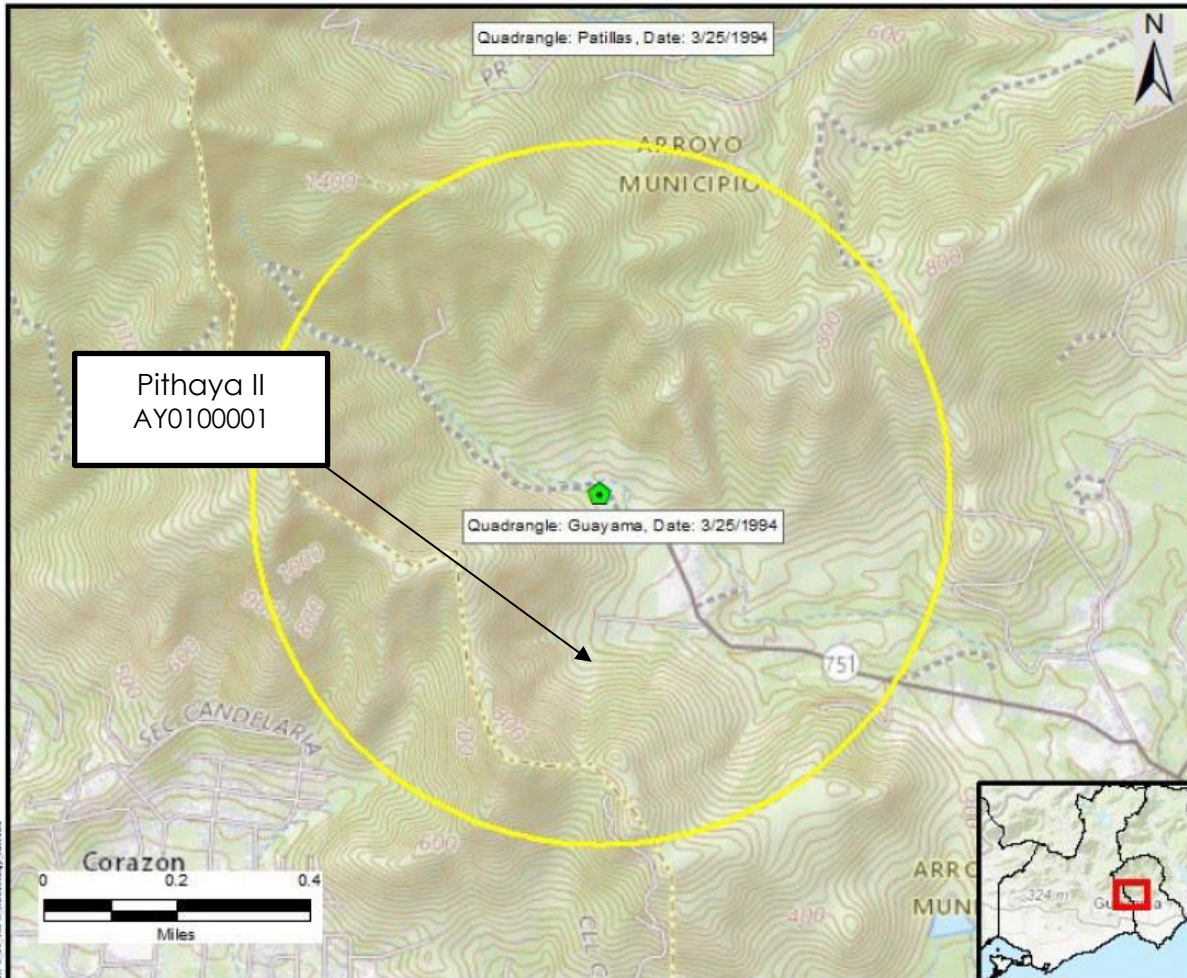
- Legend
-  Tier 2 Site
 -  Half Mile Buffer
 -  Historic Comunidades
 -  Traditional Urban Centers
 -  Cultural Resource District Polygon

Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo






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



Source: National Park Service

Author: TG

Date: 9/29/2022

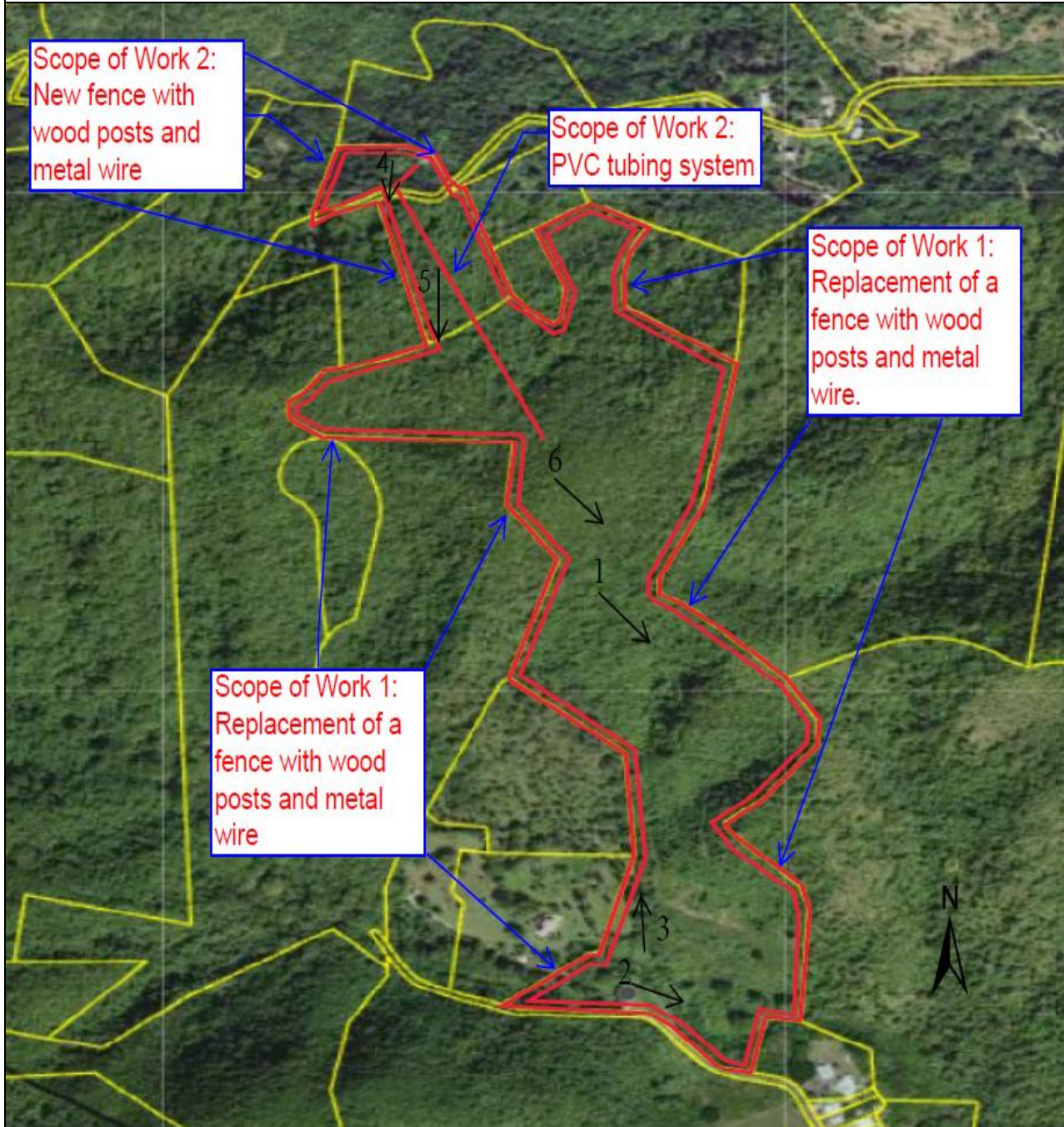
- Legend
-  Tier 2 Site
 -  Half Mile Buffer
 -  Historic Comunidades
 -  Traditional Urban Centers
 -  Cultural Resource District Polygon

Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo

Photograph Key



Subrecipient: ORAGRO LLC

Case ID: PR-RGRW-01927

City: Arroyo



Photo #: 1

Description (include direction): View to the Southeast

Date: 4/11/2023

Scope Of Work 1: A fence replacement around the parcel to maintain the cattle secure in the area.



Photo #: 2

Description (include direction): View to the Southeast

Date: 4/11/2023

Scope Of Work 1: A fence replacement around the parcel to maintain the cattle secure in the area.


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Subrecipient: ORAGRO LLC		
Case ID: PR-RGRW-01927		City: Arroyo



Photo #: 3	Description (include direction): View to the North
Date: 4/11/2023	Scope Of Work 1: A fence replacement around the parcel to maintain the cattle secure in the area.



Photo #: 4	Description (include direction): View to the Southwest
Date: 4/11/2023	Scope Of Work 2: Area where the PVC tubes installation begin to bring water to the cattle, a new fence will be installed around the perimeter.


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Subrecipient: ORAGRO LLC		
Case ID: PR-RGRW-01927		City: Arroyo



Photo #: 5	Description (include direction): View to the South
Date: 4/11/2023	Scope Of Work 2: Trail where the PVC tubes will be installed.



Photo #: 6	Description (include direction): View to the Southeast
Date: 4/11/2023	Scope Of Work 1: End area where the PVC tube will be installed, a new fence will be installed around the perimeter.



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,

A handwritten signature in blue ink, appearing to be 'JB', is written over the printed name.

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT