



U.S. Department of Housing and Urban
Development

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

Project Information

Project Name: Sueno del Pescador (PR-CRP-000701)

Responsible Entity: Puerto Rico Department of Housing

State/Local Identifier: Puerto Rico (PR-CRP-000701)

Preparer: Cliff Jarman

Certifying Officer Name and Title: **Juan Carlos Perez-Bofill - Director, Disaster Recovery CDBG-DR; Sally Z. Acevedo-Cosme - Permits and Environmental Compliance Specialist; Pedro de León Rodriguez - Permits and Environmental Compliance Specialist; Maria T. Torres-Bregón - Permits and Environmental Compliance Manager; Angel G. López Guzmán - Deputy Director, Permits and Environmental Compliance Specialist; Ivelisse Lorenzo Torres - Permits and Environmental Compliance Specialist; Santa Ramírez Lebrón - Permits and Environmental Compliance Specialist; Janette I. Cambrelen - Permits and Environmental Compliance Specialist; Limary Vélez Marrero - Permits and Environmental Compliance Specialist**

Grant Recipient (if different than Responsible Entity): Municipio de Aguada

Consultant (if applicable): Angel Garcia PE, Sr. Environmental Engineer at AG Environmental PSC (angel@agepr.com)

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

Project Location: Work sites are within or near the the intersection formed by PR-441, Cam Playa, and Carretera Carrizales, Guaniquilla Ward, Aguada, PR.
(18.39157425, -67.19548732)

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

The Municipality of Aguada proposes the construction of the project called "Sueño del Pescador" which consists of the construction of gazebos, sanitary facilities, benches, green areas, lighting, and sidewalks

along a segment of the coast of the Guaniquilla Ward near the intersection formed by PR-441, Cam Playa, and Carretera Carrizales. The sites are public land and are not identified by parcel number. The project integrates four strategic locations. The following paragraphs include the proposed tasks to be undertaken at each:

- Location 1 – “*Ventana del Atardecer*” – Approximate area of 0.24 acres. (18.391630, -67.196395)
 - The leveling of floor tiles comprising approximately 10,500 sq. ft. in concrete with white and gray aggregate, consistent with the “*Plaza Cruz de Colón*” and the construction of a sidewalk.
 - Construction of vehicle slowdown crossing on Cam Playa for pedestrians crossing back and forth from “*Ventana del Atardecer*” to the existing “*Plaza Cruz de Colón*” bathrooms.
 - Installation of prefabricated concrete benches consistent with the existing ones in the “*Plaza Cruz de Colón*”.
 - Construction of three reinforced concrete painted gazebos of approximately 196 sq. ft. each, with their respective doors and windows.
 - Construction of a gazebo of approximately 231 sq. ft., for fishermen to prepare and sell their products. Each one will have potable water facilities, and electrical facilities.
 - The proposed project will have energy efficient lighting poles and trash cans. Wireless internet access infrastructure will also be provided.
 - Demolition of an existing gazebo of approximately 176.00 sq. ft.
- Site 2 – “*La Placita del Pescador*” – Approximate area of 0.13 acres. (18.391894, -67.195032) located at the east end of Camino Playa which is bounded by PR-441 on the southeast and north sides and Carretera Carrizales on the west side.
 - The level of the entire terrain comprises approximately 4,500 sq. ft.
 - New concrete floor with white and gray aggregate including green areas.
 - Lighting fixtures and prefabricated concrete benches in harmony with the existing ones at the “*Plaza Cruz de Colón*”.
 - Demolition of two existing gazebos of approximately 200.00 sq. ft. each.
 - Relocation of one electric pole.
 - Remodeling of the “*Virgen del Carmen*” monument area.
 - Construction of restrooms facilities.
 - New gazebo of approximately 435.27 sq. ft. with concrete domino tables.
 - Installation of trash cans, energy efficient lighting poles, and green areas.
 - ADA law-compliant sidewalks will be built around the north, west, and southwest sides of Camino Playa plaza to provide pedestrian safety.
- Site 3 – “*La Fuente del Pescador*” – Approximate area of 0.086 acres. (18.390921, -67.195756)
 - Remodeling of the existing fountain.
 - Install electrical connections, plumbing, and pumping system.
 - New landscaping, lighting and a boat sculpture with fishermen will be designed.
 - Painting of the structure adjacent to “*La Fuente del Pescador*”.
 - Sign installation.

All work will be conducted within the footprint of the project sites. See Figure 1 Project Site Map

Funding Information

Grant Number	HUD Program	Funding Amount
B-17-DM-72-0001	CDBG-DR	\$1,507,179,000
B-18-DP-72-0001	CPD/CDBG-DR	\$8,220,783,000
B-19-DP-78-0002	CPD/CDBG-DR	\$277,853,230
B-18-DE-72-0001	CPD/CDBG-DR	\$1,932,347,000
	TOTAL	\$11,938,162,230

Estimated Total HUD Funded Amount: \$2,600,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$2,600,000

Compliance with 24 CFR 50.4, 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 50.4 & 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The closest airport to the Project site is Rafael Hernandez Airport 7.2 miles north of the project site. The closest military airport is the Coast Guard Air Station Borinquen which is collocated with the Rafael Hernandez Airport (7.2 miles north of the project site). The project is not located within 15,000 feet of a military airport, or 2,500 feet of a civilian airport. The Project is

		<p>in compliance with Airport Hazard requirements.</p> <p>See worksheet in Appendix A and map in Appendix B.</p>
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Project site is not located in or adjacent to a CBRS Unit. The nearest unit is approximately 2 miles to the northeast. The Project is in compliance with Coastal Barrier Resources requirements. Refer to worksheet in Appendix A and map in Appendix B.</p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>A portion of Site 1 is located in a 100-year floodplain Zone VE per Flood Insurance Map 72000C0140J, effective date November 18, 2009. Floodplain insurance will be required for the project facilities. The Project is in compliance with Flood Insurance requirements.</p> <p>Refer to worksheet in Appendix A and map in Appendix B.</p>

<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>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 Aguada is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants" The Project scope does not include new development or conversion of land use facilitating the development of public, commercial, or industrial facilities, or development of five or more dwelling units. The Project is in compliance with Clean Air requirements.</p> <p>Refer to worksheet in Appendix A. Refer to EPA listing and map in Appendix C.</p>

<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Project site is located in a Coastal Zone, specifically within the coastal fringe. The PR Planning Board determined on September 25, 2023 that the project is consistent with the PR Coastal Zone Management Program.</p> <p>The Project is in compliance with Coastal Zone Management requirements.</p> <p>Refer to worksheet in Appendix A with PR planning board approval and map in Appendix B.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project.</p> <p>There is one air pollution site, J R Contractor, 0.33 miles to the southeast of the project site. The site has a Clean Air Act permit and no violations within the past three years. With these conditions and the distance, there would not be any impacts to the project site.</p> <p>The Project is in compliance with Contamination and Toxic Substances requirements.</p> <p>Refer to worksheet in Appendix A and supporting documentation in Appendix C.</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 checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>A part of the project extends to the beach although the project does not entail in-water activities.</p> <p>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, West Indian Manatee, Green Sea Turtle Hawksbill Sea Turtle, Leatherback Sea Turtle, Loggerhead Sea Turtle, and Olive Ridley Sea Turtle may be found in the area but there are no critical habitats at this location.</p> <p>On June 28, 2023, the USFWS concurred with a No Effect determination for the West Indian Manatee and with the May Affect, Not</p>

		<p>Likely to Adversely Affect determination for the Puerto Rican Boa provided conservation measures are implemented as part of the project. Final review of the effects to sea turtles was pending lighting requirements.</p> <p>On January 9, 2024 an informal consultation that the proposed action May Affect but is Not Likely to Adversely Affect nesting sea turtles was submitted to USFWS containing the technical specifications related to the proposed “turtle friendly” project lighting. (See Appendix D).</p> <p>On March 3, 2024, the USFWS concurred with the Not Likely to Adversely Affect the sea turtle species.</p> <p>This determination is dependent on the implementation of sea turtle friendly lighting to avoid any future impacts on nesting sea turtles.</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>With these mitigations the Project is in compliance with Endangered Species requirements.</p> <p>Refer to worksheet in Appendix A and reports in Appendix D.</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 proposed project does not include a hazardous facility that mainly stores, handles, or processes flammable or combustible chemicals such as bulk fuel storage facilities. Planned activities in the project area do not include installation of storage tanks. The project would not introduce new residents and would not involve an increase in employees or clients.</p>

		<p>Examination of aerial views and street views show no above ground storage tanks within the acceptable separation distance.</p> <p>The Project is in compliance with Explosive and Flammable Hazards requirements.</p> <p>Refer to worksheet 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 is in an urban area with no prime farmlands. Project does not include any activities, including new construction, acquisition of undeveloped land or conversion, which could convert agricultural land to a nonagricultural use.</p> <p>The Project is in compliance with Farmland Protection requirements.</p> <p>Refer to worksheet in Appendix A and report in Appendix C.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Part of the Project Site 1 is located in a 100-year floodplain per Flood Insurance Rate Map 72000C0140J, effective date November 18, 2009.</p> <p>An 8-step decision making analysis was performed and is attached in Appendix F. An early public notice was published in the “Primera Hora” newspaper on October 13, 2023. No comments were received. A final notice was published in the “El Vocero” newspaper on December 15, 2023. No comments were received.</p> <p>The structures located in the flood zone will be constructed according to the current regulations designed to minimize impacts. Potential adverse impacts from construction would be temporary and mitigated through construction staging plans. The proposed use is in harmony with the surrounding developed area.</p> <p>With these mitigations there will be no permanent impact to the floodplain and the project will not have a significant impact on</p>

		<p>the actual runoff water behavior during weather events.</p> <p>The Project is in compliance with Floodplain Management requirements.</p> <p>Refer to worksheet in Appendix A, map in Appendix B, and floodplain analysis in Appendix F.</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 checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The site was evaluated on April 10, 2023 by an SOI Qualified Archaeologist and SOI Qualified Architectural Historian. Documentation with maps was subsequently submitted to SHPO (Appendix E). SHPO concurred with a finding of No Adverse Effect within the project's Area of Potential on Effects on November 14, 2023. Refer to the report in Appendix E. This project is in compliance with Historic Preservation requirements.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project involves rehabilitation of existing nonresidential buildings for non-residential use. An evaluation of noise abatement and control is not required.</p> <p>The Project is in compliance with Noise Abatement and Control requirements.</p> <p>Refer to worksheet in Appendix A.</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. Furthermore, the project consists of activities that are unlikely to have an adverse impact on groundwater resources.</p> <p>The project is in compliance with Sole Source Aquifer requirements.</p> <p>Refer to worksheet in Appendix A and map in Appendix B.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The National Wetlands Inventory (NWI) mapping shows one of the project components (Site 1) is located over submerged wetlands associated to the Atlantic Ocean. The NWI maps See Figures B08a and B08b in Appendix B) show a</p>

		<p>riverine wetland intersecting the southwest corner of the project area. The NWI map is slightly inaccurate. The riverine wetland is immediately adjacent to the western side of Site 1 where it outfalls to the sea. The riverine wetland is marked by the line of trees just to the west of the marked wetland on the maps.</p> <p>However, the project scope does not entail impact to the submerged wetlands or the riverine wetland as it only consists of minor infrastructure improvements to the top of the existing structure. Additionally, the Project does not involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance at the location that overlaps submerged wetlands.</p> <p>An 8-step decision making analysis was performed and is attached in Appendix F. An early public notice was published in the "Primera Hora" newspaper on October 13, 2023. No comments were received. A final notice was published in the "El Vocero" newspaper on December 15, 2023. No comments were received.</p> <p>Potential adverse impacts from construction would be temporary and mitigated through construction staging plans. The project will not require the discharge of dredged or fill material into wetlands. The proposed use is in harmony with the surrounding developed area.</p> <p>With these mitigations there will be no permanent impact to the wetland and the project will not have a significant impact on the actual runoff water behavior during weather events.</p> <p>Therefore, the Project is in compliance with Wetlands Protection requirements.</p> <p>Refer to worksheet in Appendix A, map in Appendix B and analysis in Appendix F..</p>
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<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>Puerto Rico has only three Wild and Scenic Rivers, located on the east side of Puerto Rico. The proposed Project is located on the west coast of Puerto Rico, approximately 90 miles from said rivers. There would be no impact to Wild and Scenic Rivers.</p> <p>Therefore, the Project is in compliance with Wild and Scenic Rivers requirements.</p> <p>Refer to worksheet in Appendix A and map 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.</p> <p>Therefore, the Project is in compliance with Environmental Justice requirements.</p> <p>Refer to worksheet in Appendix A.</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 of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The Project area is designated as VIAL “Road Network.” The Project would repair existing paving and add sidewalks along the roadside and public areas. The Project-related activities would occur within existing developed area and consist of repairs and enhancements of existing uses. No changes in zoning, easements, or land use are anticipated.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The proposed improvements include excavations for new sidewalks. There would be no permanent changes to the site that would affect slope, drainage, or stormwater runoff. Temporary impacts would be mitigated by erosion and sedimentation control BMPs implemented during construction.
Hazards and Nuisances including Site Safety and Noise	2	<p>The project site is in an urbanized area. The project would involve demolition, excavation, and construction. The hazards typically associated with construction activities would be present, temporary site safety issues and noise.</p> <p>The proposed project, once constructed, would not create any additional hazards or nuisances or create any new site safety or noise issues.</p> <p>No generators, propane tanks, USTs, or ASTs would be installed on the site as a result of the project, either temporarily or permanently.</p> <p>Noise impacts would be addressed by conducting demolition and construction activities in accordance with local noise regulations and proper construction equipment maintenance.</p> <p>Standard BMPs, such as construction fencing, would be applied to protect the public from typical construction hazards. BMPs</p>

		and signage would warn and protect the public during construction activities.
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SOCIOECONOMIC		
Employment and Income Patterns	1	<p>Temporary employment of construction workers related to construction activities would result.</p> <p>The proposed project would not negatively impact long-term employment or income patterns. The proposed project has potential to support and promote the recovery and growth of small merchants, while restoring and encouraging tourism. Long-term beneficial impacts would result from new gazebo space for fisherman to sell their catch.</p>
Demographic Character Changes, Displacement	1	<p>The proposed project would not result in demographic character changes or displacement. Due to the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.</p> <p>New gazebo space would be made available as a result of this project.</p> <p>The proposed project fulfills the objective of revitalizing, modernizing, and creating recreation spaces for low- and moderate-income families. In addition to benefiting the public with commercial premises so that it can support and promote the recovery and growth of small merchants, while restoring and encouraging tourism.</p>
Environmental Justice	2	<p>The project would not disproportionately alter the low income or minority composition of the population in the area surrounding the project area. There are currently no residents at the project site, and the project would not increase the population that could be exposed to environmental hazards. No environmental hazards were identified on or surrounding the project site that could disproportionately affect disadvantaged communities or populations.</p> <p>Public notices were published in the “Primera Hora” newspaper on October 13, 2023 and in the “El Vocero” on December 15, 2023 as part of the floodplain and wetland decision making analysis. No public comments were received.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	1	The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.
Commercial Facilities	1	Long-term beneficial impacts would result from new gazebo space for fisherman to sell their catch. The project would not increase demand for commercial facilities.
Health Care and Social Services	2	Health care and social services facilities would not be impacted by the proposed project. It would not increase demand for health care and social services facilities.
Solid Waste Disposal / Recycling	2	<p>Removing and replacing existing building materials and construction debris would generate solid waste. Project-wide salvaging/recycling of materials would occur as determined feasible with other program requirements. All other materials would be taken to the appropriate landfills.</p> <p>A solid waste management plan would be developed and implemented to ensure that all potentially hazardous solid waste is handled properly, and that daily capacities of landfills and other solid waste facilities are not exceeded.</p> <p>Operational wastes would continue to be managed by the Municipality of Aguada.</p>
Waste Water / Sanitary Sewers	2	Upgraded connections would be made to the existing bathrooms. No new connections to municipal sanitary sewer system would be needed. The proposed project would not affect wastewater infrastructure and would not increase demand for service.
Water Supply	2	<p>No new connections to municipal water supply would be needed. The proposed project would not affect water infrastructure and would not increase demand for service.</p> <p>Existing on-site and nearby water connections would be used for construction activities.</p>
Public Safety - Police, Fire and Emergency Medical	2	The proposed project would not increase demand for police, fire, and emergency medical services.
Parks, Open Space and Recreation	1	<p>The proposed project would be beneficial to the existing pier and open spaces and associated recreational activities.</p> <p>ADA law-compliant sidewalks will be built around the north, west, and southwest sides of Camino Playa plaza to provide pedestrian safety.</p>
Transportation and Accessibility	2	The proposed project may result in minor temporary traffic increases and access issues during construction due to material deliveries or use of equipment. Traffic may be rerouted

		temporarily, or lane closures may be implemented to direct traffic away from construction activities. Emergency services would be notified of traffic control changes ahead of time, and access by emergency vehicles always would be allowed within the work zone. There would be no long-term impacts.
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NATURAL FEATURES		
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Unique Natural Features, Water Resources	2	The beach would not be affected by the changes to the existing structure. No unique natural features or groundwater resources are present in the project area or would be affected by the proposed project. Temporary impacts would be mitigated by erosion and sedimentation control BMPs implemented during construction.
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Vegetation, Wildlife	2	The proposed project activities would be within an existing urban developed area. The project would not impact native vegetation. On March 3, 2024, the USFWS concurred that the proposed action May Affect but is Not Likely to Adversely Affect the Puerto Rican Boa and nesting sea turtle species provided conservation measures (e.g., “turtle friendly” project lighting. (See Appendix D)) are implemented as part of the project. Additionally, the proposed project would not impact wildlife or wildlife habitat.
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Other Factors	2	No other factors were identified that would be affected by the proposed project.
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CLIMATE AND ENERGY		
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Climate Change Impacts	2	Because the project is a rehabilitation of an open space, there would be no changes to the site configuration or structure that would specifically address the possibility and uncertainty of rising sea levels or the possibility of increases in rainfall intensity. Part of the Project site is located in a 100-year floodplain. The project design would not change the area’s urban heat island effects or stormwater runoff. The project lighting and utilities would be upgraded with new energy efficient equipment that would result in a lower carbon footprint.
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Energy Efficiency	2	The project would result in upgrade to the areas lighting with new energy efficient LED equipment. It would not involve any change in the area’s energy demand. Regional energy use would not change.
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Additional Studies Performed: None required.

List of Permits Obtained:

Any necessary permits should be obtained by the applicant and/or contractor prior to construction activities.

Public Outreach [24 CFR 58.43]:

A public notice describing the project and the potential to impact the 100-year floodplain and wetland was published on October 13, 2023 in the *Primera Hora* newspaper. No comments were received. A final notice and public explanation of proposed activity in a 100-year floodplain and wetland was published on December 13, 2023 in the “El Vocero” newspaper. No comments were received.

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 repair and improvements to the existing public spaces would not change the land use of the spaces or the adjoining parcels. A slight increase in use of the spaces would result from their restoration and improvement.

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

The responsible entity has considered the following two action alternatives:

Alternative 1 (Proposed Action): Locate the Project Within the Floodplain. – The proposed action is according to zoning. Besides, the proposed project will not exceed the existing developed area and will not change the present use of the area.

Alternative 2: Locate the Project Outside of the Floodplain. - The responsible entity analyzed to relocate the project outside the floodplain and did not identify an alternative site to develop the proposed project, because the main purpose of the project is to improve the passive waterfront-recreative facility within the urban area. All similar waterfront locations would have similar floodplain concerns.

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

Under the No Action Alternative, the applicant would not receive federal funding for the project and the proposed improvements will not be implemented, and the recreative facility will not be enhanced. The No-Action alternative would not allow for the repair of the storm damage at these sites.

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.

For example, the Office of Permit Management (OGPe) is responsible for granting permits, licenses, certifications, consultations, construction, and any other procedure necessary for business development and land use in Puerto Rico.

In addition, the Project is anticipated to provide overall beneficial social and economic effects to the Municipality of Aguada by addressing the recreational needs of the populations and providing new opportunities for economic development as a result of increased tourism activity in the disadvantaged communities where the project is taking place.

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.

The environmental review topics addressed in this environmental review include all formal compliance steps with federal agencies and mitigations (listed in table below) needed for compliance with 24 CFR 58.

Any permits or approvals that have been issued during the preparation of this environmental review have been included in the evaluation of impacts and mitigations. Any special permit conditions or requirements associated with these permits are listed in the Mitigation Measures and Conditions table below.

Law, Authority, or Factor	Mitigation Measure
Endangered Species	Lighting shall be compliant with PR Law 218 of 2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2014 Regulation to Control and Prevent Light Contamination including acceptable illumination fixtures are those that shield the light source to minimize glare impact on nesting sea turtle habitats.
Endangered Species	Conservation measures for the Puerto Rican Boa need to be implemented if the Boa is encountered during construction.
Flood Insurance	Flood insurance will be required for the project facilities that are in the floodplain.
Obtained Permit or Approval	Special Permit Conditions
None.	

Potential Permit or Approval Required	
There may be subsequent additional approvals or permits from agencies required for the project before the start of construction. For example, permits may be required the Office of Permit Management (OGPe) is responsible for granting permits, licenses, certifications, consultations, construction approvals, and any other procedure necessary for business development and land use in Puerto Rico.	
Ground disturbance	Projects whose earthworks are more than 40 m ³ must submit an Incidental Permit.
Utility Connections	The site already has connections to the local utility services.

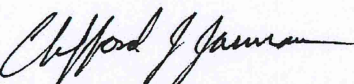
There may be subsequent additional approvals or permits from agencies required for the project before the start of construction. For example, permits may be required from PRDNER for any water or other utility connections and the Office of Permit Management (OGPe) is responsible for granting permits, licenses, certifications, consultations, construction approvals, and any other procedure necessary for business development and land use in Puerto Rico.

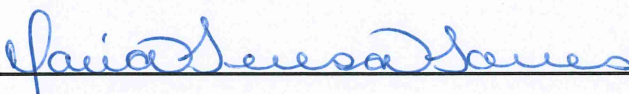
In addition, during construction the project will have to comply with applicable regulations, requirements, and BMPs associated with general construction worker safety; public safety; management of hazardous material; spill control; use of heavy equipment; etc.

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: 04/11/24

Name/Title/Organization: 

Responsible Entity Agency Official Signature:
Signature: _____ Date: April 16, 2024
Name/Title: María T. Torres-Bregón / Manager - Permits and Environmental Compliance

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



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Airport Hazards (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/airport-hazards>

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

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within the applicable distances to a military or civilian airport.*

Yes → *Continue to Question 2.*

2. Is your project located within a Runway Potential Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ)?

Yes, project is in an APZ → *Continue to Question 3.*

Yes, project is an RPZ/CZ → *Project cannot proceed at this location.*

No, project is not within an APZ or RPZ/CZ

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Continue to the Worksheet Summary below. Provide a map showing that the site is not within either zone.*

3. Is the project in conformance with DOD guidelines for APZ?

Yes, project is consistent with DOD guidelines without further action.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

No, the project cannot be brought into conformance with DOD guidelines and has not been approved. → *Project cannot proceed at this location.*

If mitigation measures have been or will be taken, explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

[Click here to enter text.](#)

→ *Work with the RE/HUD to develop mitigation measures. Continue to the Worksheet Summary below. Provide any documentation supporting this determination.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

A review using the Google Maps® software shows the nearest military and civilian airport is the Coast Guard Air Station Borinquen and the Rafael Hernández Airport (BQN), respectively, both located beyond the regulatory threshold at approximately 7.2 miles north of the project site.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Coastal Barrier Resources (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/coastal-barrier-resources>

Projects located in the following states must complete this form.

Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

1. Is the project located in a CBRS Unit?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.*

Yes → *Continue to 2.*

Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project. In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see [16 USC 3505](#) for exceptions to limitations on expenditures).

2. Indicate your recommended course of action for the RE/HUD

Consultation with the FWS

Cancel the project

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

According to the Coastal Barrier Resources System Mapper, the closest CBRS Unit is PR-75: Espinar, located approximately 2 miles northeast of the Project.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Flood Insurance (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/flood-insurance>

1. Does this project involve mortgage insurance, refinance, acquisition, repairs, rehabilitation, or construction of a structure, mobile home, or insurable personal property?

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

→ Continue to the Worksheet Summary.

Yes → Continue to Question 2.

2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs).

Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?

No → Continue to the Worksheet Summary.

Yes → Continue to Question 3.

3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?

Yes, the community is participating in the National Flood Insurance Program.

Flood insurance is required. Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.

→ Continue to the Worksheet Summary.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards. If less than one year has passed since notification of Special Flood Hazards, no flood insurance is required.

→ Continue to the Worksheet Summary.

No. The community is not participating, or its participation has been suspended. Federal assistance may not be used at this location. Cancel the project at this location.

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

According to FEMA, the Project site is located in a 100-year floodplain per Floodplain Insurance Map 72000C0140J, effective date November 18, 2009.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Air Quality (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/air-quality>

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

Yes → Continue to Question 2.

No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide any documents used to make your determination.

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

Follow the link below to determine compliance status of project county or air quality management district:

<http://www.epa.gov/oaqps001/greenbk/>

No, project's county or air quality management district is in attainment status for all criteria pollutants

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants. → Continue to Question 3.

3. Determine the estimated emissions levels of your project for each of those criteria pollutants that are in non-attainment or maintenance status on your project area. Will your project exceed any of the *de minimis* or *threshold* emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

No, the project will not exceed *de minimis* or threshold emissions levels or screening levels

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Explain how you determined that the project would not exceed *de minimis* or threshold emissions.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

→ Continue to Question 4. Explain how you determined that the project would not exceed *de minimis* or threshold emissions in the Worksheet Summary.

- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

[Click here to enter text.](#)

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The project scope consists of improvements to existing recreational facilities in a coastal community.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Coastal Zone Management Act (CEST and EA) – PARTNER

<https://www.onecpd.info/environmental-review/coastal-zone-management>

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands
American Samoa	Guam	Maryland	New Jersey	Pennsylvania	Virginia
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin
Delaware	Indiana	Minnesota	Northern Mariana Islands	South Carolina	

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

Yes → *Continue to Question 2.*

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.*

2. Does this project include activities that are subject to state review?

Yes → *Continue to Question 3.*

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, with mitigation. → *The RE/HUD must work with the State Coastal Management Program to develop mitigation measures to mitigate the impact or effect of the project.*

Yes, without mitigation. → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.*

No → Project cannot proceed at this location.

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates

- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The PR Planning Board has determined the project complies with the Coastal Zone Management Program via letter dated September 25, 2023.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Contamination and Toxic Substances (Multifamily and Non-Residential Properties) – PARTNER

<https://www.hudexchange.info/programs/environmental-review/site-contamination>

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

ASTM Phase I ESA

- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the above

→ Provide documentation and reports and include an explanation of how site contamination was evaluated in the Worksheet Summary.

Continue to Question 2.

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

No → Explain below.

On-line data searches identified one air pollution site, J R Contractor, 0.33 miles to the south-east of the project site, with no violations within the past three years.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Describe the findings, including any recognized environmental conditions (RECs), in Worksheet Summary below. Continue to Question 3.

3. Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated → HUD assistance may not be used for the project at this site. Project cannot proceed at this location.

Yes, adverse environmental impacts can be eliminated through mitigation.

¹ HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

→ Provide all mitigation requirements² and documents. Continue to Question 4.

4. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls³, or use of institutional controls⁴.

[Click here to enter text.](#)

If a remediation plan or clean-up program was necessary, which standard does it follow?

- Complete removal
 Risk-based corrective action (RBCA)

→ Continue to the Worksheet Summary.

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

On-line data searches identified one air pollution site, J R Contractor, 0.33 miles to the south-east of the project site, with no violations within the past three years. Refer to Appendix C for a copy of the report for this site.

² Mitigation requirements include all clean-up actions required by applicable federal, state, tribal, or local law. Additionally, provide, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

³ Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, without limitation, caps, covers, dikes, trenches, leachate collection systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, without limitation, slurry walls and ground water pumping systems.

⁴ Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Endangered Species Act (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/endangered-species>

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

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

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

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

Explain your determination:

[Click here to enter text.](#)

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

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

Continue to Question 2.

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

Obtain a list of protected species from the Services. This information is available on the [FWS Website](#).

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

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

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

Continue to Question 3.

3. Recommend one of the following effects that the project will have on federally listed species or designated critical habitat:

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

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.*

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

→ Partner entities should not contact the Services directly. *If the RE/HUD agrees with this recommendation, they will have to complete Informal Consultation. Provide the RE/HUD with a biological evaluation or equivalent document. They may request additional information, including surveys and professional analysis, to complete their consultation.*

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

→ Partner entities should not contact the Services directly. *If the RE/HUD agrees with this recommendation, they will have to complete Formal Consultation. Provide the RE/HUD with a biological evaluation or equivalent document. They may request additional information, including surveys and professional analysis, to complete their consultation.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The USFWS and the NMFS concurred with a “May Affect, Not Likely to Adversely Affect” effect determination by the applicant via written communications dated #####. Refer to Appendix D for copies of these documents.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Explosive and Flammable Hazards (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities>

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

No

→ Continue to Question 2.

Yes

Explain:

Click here to enter text.

→ Continue to Question 5.

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

No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Yes → Continue to Question 3.

- 3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers:**

- Of more than 100-gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

Yes → Continue to Question 4.

- 4. Is the Separation Distance from the project acceptable based on standards in the Regulation?**

Please visit HUD's website for information on calculating Acceptable Separation Distance.

Yes

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

No

→ Continue to Question 6.

Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the “assessed tank.”

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD’s website for information on calculating Acceptable Separation Distance.

Yes

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

No

→ Continue to Question 6.

Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

[Click here to enter text.](#)

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

A review using Google Earth® did not find above ground containers containing common liquid industrial fuels or hazardous liquids or gases within the regulatory thresholds.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Farmlands Protection (CEST and EA) - PARTNER

<https://www.hudexchange.info/environmental-review/farmlands-protection>

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

Yes → *Continue to Question 2.*

No

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.*

Yes → *Continue to Question 3.*

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form [AD-1006, “Farmland Conversion Impact Rating”](#) and contact the state soil scientist before sending it to the local NRCS District Conservationist.
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Work with the RE/HUD to determine how the project will proceed. Document the conclusion:

Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Click here to enter text.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Project will proceed without mitigation.

Explain why mitigation will not be made here:

Click here to enter text.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

Project scope consists of improvements to existing recreational spaces in a coastal community.



Floodplain Management (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/floodplain-management>

1. Does [24 CFR 55.12\(c\)](#) exempt this project from compliance with HUD’s floodplain management regulations in Part 55?

Yes

Provide the applicable citation at 24 CFR 55.12(c) here. If project is exempt under 55.12(c)(6) or (8), provide supporting documentation.

[Click here to enter text.](#)

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Continue to the Worksheet Summary.

No → Continue to Question 2.

2. Provide a FEMA/FIRM map showing the site.

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs).

Does your project occur in a floodplain?

No → Continue to the Worksheet Summary below.

Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway → Continue to Question 3, Floodways

Coastal High Hazard Area (V Zone) → Continue to Question 4, Coastal High Hazard Areas

500-year floodplain (B Zone or shaded X Zone) → Continue to Question 5, 500-year Floodplains

100-year floodplain (A Zone) → The 8-Step Process is required. Continue to Question 6, 8-Step Process

3. **Floodways**

Is this a functionally dependent use?

Yes

The 8-Step Process is required. Work with HUD or the RE to assist with the 8-Step Process.

→ Continue to Worksheet Summary.

No → Federal assistance may not be used at this location unless an exception in 55.12(c) applies. You must either choose an alternate site or cancel the project.

4. **Coastal High Hazard Area**

Is this a critical action such as a hospital, nursing home, fire station, or police station?

Yes → *Critical actions are prohibited in coastal high hazard areas unless an exception in 55.12(c) applies. You must either choose an alternate site or cancel the project.*

No

Does this action include new construction that is not a functionally dependent use, existing construction (including improvements), or reconstruction following destruction caused by a disaster?

Yes, there is new construction of something that is not a functionally dependent use.

New construction must be designed to FEMA standards for V Zones at 44 CFR 60.3(e) (24 CFR 55.1(c)(3)(i)).

→ *Continue to Question 6, 8-Step Process*

No, this action concerns only existing construction.

Existing construction must have met FEMA elevation and construction standards for a coastal high hazard area or other standards applicable at the time of construction.

→ *Continue to Question 6, 8-Step Process*

5. **500-year Floodplain**

Is this a critical action?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 6, 8-Step Process*

6. **8-Step Process.**

Is this 8-Step Process required? Select one of the following options:

8-Step Process applies.

This project will require mitigation and may require elevating structure or structures. See the link to the HUD Exchange above for information on HUD's elevation requirements.

→ *Work with the RE/HUD to assist with the 8-Step Process. Continue to Worksheet Summary.*

5-Step Process is applicable per 55.12(a)(1-4).

Provide the applicable citation at 24 CFR 55.12(a) here.

→ *Work with the RE/HUD to assist with the 5-Step Process. Continue to Worksheet Summary.*

8-Step Process is inapplicable per 55.12(b)(1-5).

Provide the applicable citation at 24 CFR 55.12(b) here.

[Click here to enter text.](#)

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The project site is within the 100-year floodplain according to map number 72000C0140J, effective date November 18, 2009. The 8-Step Process documentation is attached in Appendix F.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Historic Preservation (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/historic-preservation>

Threshold

Is Section 106 review required for your project?

No, because a Programmatic Agreement states that all activities included in this project are exempt. (See the [PA Database](#) to find applicable PAs.)

Either provide the PA itself or a link to it here. Mark the applicable exemptions or include the text here:

→ *Continue to the Worksheet Summary.*

- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Either provide the memo itself or a link to it here. Explain and justify the other determination here:

Refer to the attached

→ *Continue to the Worksheet Summary.*

- Yes, because the project includes activities with potential to cause effects (direct or indirect). → *Continue to Step 1.*

The Section 106 Process

After determining the need to do a Section 106 review, HUD or the RE will initiate consultation with regulatory and other interested parties, identify and evaluate historic properties, assess effects of the project on properties listed on or eligible for the National Register of Historic Places, and resolve any adverse effects through project design modifications or mitigation.

Step 1: Initiate consultation

Step 2: Identify and evaluate historic properties.

Step 3: Assess effects of the project on historic properties.

Step 4: Resolve any adverse effects.

Step 1 - Initiate Consultation

The following parties are entitled to participate in Section 106 reviews: Advisory Council on Historic Preservation; State Historic Preservation Officers (SHPOs); federally recognized Indian tribes/Tribal Historic Preservation Officers (THPOs); Native Hawaiian Organizations (NHOs); local governments; and

project grantees. The general public and individuals and organizations with a demonstrated interest in a project may participate as consulting parties at the discretion of the RE or HUD official. Participation varies with the nature and scope of a project. Refer to HUD's website for guidance on consultation, including the required timeframes for response. Consultation should begin early to enable full consideration of preservation options.

Use the [When To Consult With Tribes checklist](#) within [Notice CPD-12-006: Process for Tribal Consultation](#) to determine if the RE or HUD should invite tribes to consult on a particular project. Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify tribes that may have an interest in the area where the project is located. Note that only HUD or the RE may initiate consultation with Tribes. Partner entities may prepare a draft letter for the RE or HUD to use to initiate consultation with tribes, but may not send the letter themselves.

List all organizations and individuals that you believe may have an interest in the project here:

[Click here to enter text.](#)

→ *Continue to Step 2.*

Step 2 - Identify and Evaluate Historic Properties

Provide a preliminary definition of the Area of Potential Effect (APE), either by entering the address(es) or providing a map depicting the APE. Attach an additional page if necessary.

[Click here to enter text.](#)

Gather information about known historic properties in the APE. Historic buildings, districts and archeological sites may have been identified in local, state, and national surveys and registers, local historic districts, municipal plans, town and county histories, and local history websites. If not already listed on the National Register of Historic Places, identified properties are then evaluated to see if they are eligible for the National Register. Refer to HUD's website for guidance on identifying and evaluating historic properties.

In the space below, list historic properties identified and evaluated in the APE.

Every historic property that may be affected by the project should be listed. For each historic property or district, include the National Register status, whether the SHPO has concurred with the finding, and whether information on the site is sensitive. Attach an additional page if necessary.

[Click here to enter text.](#)

Provide the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination.

Was a survey of historic buildings and/or archeological sites done as part of the project?

If the APE contains previously unsurveyed buildings or structures over 50 years old, or there is a likely presence of previously unsurveyed archeological sites, a survey may be necessary. For Archeological surveys, refer to HP Fact Sheet #6, [Guidance on Archeological Investigations in HUD Projects](#).

Yes → *Provide survey(s) and report(s) and continue to Step 3.*

Additional notes:

[Click here to enter text.](#)

No → *Continue to Step 3.*

Step 3 - Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. ([36 CFR 800.5](#)) Consider direct and indirect effects as applicable as per HUD guidance.

Choose one of the findings below to recommend to the RE or HUD.

No Historic Properties Affected

Document reason for finding:

No historic properties present.

Historic properties present, but the project will have no effect upon them.

No Adverse Effect

Document reason for finding and provide any comments below.

Comments may include recommendations for mitigation, monitoring, a plan for unanticipated discoveries, etc.

See Report in Appendix E.

Adverse Effect

Document reason for finding:

Copy and paste applicable Criteria into text box with summary and justification.

Criteria of Adverse Effect: [36 CFR 800.5](#)]

[Click here to enter text.](#)

Provide any comments below:

Comments may include recommendations for avoidance, minimization, and/or mitigation.

[Click here to enter text.](#)



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Noise (CEST Level Reviews) – PARTNER

<https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control>

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

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

→ Continue to Question 4.

- Rehabilitation of an existing residential property

NOTE: For modernization projects in all noise zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ Continue to Question 2.

- None of the above

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

2. Do you have standardized noise attenuation measures that apply to all modernization and/or minor rehabilitation projects, such as the use of double glazed windows or extra insulation?

- Yes

Indicate the type of measures that will apply (check all that apply):

- Improved building envelope components (better windows and doors, strengthened sheathing, insulation, sealed gaps, etc.)

- Redesigned building envelope (more durable or substantial materials, increased air gap, resilient channels, staggered wall studs, etc.)

- Other (explain below)

[Click here to enter text.](#)

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below and provide any documentation.

- No

→ Continue to Question 3.

3. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Describe findings of the Preliminary Screening:

Click here to enter text.

→ Continue to Question 6.

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.

Noise generators were found within the threshold distances.

→ Continue to Question 5.

5. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: Click here to enter text.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here: Click here to enter text.

Is the project in a largely undeveloped area¹?

No → **The project requires completion of an Environmental Assessment (EA) pursuant to 51.104(b)(1)(i).**

Yes → **The project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i).**

→ Work with the RE/HUD to elevate the level of review. Provide noise analysis, including noise level and data used to complete the analysis.
Continue to Question 6.

Unacceptable: (Above 75 decibels)

Indicate noise level here: Click here to enter text.

The project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Work with HUD or the RE to either complete an EIS or obtain a waiver signed by the appropriate authority.

→ Continue to Question 6.

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

6. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Work with the RE/HUD on the development of the mitigation measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

[Click here to enter text.](#)

→ *Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures.*

Continue to the Worksheet Summary.

No mitigation is necessary.

Explain why mitigation will not be made here:

[Click here to enter text.](#)

→ *Continue to the Worksheet Summary.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The project scope consists of improvements to an existing recreational facility. Therefore, evaluation for noise abatement and control is not required.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Sole Source Aquifers (CEST and EA) - PARTNER

<https://www.hudexchange.info/environmental-review/sole-source-aquifers>

1. Is the project located on a sole source aquifer (SSA)¹?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project or jurisdiction in relation to the nearest SSA.*

Yes → *Continue to Question 2.*

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

Yes → *The review is in compliance with this section. Continue to the Worksheet Summary below.*

No → *Continue to Question 3.*

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

Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.

Yes → *Continue to Question 4.*

No → *Continue to Question 5.*

4. Does your MOU or working agreement exclude your project from further review?

Yes → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.*

No → *Continue to Question 5.*

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.

¹ A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide your correspondence with the EPA and all documents used to make your determination.*

Yes → *The RE/HUD will work with EPA to develop mitigation measures. If mitigation measures are approved, attach correspondence with EPA and include the mitigation measures in your environmental review documents and project contracts. If EPA determines that the project continues to pose a significant risk to the aquifer, federal financial assistance must be denied. Continue to Question 6.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

According to the USEPA Sole Source Aquifer registry, there are no designated sole source aquifers in PR. Therefore, the Project is in compliance with this requirement.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Wetlands (CEST and EA) – Partner

<https://www.hudexchange.info/environmental-review/wetlands-protection>

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance?

The term "new construction" includes draining, dredging, channelizing, filling, diking, impounding, and related activities and construction of any any structures or facilities.

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Yes → *Continue to Question 2.*

2. Will the new construction or other ground disturbance impact a wetland as defined in E.O. 11990?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map or any other relevant documentation to explain your determination.*

Yes → *Work with HUD or the RE to assist with the 8-Step Process.* *Continue to Question 3.*

3. Does Section 55.12 state that the 8-Step Process is not required?

No, the 8-Step Process applies.

This project will require mitigation and may require elevating structure or structures. See the link to the HUD Exchange above for information on HUD's elevation requirements.

→ *Work with the RE/HUD to assist with the 8-Step Process. Continue to Worksheet Summary.*

5-Step Process is applicable per 55.12(a).

Provide the applicable citation at 24 CFR 55.12(a) here.

[Click here to enter text.](#)

→ *Work with the RE/HUD to assist with the 5-Step Process. This project may require mitigation or alternations. Continue to Worksheet Summary.*

8-Step Process is inapplicable per 55.12(b).

Provide the applicable citation at 24 CFR 55.12(b) here.

[Click here to enter text.](#)

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to Worksheet Summary.*

8-Step Process is inapplicable per 55.12(c).

Provide the applicable citation at 24 CFR 55.12(c) here.

Click here to enter text.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to Worksheet Summary.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The National Wetlands Inventory (NWI) mapping shows one of the project components is located over submerged wetlands associated to the Atlantic Ocean. However, the project scope does not entail impact to said submerged wetlands as it only consists of minor infrastructure improvements to the existing structure. Additionally, the Project does not involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance at the location that overlaps submerged wetlands. Therefore, the Project is in compliance with Wetlands Protection requirements.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

Wild and Scenic Rivers (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers>

1. Is your project within proximity of a Wild and Scenic River, Study River, or Nationwide Rivers Inventory River?

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide documentation used to make your determination.*

Yes → *Continue to Question 2.*

2. Could the project do *any* of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries, or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consult with the appropriate federal/state/local/tribal Managing Agency(s), pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

Select one:

The Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.*

The Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.

→ *The RE/HUD must work with the Managing Agency to identify mitigation measures to mitigate the impact or effect of the project on the river.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

Puerto Rico has only two Wild and Scenic Rivers, located on the east side of Puerto Rico. The proposed Project is located on the west coast of Puerto Rico, approximately 90 miles from said rivers. There would be no impact to Wild and Scenic Rivers.

Therefore, the Project is in compliance with Wild and Scenic Rivers requirements.



Environmental Justice (CEST and EA) – PARTNER

<https://www.hudexchange.info/environmental-review/environmental-justice>

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

Yes → *Continue to Question 2.*

No → *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

Explain:

Click here to enter text.

→ *The RE/HUD must work with the affected low-income or minority community to decide what mitigation actions, if any, will be taken. Provide any supporting documentation.*

No

Explain:

Click here to enter text.

→ *If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.*

Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

The Project is in compliance with the regulatory requirements as set forth in 24CFR58, and will result in no adverse environmental impacts. Therefore, the Project is in compliance.

Appendix B



Project Map

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: Google Earth



Map B01: Airport Hazards

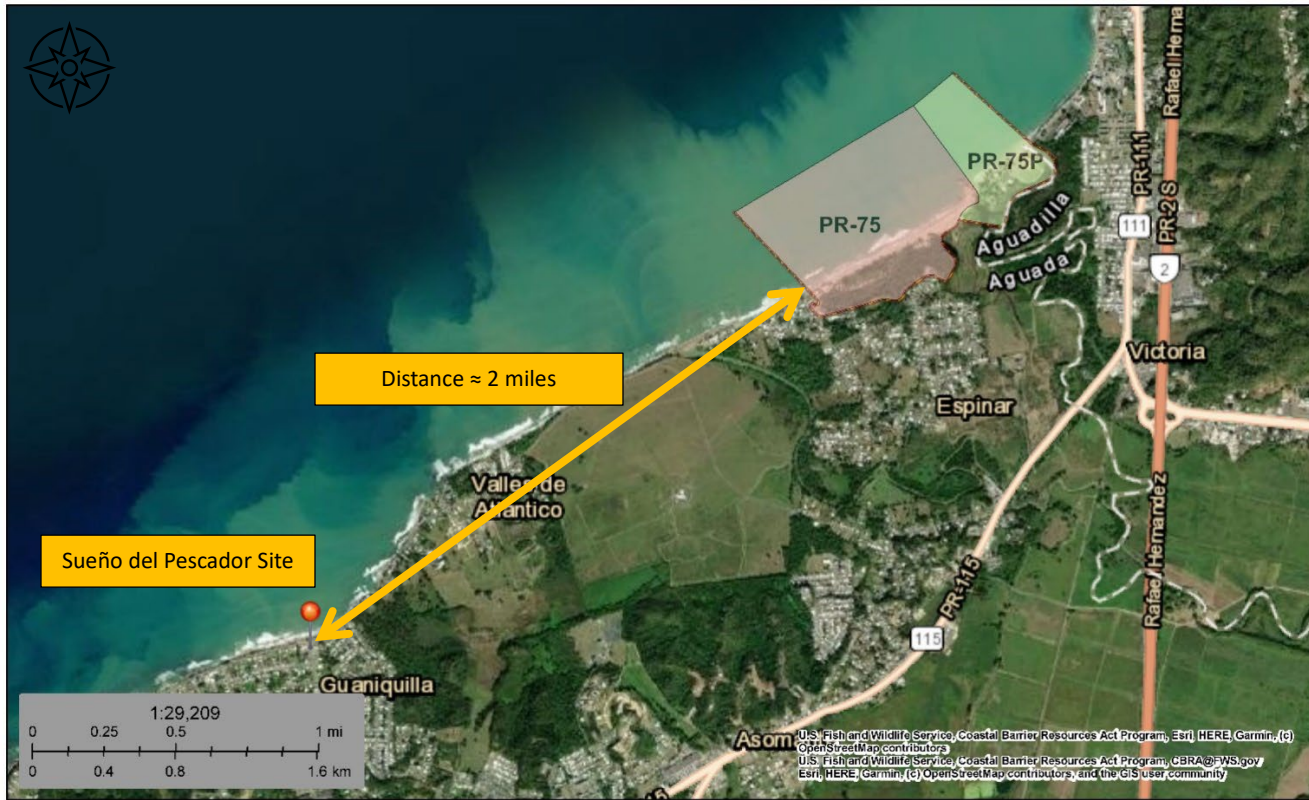
Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR




Source: Google Earth®

Website: <https://earth.google.com/web/>

Author: AG Environmental PSC



April 1, 2023

-  CBRS Buffer Zone
-  System Unit
-  Otherwise Protected Area

CBRS Units

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/cbra/maps/index.html>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<http://www.fws.gov/cbra/Determinations.html>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward extent of the units is not shown in the CBRS mapper.

This page was produced by the CBRS Mapper

Map B02: Coastal Barrier Resources

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: USFWS Coastal Barrier Resources System Mapper

Website: <https://fwsprimary.wim.usgs.gov/CBRSMapper-v2/>

Author: AG Environmental PSC

National Flood Hazard Layer FIRMMette



67°12'2"W 18°23'47"N



67°11'25"W 18°23'13"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

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
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		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
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.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/27/2023 at 3:17 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Map B03: Flood Insurance

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

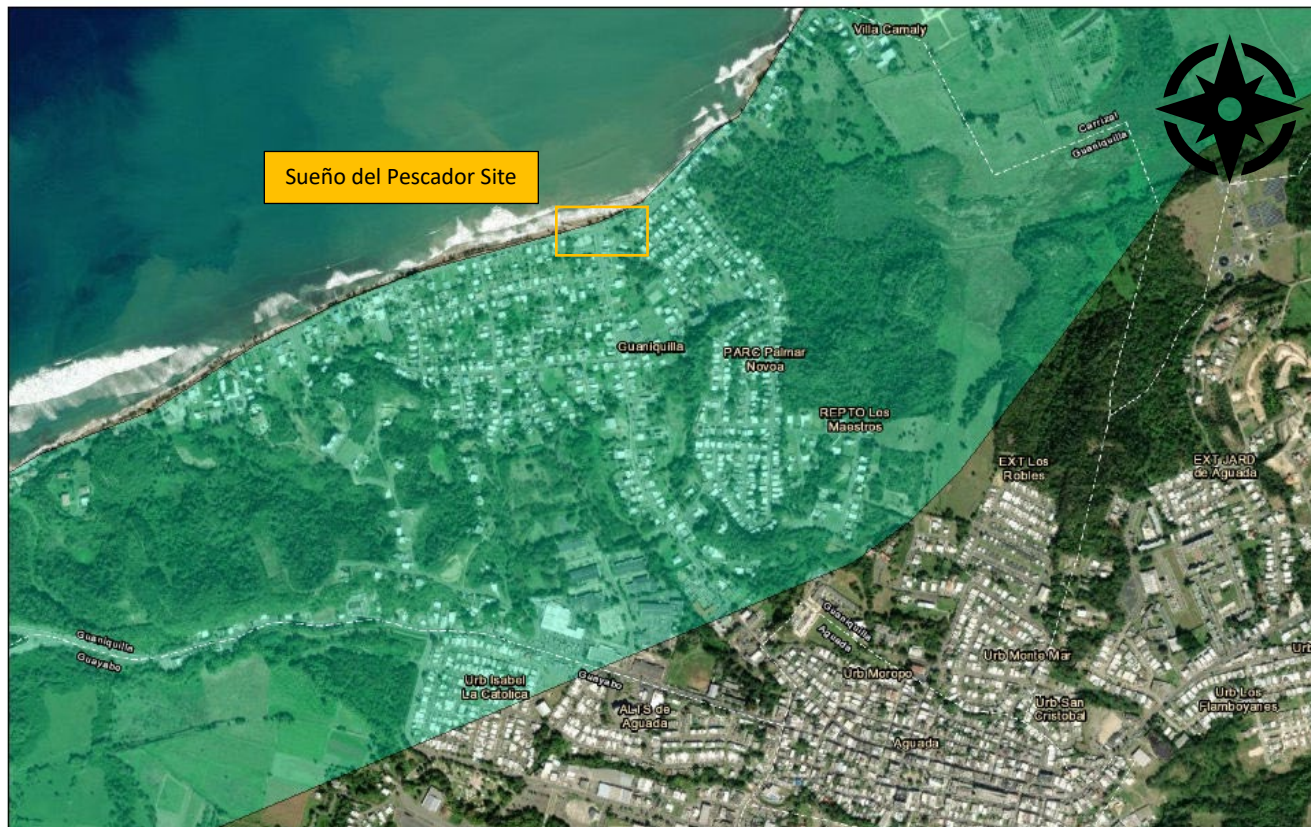
Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: FEMA Flood Map Service Center

Website: <https://msc.fema.gov/portal/home>

Author: AG Environmental PSC

Puerto Rico Coastal Vulnerability Viewer

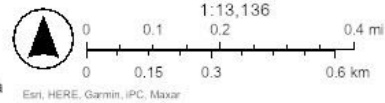


3/31/2023

World Boundaries and Places
Coastal Zone Land Boundary
World Imagery

Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery

Citations
2.4m Resolution Metadata



Map B04: Coastal Zone

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: Puerto Rico Coastal Vulnerability Viewer

Website: <https://www.arcgis.com/apps/mapviewer/index.html?webmap=1d0eff6661f340dcabb0e9928d01ec57>

Author: AG Environmental PSC

**GOVERNMENT OF PUERTO RICO
PUERTO RICO PLANNING BOARD**

September 13, 2023

**Federal Consistency Certification with the
Puerto Rico Coastal Zone Management Program
CZ-2024-0807-010
“Sueño del Pescador” Public Project
PR-CRP-00701**

RESOLUTION

**TO NOTIFY PARTIES ABOUT THE ISSUANCE OF A FEDERAL CONSISTENCY
CERTIFICATE ACCORDING TO THE COASTAL ZONE MANAGEMENT ACT
FEDERAL CONSISTENCY REGULATIONS, 15 CFR Part 930**

The Municipality of Aguada submitted the application of reference to obtain federal assistance from the CDBG-DR funds through the City Revitalization Program. The proposed project named “Sueño del Pescador” consists in reconstruction and improvements to public use areas which includes the following three (3) components:

1- “Ventana al Atardecer”:

- Reconstruction of an approximately 10,030 square feet concrete floor.
- Construction of three gazebos of 196 square feet each one.
- Construction of one (1) 231 square feet gazebo for fishermen.
- Planting of green areas and improvement of lighting.
- Construction of sidewalks and benches.
- Demolition of a 176 square feet gazebo.

2- “Fuente del Pescador: Reconstruction and refurbishment of a fountain located in the intersection of Road 441 and “Carrizales” street.

3- “Placita del Pescador”: Reconstruction and rehabilitation of a public Square.

The proposed project is located west of Aguada Beach, at Road 441, in Aguada, Puerto Rico.

As part of the completed evaluation, the Puerto Rico Planning Board made the following findings:

- The PR Permit Management Office emitted the required environmental compliance endorsements for each one of the project components according to the PR Environmental Policy Law (Law Number 416 of September 22, 2004).
- The properties of the proposed project components are located outside of the flood risk zones according to FEMA Advisory maps of April 13, 2018. Only the “Ventana al Atardecer” component is partially located within a “VE” flood risk zone.

Considering the above-mentioned findings, the Puerto Rico Planning Board (PRPB) in its meeting held on September 13, 2023, **determined that the federal assistance (CDBG-DR funds) to be awarded through the City Revitalization Program (CRP) for the “Sueño del Pescador” public project is consistent with the PR Coastal Zone Management Program Policies.**

This certification does not exempt the project from complying with other required federal or state permits and endorsements.

The following parties shall be notified: Marisol Rosa, Municipality of Aguada; Eng. Hector Rodríguez, Project Manager; Roxana Aguilar, Project Manager; Victor Ocasio Carrero, Tetrattech; Albrerto Mercado Vargas, PRCZMP Office, DNER.



Julio Lassús Ruiz, LLM, MP, PPL
President

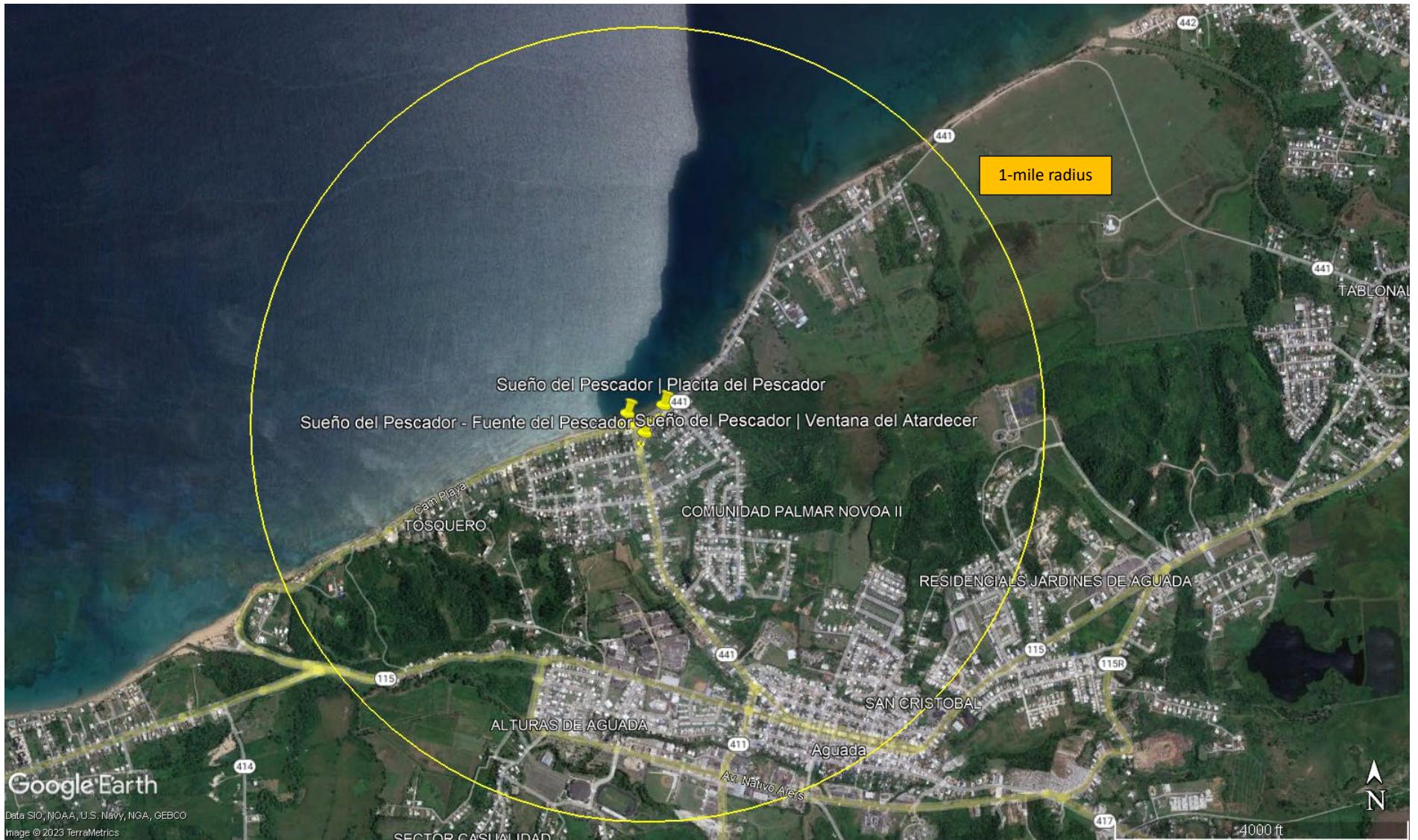
Certify: That this Resolution is copy of the agreement adopted by Puerto Rico Planning Board (PRPB) in its meeting held on **September 13, 2023**. I issue and notify a copy of this resolution to the parties under my signature and the official stamp of the Puerto Rico Planning Board.

In San Juan, Puerto Rico, today **SEP 25 2023**



Edgardo Vázquez Rivera
Acting Secretary





Map B05: Explosive and Flammable Hazards

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

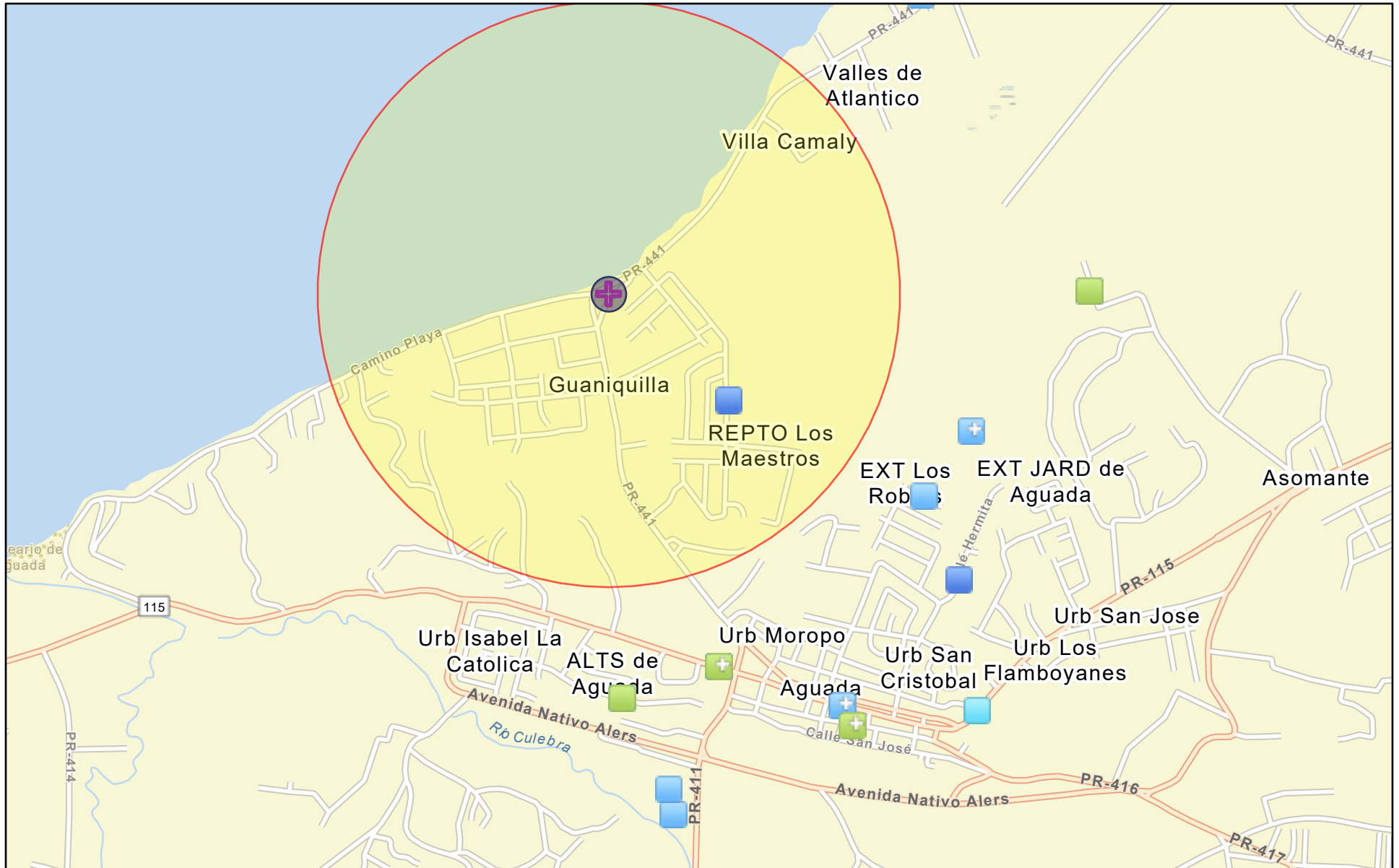
Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: Google Earth®











Website: <https://earth.google.com/web/>

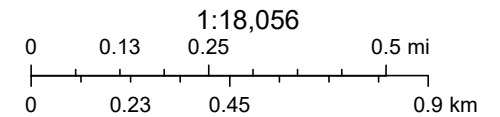
Author: AG Environmental PSC

Letter ANSI A Landscape



November 26, 2023

- | | | | |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
|  Hazardous Waste (RCRAInfo) |  Water Dischargers (NPDES) |  Toxic Releases (TRI) |  Search Result (point) |
|  Hazardous Waste (RCRAInfo) |  Air Pollution (ICIS-AIR) |  Project Buffer | |
|  Water Dischargers (NPDES) |  Toxic Releases (TRI) |  Project 1 | |

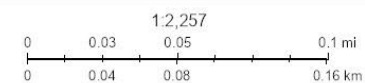
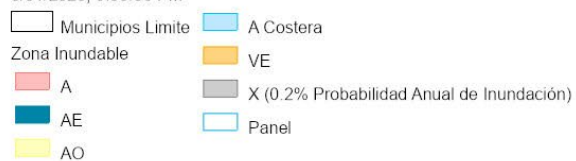


Esri Community Maps Contributors, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, NPS, US Census

Mapa Niveles de Inundación Base Recomendados



3/31/2023, 9:53:56 PM



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, PRPB, FEMA

Junta de Planificación, FEMA
PRPB, FEMA | Junta de Planificación. Programa de Sistema de Información Geográfica |

Map B06: Floodplain Management

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: Mapa Niveles de Inundación Base Recomendados por: Junta de Planificación

Website: <https://sige.pr.gov/portal/apps/webappviewer/index.html?id=53ed4b9fa37840a88bb44d2a911512fc>

Author: AG Environmental PSC



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

Map B06b: ABFE MAP

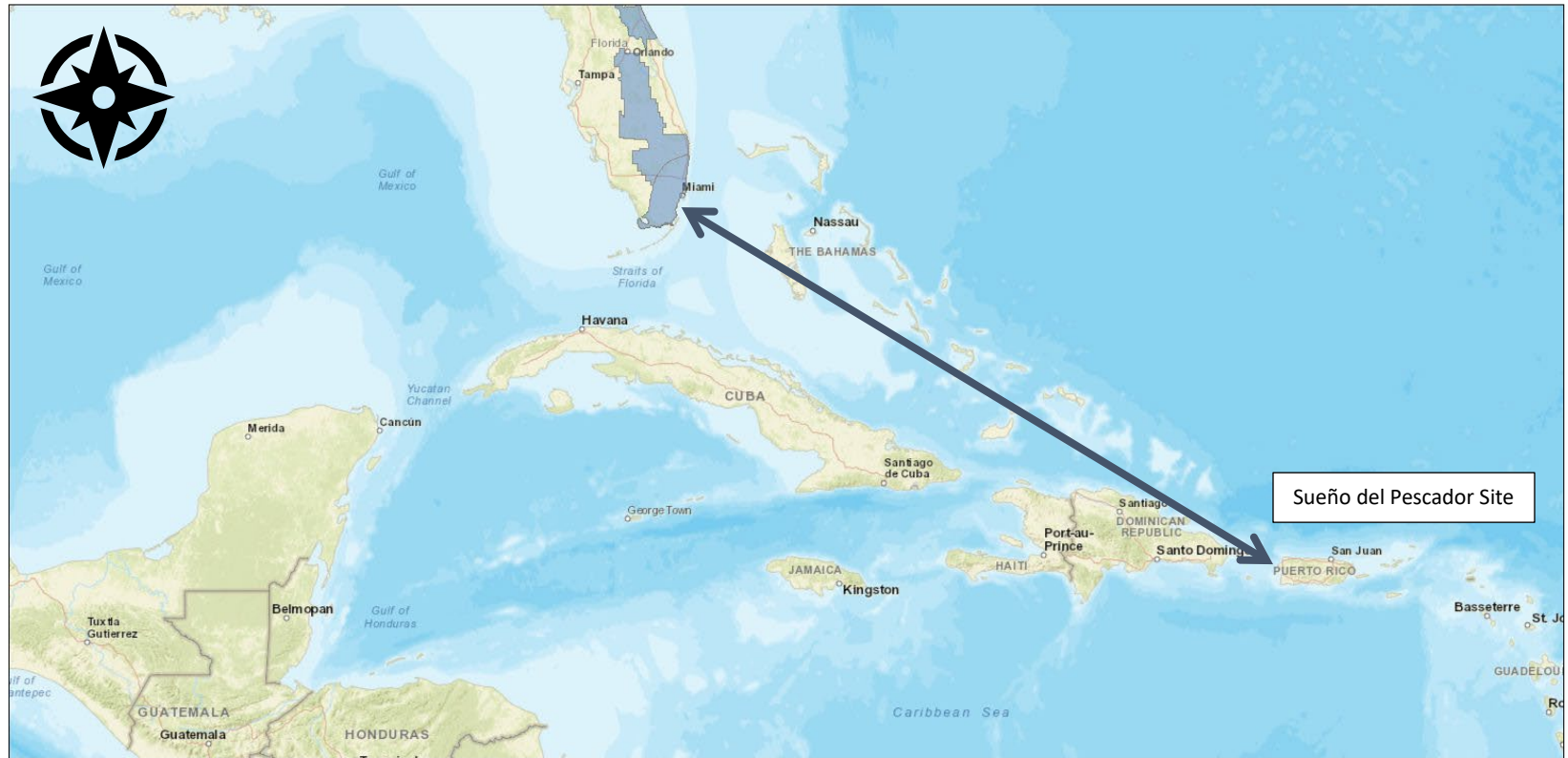
Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: Mapa Niveles de Inundación Base Recomendados por: Junta de Planificación

Website: <https://sige.pr.gov/portal/apps/webappviewer/index.html?id=53ed4b9fa37840a88bb44d2a911512fc>

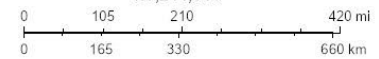
ArcGIS Web AppBuilder



4/3/2023, 10:23:49 AM

Sole_Source_Aquifers

1:9,244,649



Esri, HERE, Garmin, NGA, USGS

U.S. Environmental Protection Agency

Map B07: Sole Source Aquifers

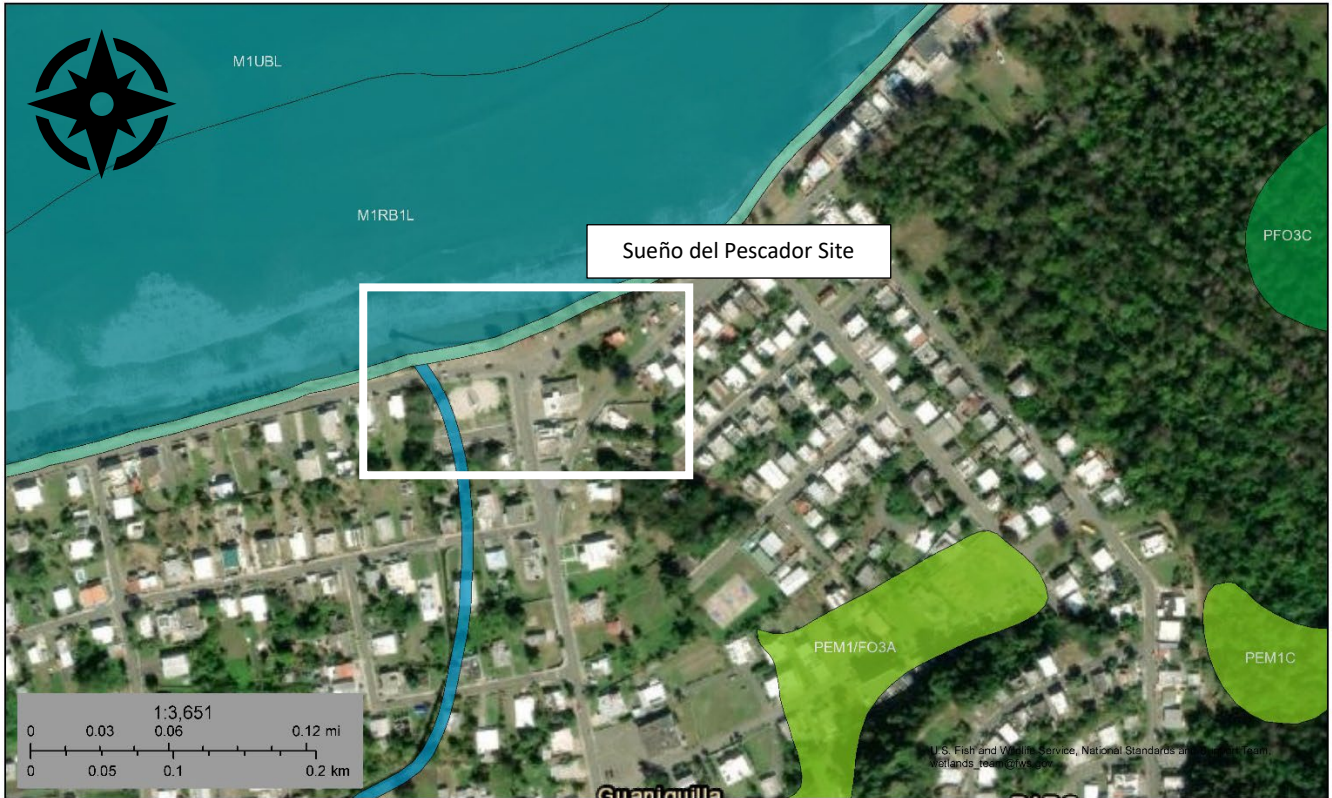
Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: USEPA Map of Sole Source Aquifer Locations

Website: <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>

Author: AG Environmental PSC



April 3, 2023

Wetlands

- | | | |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Map B08a: Wetlands

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: USFWS National Wetlands Inventory – Wetlands Mapper

Website: <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>

Author: AG Environmental PSC

Wetlands



April 11, 2024

Wetlands

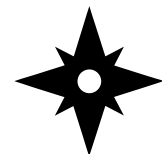
- | | | | | | |
|-------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

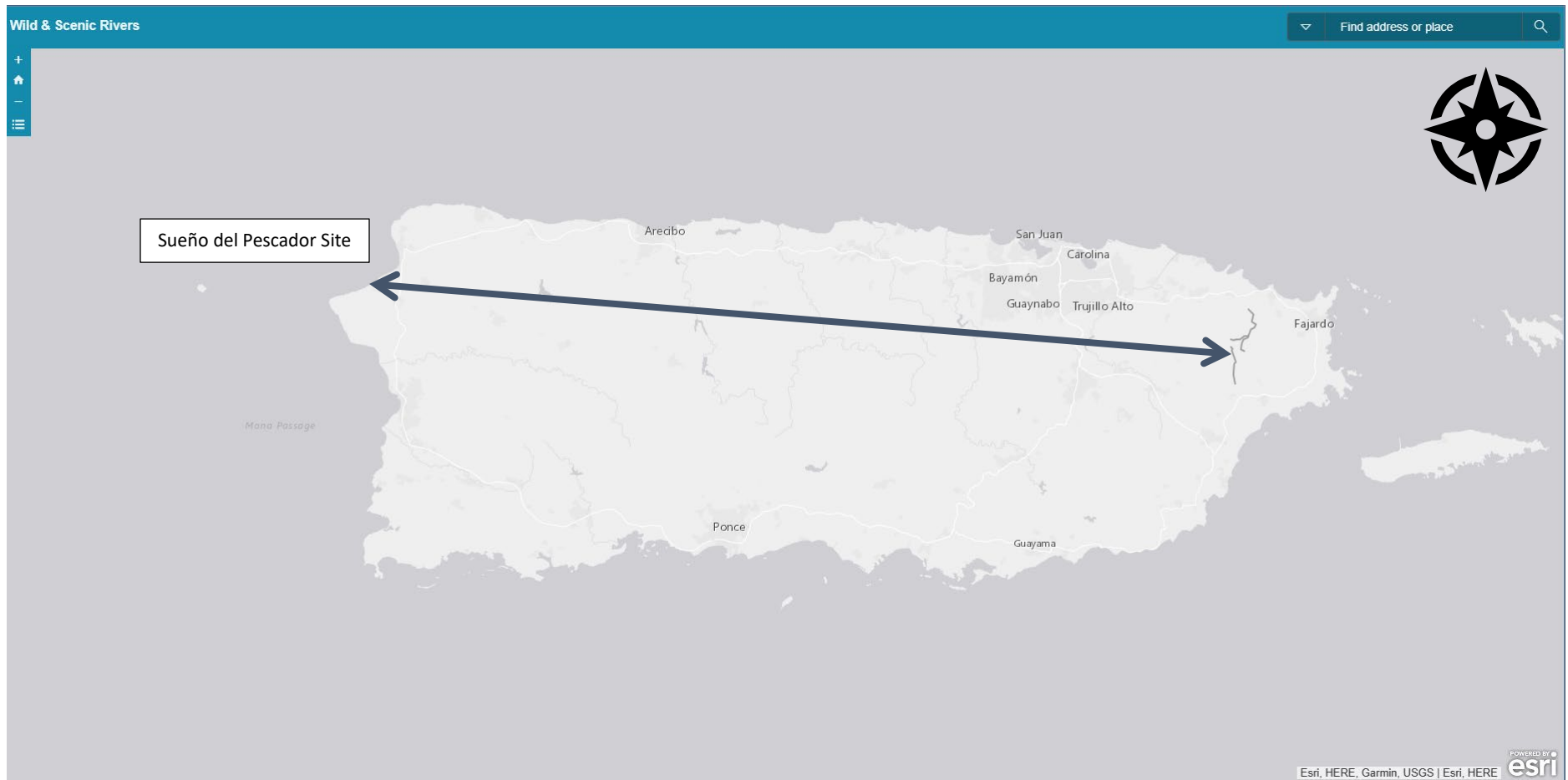
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper.

Map B08b: Wetlands Closeup

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)
 Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR
 Source: USFWS National Wetlands Inventory – Wetlands Mapper
 Website: <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>
 Author: AG Environmental PSC





Map B09: Wild and Scenic Rivers

Project Name: Sueño del Pescador, Municipality of Aguada (PR-CRP-000701)

Location 18.39157425, -67.19548732, Guaniquilla Ward, Aguada, PR

Source: US National Park Service - Interactive Map of NPS Wild and Scenic Rivers

Website: <https://nps.maps.arcgis.com/apps/View/index.html?appid=ff42a57d0aae43c49a88daee0e353142>

Author: AG Environmental PSC

Appendix C

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 August 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:

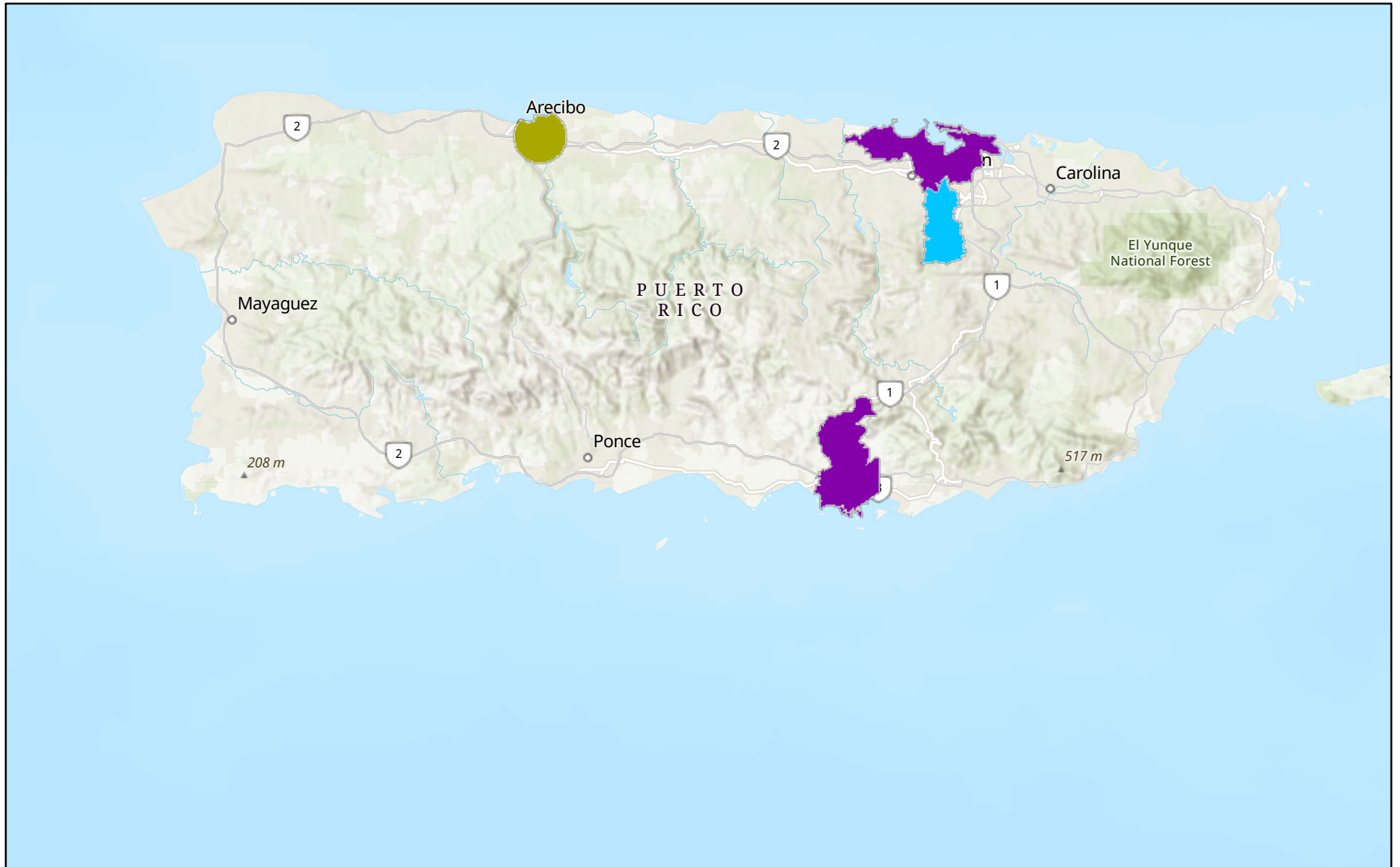
[Important Notes](#)

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






[Important Notes](#)

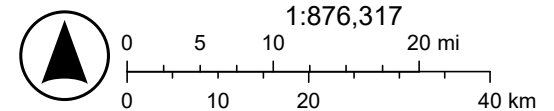
Criteria Pollutants



1/25/2024

Lead (2008 standard) SO2 1-hr (2010 standard) PM10 (1987 standard)

- | | | |
|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
|  Nonattainment |  Maintenance |  Maintenance |
| |  Nonattainment |  World Hillshade |



Esri, CGIAR, USGS, Esri, TomTom, Garmin, Foursquare, SafeGraph, FAO, METI/NASA, USGS, NPS, USFWS, U.S. EPA Office of Air and Radiation

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Detailed Facility Report



Detailed Facility Report

Facility Summary

J R CONTRACTOR

PR 112 KM. 5.5, AGUADA, PR 00602 

FRS (Facility Registry Service) ID: 110018864380

EPA Region: 02

Latitude: 18.38857

Longitude: -67.191911

Locational Data Source: ICIS

Industries: Mining (except Oil and Gas)

Indian Country: N

Enforcement and Compliance Summary

Statute	CAA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	--
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): Operating Minor (PR0000007200300010)

Clean Water Act (CWA): No Information

Resource Conservation and Recovery Act (RCRA): No Information

Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information

Greenhouse Gas Emissions (eGGRT): No Information

Toxic Releases (TRI): No Information

Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Go To Enforcement/Compliance Details

Known Data Problems <<https://epa.gov/resources/echo-data/known-data-problems>>

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110018864380					N	18.38857	-67.191911
ICIS		7732050					N	18.38857	-67.191911
ICIS-Air	CAA	PR0000007200300010	Minor Emissions	Operating	CAANSPS, CAASIP		N	18.38857	-67.191911

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110018864380	J R CONTRACTOR	PR 112 KM. 5.5, AGUADA, PR 00602	Aguada Municipio
ICIS		7732050	J R CONTRACTOR	PR 112 KM. 5.5, ISABELA, PR 00605	Isabela Municipio
ICIS-Air	CAA	PR0000007200300010	J R CONTRACTOR	PR 112 KM. 5.5, PUERTO RICO, PR 00662	

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-Air	PR0000007200300010	1442	Construction Sand And Gravel

Facility NAICS (North American Industry Classification System)

Codes

System	Identifier	NAICS Code	NAICS Description
ICIS-Air	PR0000007200300010	212321	Construction Sand and Gravel Mining

Facility Tribe Information

Reservation Name | Tribe Name | EPA Tribal ID | Distance to Tribe (miles)

No data records returned

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute | Source ID | System | Activity Type | Compliance Monitoring Type | Lead Agency | Date | Finding (if applicable)

No data records returned

Entries in italics are not counted as compliance monitoring strategy activities. For programs without compliance monitoring strategies, entries in italics are not counted as on-site activities within EPA's Annual Results.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CAA	PR0000007200300010	No	11/25/2023	0	11/24/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
CAA	(Source ID: PR0000007200300010)	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23
Facility-Level Status		No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified
HPV History													
Violation Type	Agency	Programs	Pollutants										

Informal Enforcement Actions

Last 5 Years

Statute | System | Source ID | Type of Action | Lead Agency | Date

No data records returned

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute | System | Law/Section | Source ID | Type of Action | Case No. | Lead Agency | Case Name | Issued/Filed Date | Settlements/Actions | Settlement/Action Date | Federal Penalty Assessed | State/Local Penalty Assessed | Penalty Amount Collected | SEP Value | Comp Action Cost

No data records returned

Environmental Conditions

Watersheds ▲

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))

WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))

State Water Body Name (ICIS (Integrated Compliance Information System))

Beach Closures Within Last Year

Beach Closures Within Last Two Years

Pollutants Potentially Related to Impairment

Watershed with ESA (Endangered Species Act) listed Aquatic Species?

No data records returned

Assessed Waters From Latest State Submission (ATTAINS)

State

Report Cycle

Assessment Unit ID

Assessment Unit Name

Water Condition

Cause Groups Impaired

Drinking Water Use

Ecological Use

Fish Consumption Use

Recreation Use

Other Use

No data records returned

Air Quality Nonattainment Areas

Pollutant

Within Nonattainment Status Area?

Nonattainment Status Applicable Standard

Within Maintenance Status Area?

Maintenance Status Applicable Standard

No data records returned

Pollutants

Toxics Release Inventory History of Reported Chemicals Released or Transferred in Pounds per Year at Site

TRI Facility ID

Year

Air Emissions

Surface Water Discharges

Off-Site Transfers to POTWs (Publicly Owned Treatment Works)

Underground Injections

Disposal to Land

Total On-Site Releases

Total Off-Site Transfers

No data records returned

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

DMR and TRI Multi-Year Loading Report

NPDES ID

Description

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to US State

Index Type Environmental Justice Supplemental

Related Reports

EJScreen Community Report

Download Data

Census Block Group ID: 720034302001	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	4	7
Particulate Matter 2.5	--	--
Ozone	--	--
Diesel Particulate Matter	7	11
Air Toxics Cancer Risk	52	55
Air Toxics Respiratory Hazard Index	33	40
Toxic Releases to Air	99	99
Traffic Proximity	58	99
Lead Paint	0	99
Risk Management Plan (RMP) Facility Proximity	99	99
Hazardous Waste Proximity	55	74
Superfund Proximity	79	91
Underground Storage Tanks (UST)	90	99
Wastewater Discharge	99	99

○ Facility 1-mile Radius □ Facility Census Block Group



Demographic Profile of Surrounding Area (1-Mile Radius)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary <<https://epa.gov/help/reports/dfr-data-dictionary#demographic>>.

General Statistics (U.S. Census)	
Total Persons	6,842
Population Density	2,871/sq.mi.
Housing Units in Area	3,365

General Statistics (ACS (American Community Survey))	
Total Persons	5,485
Percent People of Color	94%
Households in Area	2,100
Households on Public Assistance	175
Persons With Low Income	4,172
Percent With Low Income	76%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.38857
Center Longitude	-67.191911
Land Area	76%
Water Area	24%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	960 (45.65%)
\$15,000 - \$25,000	273 (12.98%)
\$25,000 - \$50,000	585 (27.82%)
\$50,000 - \$75,000	188 (8.94%)
Greater than \$75,000	97 (4.61%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	326 (5%)
Minors 17 years and younger	1,597 (23%)
Adults 18 years and older	5,245 (77%)
Seniors 65 years and older	1,200 (18%)

Race Breakdown (U.S. Census) - Persons (%)	
White	5,737 (84%)
African-American	504 (7%)
Hispanic-Origin	6,800 (99%)
Asian/Pacific Islander	4 (0%)
American Indian	33 (0%)
Other/Multiracial	564 (8%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	753 (18.31%)
9th through 12th Grade	413 (10.04%)
High School Diploma	993 (24.15%)
Some College/2-year	426 (10.36%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	940 (22.86%)

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Frequent Questions

[<https://www.epa.gov/aboutepa/frequent-questions-specific-epa-programstotics>](https://www.epa.gov/aboutepa/frequent-questions-specific-epa-programstotics)

No FEAR Act Data

<<https://www.epa.gov/ocr/whistleblower-protections-epa-and-how-they-relate-non-disclosure-agreements-signed-epa-employees>>

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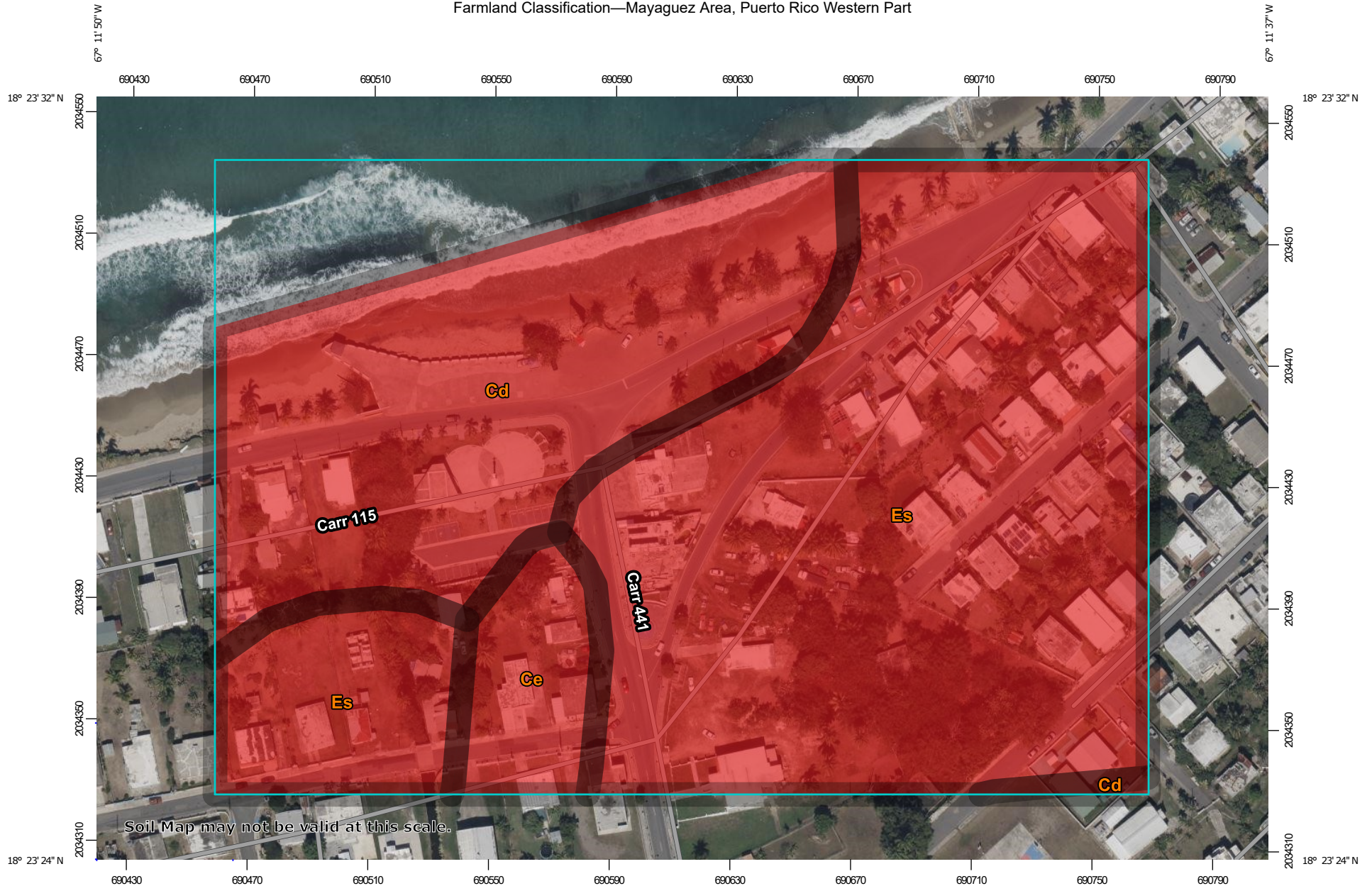
Follow.



Last updated on
September 21, 2022

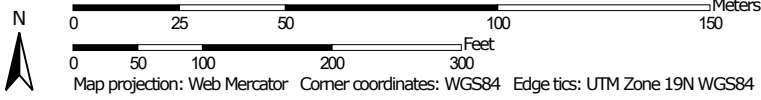
Data Refresh Information
<<https://epa.gov/resources/echo-data/about-the-data#sources>>

Farmland Classification—Mayaguez Area, Puerto Rico Western Part




Soil Map may not be valid at this scale.

Map Scale: 1:1,780 if printed on A landscape (11" x 8.5") sheet.











MAP LEGEND








Area of Interest (AOI)






 Area of Interest (AOI)








Soils



Soil Rating Polygons

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season









-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of statewide importance, if drained
-  Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated

-  Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if irrigated and drained
-  Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
-  Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60



































-  Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
-  Farmland of statewide importance, if warm enough
-  Farmland of statewide importance, if thawed
-  Farmland of local importance
-  Farmland of local importance, if irrigated

-  Farmland of unique importance
-  Not rated or not available






















Soil Rating Lines

-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

Farmland Classification—Mayaguez Area, Puerto Rico Western Part

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer	
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season	Soil Rating Points		Not prime farmland		Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Prime farmland if drained		Prime farmland if irrigated and reclaimed of excess salts and sodium	
	Farmland of statewide importance		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough		Prime farmland if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance	
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if thawed		Prime farmland if irrigated		Farmland of statewide importance, if drained	
	Farmland of statewide importance, if irrigated				Farmland of local importance		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season	
					Farmland of local importance, if irrigated		Prime farmland if irrigated and drained		Farmland of statewide importance, if irrigated	
							Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season			

Farmland Classification—Mayaguez Area, Puerto Rico Western Part

<ul style="list-style-type: none">  Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season  Farmland of statewide importance, if irrigated and drained  Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season  Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer  Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60 	<ul style="list-style-type: none">  Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium  Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season  Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season  Farmland of statewide importance, if warm enough  Farmland of statewide importance, if thawed  Farmland of local importance  Farmland of local importance, if irrigated 	<ul style="list-style-type: none">  Farmland of unique importance  Not rated or not available <p>Water Features</p> <ul style="list-style-type: none">  Streams and Canals <p>Transportation</p> <ul style="list-style-type: none">  Rails  Interstate Highways  US Routes  Major Roads  Local Roads <p>Background</p> <ul style="list-style-type: none">  Aerial Photography 	<p>The soil surveys that comprise your AOI were mapped at 1:20,000.</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Warning: Soil Map may not be valid at this scale.</p> <p>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</p> </div> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Mayaguez Area, Puerto Rico Western Part Survey Area Data: Version 19, Sep 13, 2023</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Jan 23, 2022—Mar 1, 2022</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>
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Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Cd	Catano sand, 0 to 2 percent slopes	Not prime farmland	4.7	29.5%
Ce	Catano sandy clay loam, 0 to 2 percent slopes, occasionally flooded	Not prime farmland	0.8	5.3%
Es	Espinal sand	Not prime farmland	9.1	57.0%
Totals for Area of Interest			16.0	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

Appendix D



United States Department of the Interior

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



In Reply Refer To:
FWS/R4/CESFO/72003-023

Mr. Juan Carlos Pérez Bofill
Director for Disaster Recovery,
Puerto Rico CDBG-DR Program
PO Box 21365
San Juan, Puerto Rico 00928-1365

Re: Proposed Sueño del Pescador Project, Municipality
of Aguada, (PR-CRP-000701)

Dear Mr. Pérez:

This is in reply to your request for consultation regarding the Municipality of Aguada's proposed Sueño del Pescador Project. The project will be using CDBG-DR funding. Our comments are issued in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (16 U.S.C. 1531 et seq. as amended).

Our office provided technical assistance on this project in 2023, we appreciate the design changes made for species conservation.

The project integrates 3 strategic locations with the construction of gazebos, sanitary facilities, benches, green areas, lighting, and sidewalks.

Based on the action area, you have identified the following species:

Puerto Rican Boa	<i>Chilabothrus inornatus</i>
West Indian Manatee	<i>Trichechus manatus manatus</i>
Green Sea Turtle	<i>Chelonia mydas</i>
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>
Loggerhead Sea Turtle	<i>Caretta caretta</i>
Olive Ridley Sea Turtle	<i>Lepidochelys olivacea</i>

You have made a No Effect determination for the manatee because the project is entirely uplands. We acknowledge receipt of your NE determination for the manatee. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the U.S. Fish and Wildlife Service (Service), and the Service is not required to concur with your NE determination.

With regards with the PR boa, there is very little suitable boa habitat in the area, however a determination of may affect but not likely to adversely affect using the standard boa conditions has been made in an abundance of caution.

With regards to the various sea turtle species, the project will use Turtle Friendly Amber lighting and full cut off luminaries. Based on the use of these lighting features, you have determined that the project may affect but is not likely to adversely affect these sea turtle species.

We have reviewed the information provided in your letter and in our files and concur with your determination that the proposed action may affect, but is not likely to adversely affect, the above referenced species. No adverse impacts to designated critical habitat are anticipated.

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

Thank you for the opportunity to comment on this action, if you have any questions, please contact Felix Lopez of my staff at (305) 304-1128.

Sincerely,

**LOURDES
MENA**

Digitally signed by LOURDES
MENA
Date: 2024.03.03 21:11:00 -04'00'
Adobe Acrobat version:
2023.008.20533

Lourdes Mena
Acting Field Supervisor

fhl

cc:

DNER, San Juan

PRPB, San Juan

NMFS, San Juan

HUD, San Juan



Edwin E. Muñiz
Field Supervisor
U.S. Fish and Wildlife Service
PO Box 491
Boquerón, Puerto Rico 00622
Email: caribbean_es@fws.gov

Dear Mr. Muñiz:

Department of Housing and Urban Development (HUD) is requesting informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 *et seq.*), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed project **PRCRP-000701, Sueño del Pescador** located by *Road 441 and Carrizales St, Aguada, PR 00602, coordinates 18.39157425, -67.19548732.*

This project aims the reconstruction and improvements of the following three (3) public areas; **Ventana al Atardecer** (reconstruction of an approximately 10,030-sq ft concrete floor, construction of three gazebos of 196-sq ft each one, construction of one 231-sq ft gazebo for fishermen, planting of green areas and improvement of lighting, construction of sidewalks and benches, demolition of a 176-sq ft gazebo, **Fuente del Pescador** (refurbishment of the existing fountain, reconstruction of electrical connections, plumbing, and pumping system, reforestation and landscaping, lighting, design and installation of the boat and fishermen sculpture, recondition the existing structure and installation of sign), **Placita del Pescador** (reconstruction and rehabilitation of the public plaza floor by leveling of the entire terrain comprising 4,500-sq ft concrete floor with white and gray aggregate, reforestation and landscaping, lighting, prefabricated concrete benches in harmony with the existing ones in the "Plaza Cruz de Colón", demolition of two existing gazebos of approximately 200.00 sq. ft each, relocation of an electric pole, recondition of the "Virgen del Carmen" monument area, construction of restrooms facilities, a gazebo of with concrete domino tables, installation of trash cans, energy efficient lighting poles, and green areas and, ADA law-compliant sidewalks around the plaza).

The project's scope of work is mainly to rehabilitate deficiencies and maintain the existing footprint of the area, improving the current conditions to increase the life span of the recreative area. The work will have positive results for local and visitor commuters by providing safe public recreation and promoting tourism for the Municipality of Aguada.

Using the Information for Planning and Consultation (IPaC) system information available, we have determined that the proposed project lies within the range of the following federally listed species and critical habitats. Based on the nature of the project, scope of work, information available, and a careful analysis of the Information for Planning and Consultation (IPaC) system we have made the following effects determinations.

Species	Status	Critical Habitat	Effects determination
<p>Puerto Rican Boa <i>Chilabothrus inornatus</i></p>	<p>Endangered</p>	<p>According to the USFWS, no critical habitat exists in the project area.</p>	<p>May affect, not likely to adversely affect – The project area sits on the coastal fringe and is mostly devoid of trees and shrubs. There are vegetated areas (grass) around the parcels that may contain supporting elements for this species’ habitat.</p> <p>Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).</p>
<p>West Indian Manatee <i>Trichechus manatus</i></p>	<p>Threatened</p>	<p>There is a final critical habitat for this species. The Project location does not overlap the critical habitat.</p>	<p>No effect - The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging habitats for these species.</p> <p>Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).</p>
<p>Green Sea Turtle <i>Chelonia mydas</i></p>	<p>Threatened</p>	<p>There is a final critical habitat for this species. The Project location does not overlap the critical habitat.</p>	<p>May affect, not likely to adversely affect – The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species.</p> <p>On the other hand, project lighting has been designed to comply with Service’s Sea Turtle conservation measures for lighting, PR Law 218 of 2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2014 Regulation to Control and Prevent Light Contamination.</p>

Species	Status	Critical Habitat	Effects determination
<p>Leatherback Sea Turtle <i>Dermochelys coriacea</i></p>	<p>Endangered</p>	<p>There is a final critical habitat for this species. The Project location does not overlap the critical habitat.</p>	<p>May affect, not likely to adversely affect – The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species.</p> <p>On the other hand, project lighting has been designed to comply with Service’s Sea Turtle conservation measures for lighting, PR Law 218 of 2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2014 Regulation to Control and Prevent Light Contamination.</p> <p>Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).</p>
<p>Loggerhead Sea Turtle <i>Caretta</i></p>	<p>Threatened</p>	<p>There is a final critical habitat for this species. The Project location does not overlap the critical habitat.</p>	<p>May affect, not likely to adversely affect – The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species.</p> <p>On the other hand, project lighting has been designed to comply with Service’s Sea Turtle conservation measures for lighting, PR Law 218 of 2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2014 Regulation to Control and Prevent Light Contamination.</p>

Species	Status	Critical Habitat	Effects determination
Olive Ridley Sea Turtle Lepidochelys olivacea	Threatened	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	May affect, not likely to adversely affect – The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species. On the other hand, project lighting has been designed to comply with Service’s Sea Turtle conservation measures for lighting, PR Law 218 of 2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2014 Regulation to Control and Prevent Light Contamination.

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determinations included in this letter. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. If more information is required, please contact *Angel Garcia* at angel@agepr.com.

Ángel G. López-Guzmán
Deputy Director
Permits and Environmental Compliance Division

Date

Office of Disaster Recovery
Address: P.O. Box 21365 San Juan,
PR 00928 **Telephone and Ext:** 787-
274-2527 ext. 4320 **Email:**
environmentcdbg@vivienda.pr.gov



POLES AND LUMINARIES SPECIFICATIONS

*PROJECT: SUEÑO DEL PESCADOR
PROJECT NUMBER: PR-CRP-000701
OWNER: MUNICIPIO DE AGUADA*



Aguada Nuevo

SPECIFICATIONS

LEO Area Light

(Provide Equal or Similar)

Product Data Sheet – LE330 & LE350

LEO Area Lights, represented by the LE330 and LE350 models, are versatile outdoor lighting solutions designed to cater to a range of project requirements.

LEO Area Light General Description:

LEO area lights provide a seamless blend of visual comfort and high performance across various settings. With multiple distribution and output options, these lights are customizable to meet the needs of landscape architects, lighting designers, and electrical engineers. Whether enhancing visual experiences in pedestrian-scale environments or meeting cost-driven goals with specific lumen outputs and pole spacing, LEO offers flexibility.

The design of LEO is simple and understated, making it suitable for diverse site designs and architectural styles. The 19" diameter housing is carefully crafted to strike an aesthetic balance, accommodating varying pole heights and spacing.

Key Features:

- Single, double, or staggered configurations.
- Available in standard pole heights of 12', 16', 20', and 25'.
- Simple clamping mechanism for easy mounting on 4", 5", and 6" diameter poles.
- Optional ANSI136.41 7-pin twist lock receptacle.
- Optional photo/motion sensor for enhanced functionality.
- Mounting template and anchor hardware included.
- Cast aluminum luminaire ships prewired and fully assembled.
- Zero up-light, International Dark-Sky approved.
- UL Listed, suitable for wet locations.

Electrical Specifications:

- Surge protected 100V-277V 50/60 Hz.
- Dimmable Class 2 LED driver mounted within cast aluminum driver compartment.
- LED cartridge with weatherproof quick-disconnect for easy installation and serviceability.
- Pre-wired for convenience.

Housing:

- Luminaire components made of cast aluminum.
- Acrylic lens seals to the LED cartridge housing.
- Magni-coated hardware for durability.

LEO Area Light Details:

- Light Source: Nichia LEDs.
- Color Temperature: 3000K, 3500K, 4000K.
- CRI: 80 min.
- Optics: PMMA.
- Lens: Clear or Frosted Acrylic.

Pole Description:

- Available in 4", 5", and 6" diameters.
- Manufactured from seamless 6061 aluminum tubing.
- Heat-treated for T6 temper.
- Flush mounted hand hole cover with magni-coated fasteners.
- Base options include two-piece cast aluminum cover or cast aluminum nut covers.

Photo/Motion Sensor: *(Optional)*

- Fully adjustable high and low dimmed light levels.
- Optional dawn control.
- Rated for extreme temperatures and up to 200,000 on/off cycles.
- Automatic calibration option for added energy savings.
- Adjustable via handheld wireless configuration tool.
- IP66 rated for wet and outdoor locations.
- Adjustable time delay and cut-off delay.

Finish:

- Pangard II® finish: 19-step program of cleaning, priming, and powder coating.
- Resists rusting, chipping, peeling, and fading.
- Free of heavy metals and Hazardous Air Pollutants.
- Color: Neutral Series – Powder coated Metal – SIL (Silver Metallic).

Product Modifications:

- Customization options available to meet specific design specifications or needs.
- Contact local Landscape Forms representative for more information.

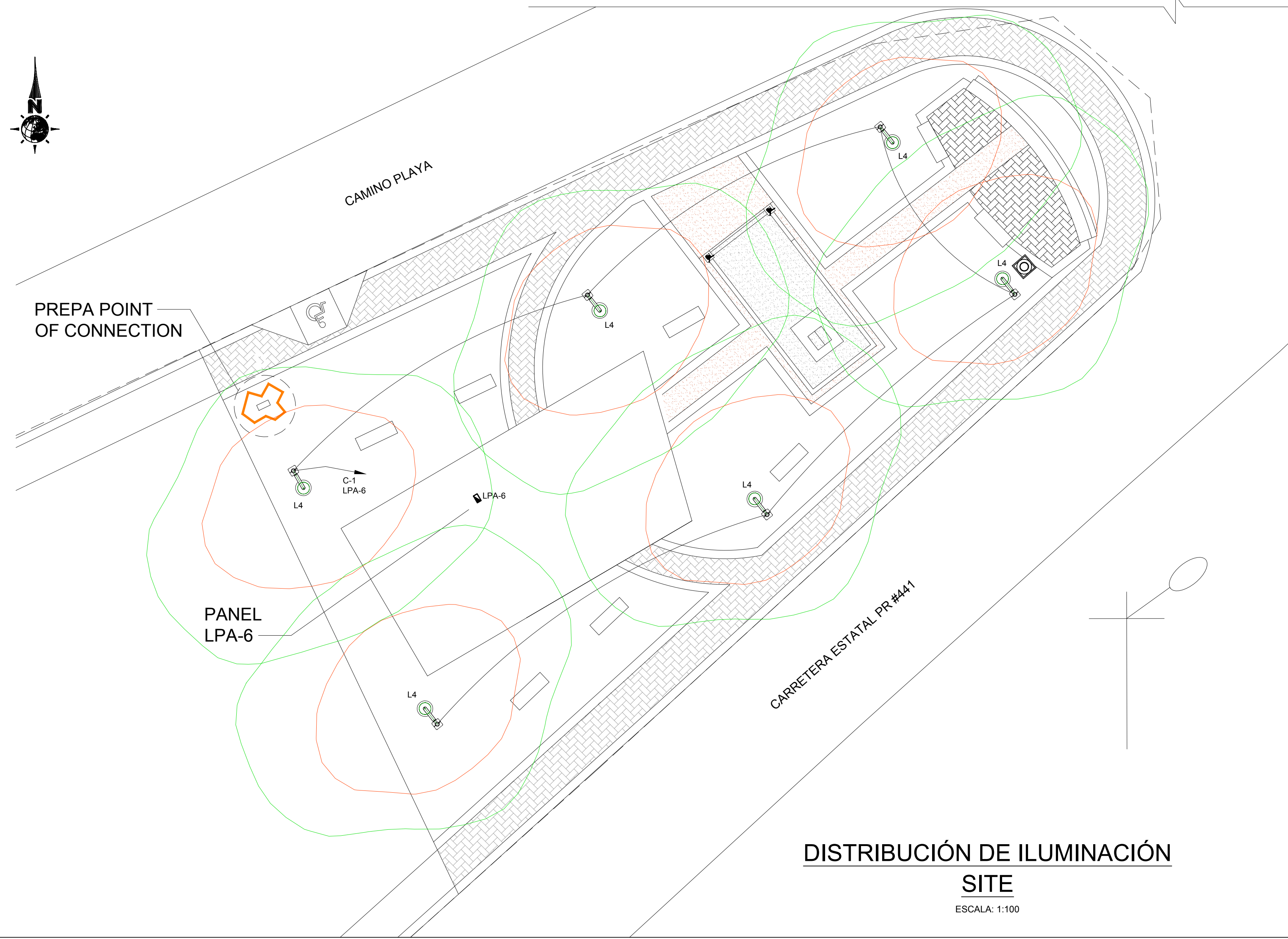
Product Specifications and Warranty: (Equal or Similar)

- LEO 30 LED Area Light, Type IV, Low Output, Clear Lens, Turtle Friendly Amber, 120V-277V, 50/60Hz, Single Arm, No Motion Sensor // AL Pole, 12', Single Luminaire, No Twist Lock, Nut Covers (LE330-T4-LO-CLR-TFA MOD-UV1-4A-NMS // LE-12-A-NTW-NUT)
- LED lighting products warranted for six years.
- UL Listed, RoHS Compliant, Dark-Sky Approved.

Other Information:

- Product by Landscape Forms, Inc.
- Designed by John Rizzi in collaboration with Clanton & Associates.
- Provide equal or similar.

PHOTOMETRIC ANALYSIS



SÍMBOLOS ELÉCTRICOS

- CONDUCTO POR EL PISO
- ▬ PANEL DE DISTRIBUCIÓN 100A 120/240V 6'-6" DEL PISO
- ⊙ SIMILAR OR EQUAL TO LEO-30, 120V. WITH PHOTOCELL. FULL-CUT OFF MANUFACTURE BY LANDSCAPE FORMS

PANEL DE DISTRIBUCIÓN (LPA-6) 100 AMP.-120/240 VOLTS.

CIRC #	VOLTIOS	AMPS	POLOS	NÚM DE CABLES	CABLES NÚM.	INSULACIÓN	CONDUCTO NÚM.	TIPO DE CONDUCTO	USO
1	120	20	1	3	6	THW	1"	P.V.C.	POSTES DE ALUMBRADO CON FOTOCELDA

- ### NOTAS:
- TODO TRABAJO SE HARÁ DE ACUERDO A LAS LEYES Y REGLAMENTOS Y DEL INTERNACIONAL ELECTRIC CODE.
 - SE USARÁN TUBOS P.V.C. CUANDO SE PERMITA SEGÚN LOS REQUISITOS DEL CÓDIGO NACIONAL DE ELECTRICIDAD O CUANDO SE INDIQUE EN EL PLANO.
 - TODOS LOS RECEPÁCULOS A INSTALARSE EN CIRCUITOS RAMALES DE 20 AMPS. DEBERÁN SER DE TIPO "BORNES" PARA CONEXIÓN A TIERRA "GROUNDING TYPE".

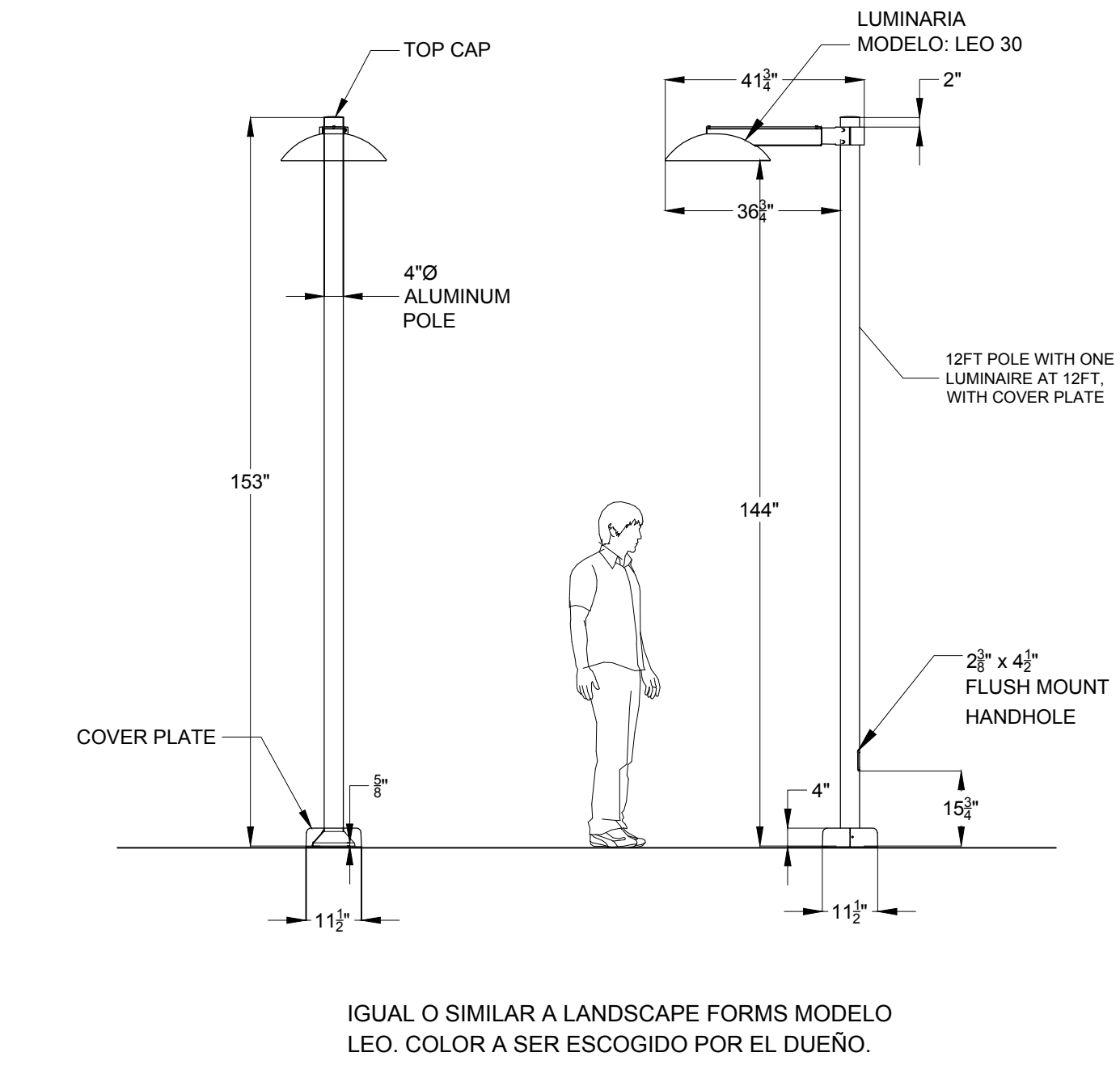
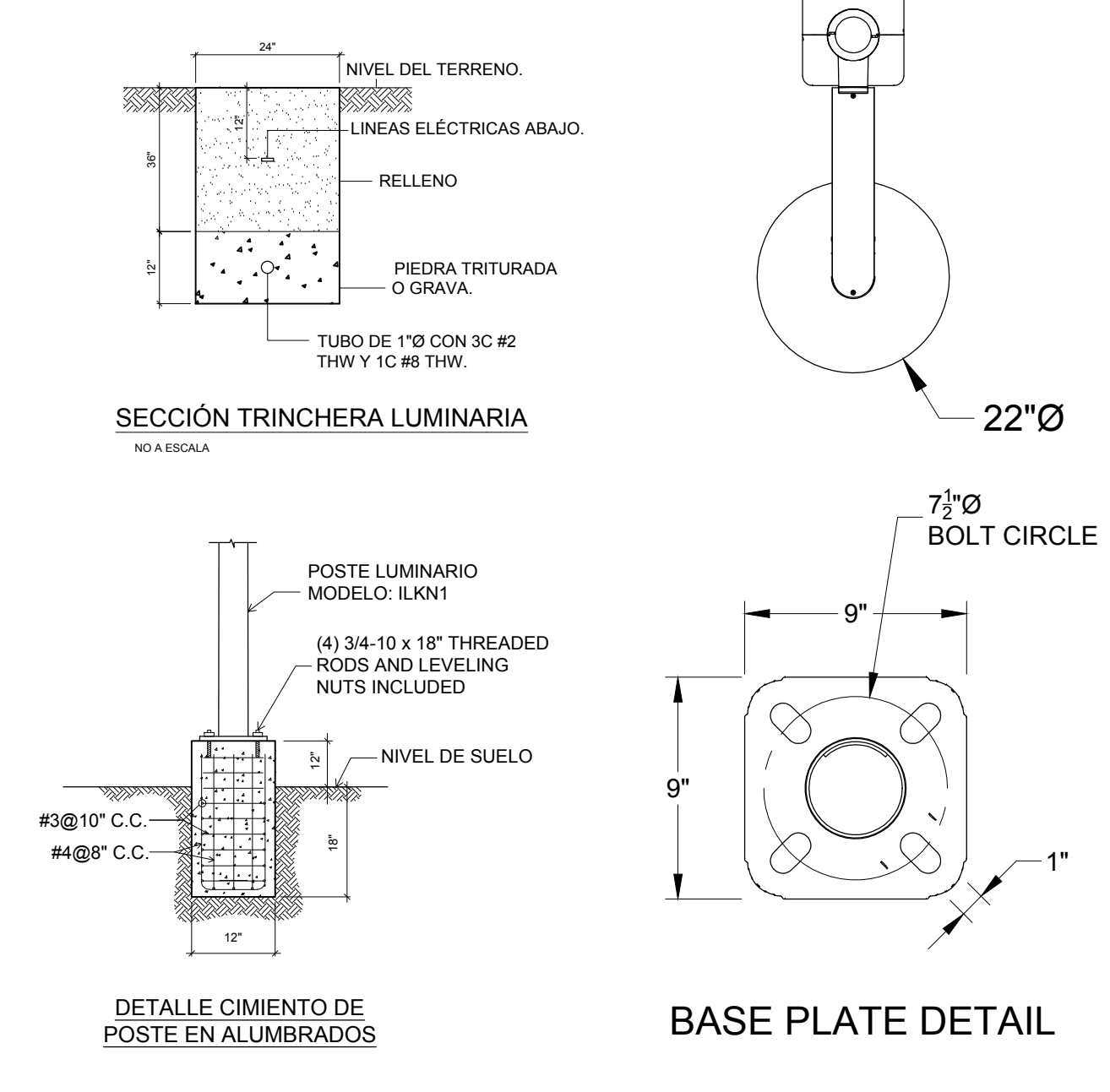
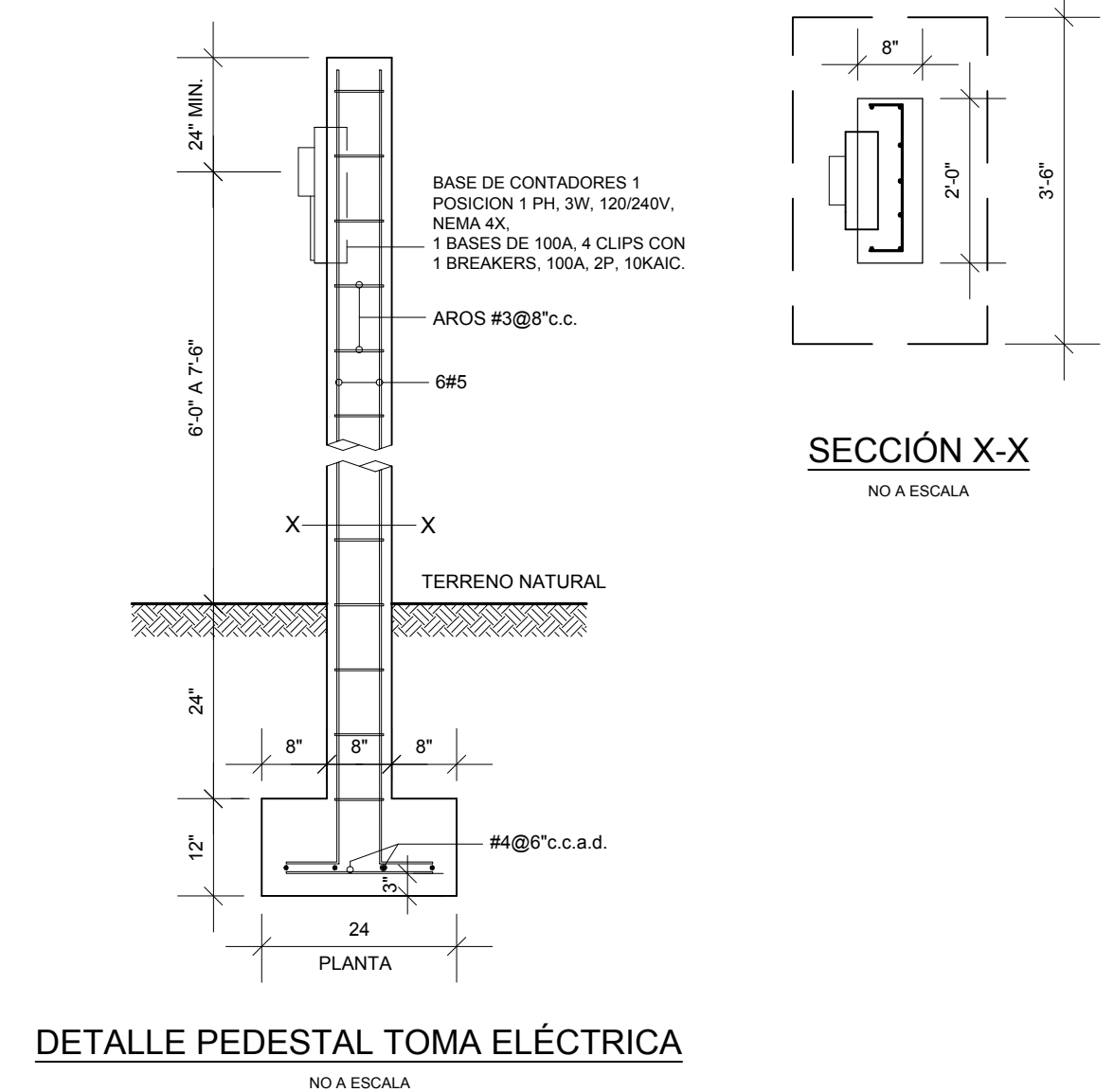
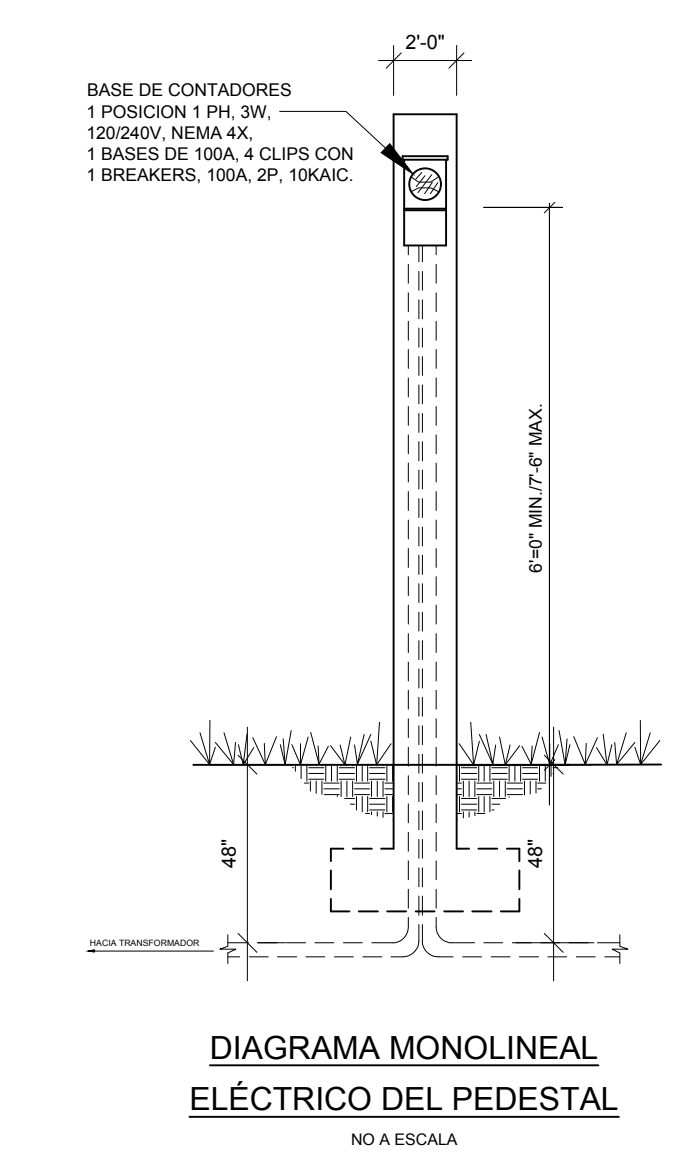
- ### NOTES
1. SECTIONS INTERCONNECTIONS SHALL BE WITH CU BUS BARS (SINGLE PHASE. 3W. FULL NEUTRAL) RATED FOR 200A. 22 KAIC.
 2. EQUIPMENT ARRANGEMENT AND COMPONENTS SHOP DRAING SHALL BE SUBMITTED TO OWNER FOR HIS CONSIDERATION AND APPROVAL P.R.E.P.A. APPROVED SHOP DRAWING SHALL BE SUBMITTED OWNER BEFORE INSTALLATION.
 3. PROVIDE A GROUND BUS BAR THROUGH ALL SECTION, METAL ENCLOSURE SHALL BE CONNECTED TO GROUND BUS.
 4. CONNECT INCOMING NEUTRAL GROUND CONDUCTOR TO BUS BAR.
 5. CONNECT GROUND BUS BAR TO GROUND ELECTRODE COPPER ROD.
 6. ALL SECTIONS WITH PROVISION FOR PAD LOCKING.

Luminaire Schedule

Symbol	Qty	Label	Description	LLF	Luminaire Lumens	Luminaire Watts
⊙	6	L4	LEO 30 LED Area Light, Type IV, Low Output, Clear Lens, Turtle Friendly Amber, 120V-277V, 50/60Hz, Single Arm, No Motion Sensor // AL Pole, 12', Single Luminaire, No Twist Lock, Nut Covers (LE330-T4-LO-CLR-TFA MOD-UV1-4A-NMS // LE-12-A-NTW-NUT)	0.650	2787	24

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Plaza	Iluminance	Fc	1.67	3.3	0.5	3.34	6.60



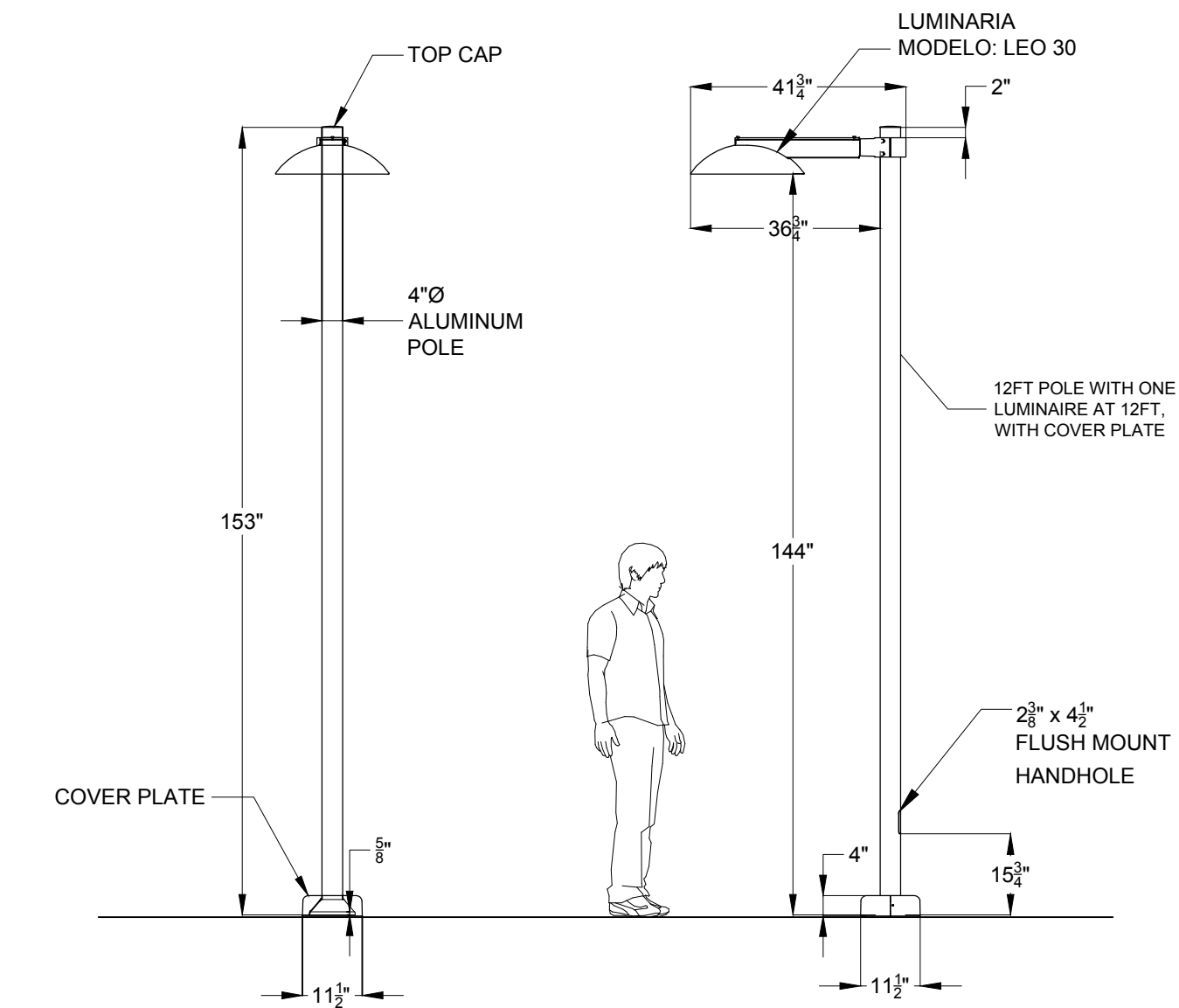
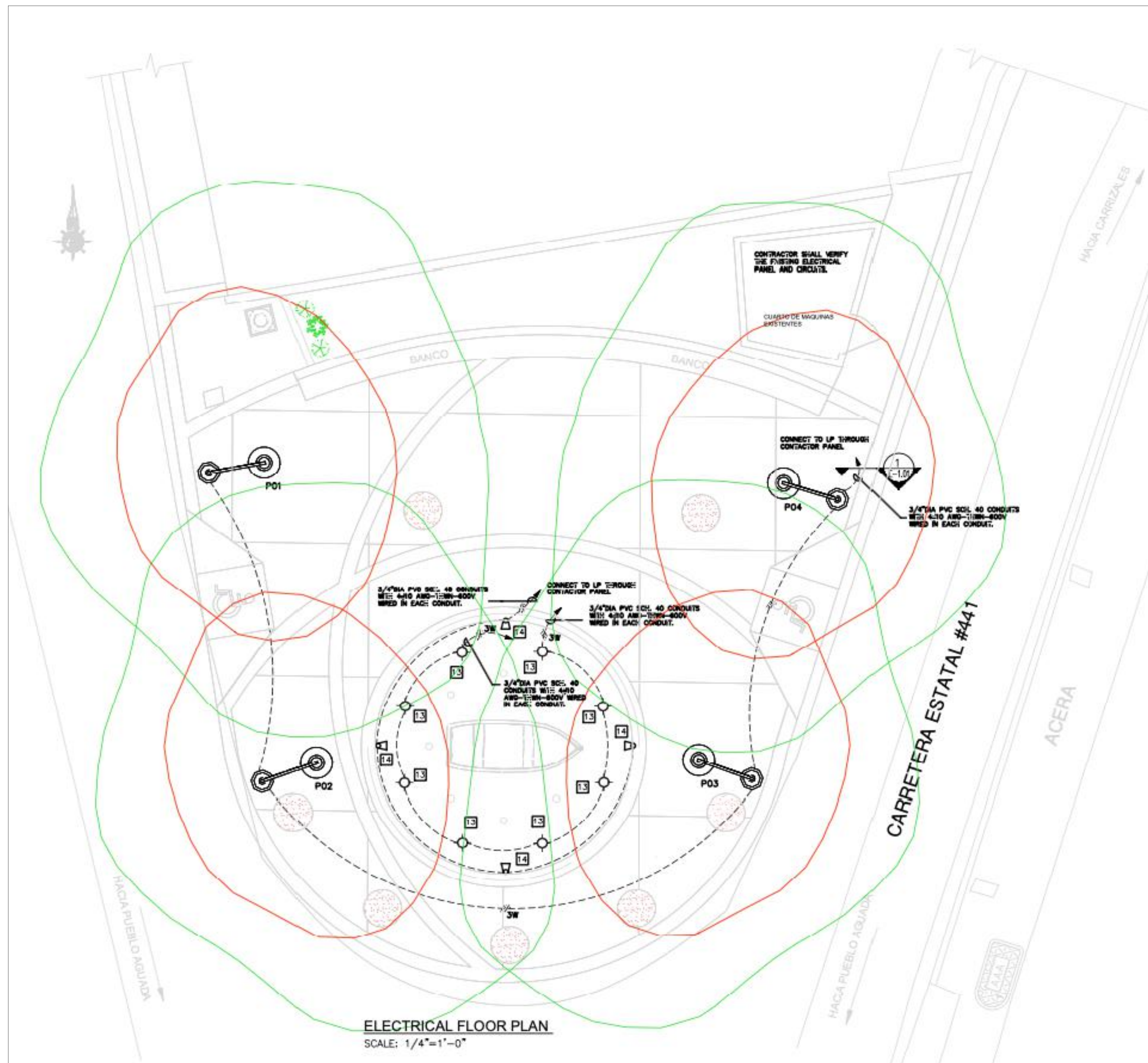
Sello Profesional

Yo, David Peña Cruz, número de licencia 22026, certifico que soy el profesional que preparó este proyecto y que he leído y comprendido el contenido de los planos y especificaciones de dichos planos y especificaciones cumplen con las disposiciones aplicables del Reglamento Conjunto y las disposiciones aplicables de los Reglamentos y Códigos de Construcción Vigentes de las Agencias, Juntas Reglamentadoras o Corporaciones Públicas con Jurisdicción. Certifico, además, que en la preparación de estos planos y especificaciones se han seguido las normas de la "Ley para la Inversión por la Industria Puertorriqueña", y con la Ley Núm. 15 de mayo de 1938, según enmendada; Ley Núm. 96 de 6 de julio de 1978, según enmendada; según aplique. Reconozco que cualquier declaración falsa o falsificación de los hechos que se haya producido por desconocimiento o por negligencia ya sea por mí, mis socios, asociados, colaboradores, representantes, o cualquier otro involucrado, me hacen responsable de cualquier acción judicial y disciplinaria por la OGPB.

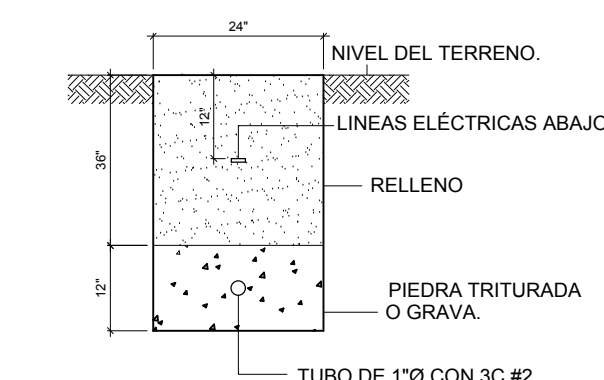
ING. DAVID PEÑA CRUZ
 Licencia: 22026
 PO BOX 3215
 AGUADILLA, P.R. 00605
 m: 787-949-5298

Honorable Christian E. Cortés Feliciano
 Alcalde
 Municipio de Aguada
 PO Box 517
 Aguada, PR 00602

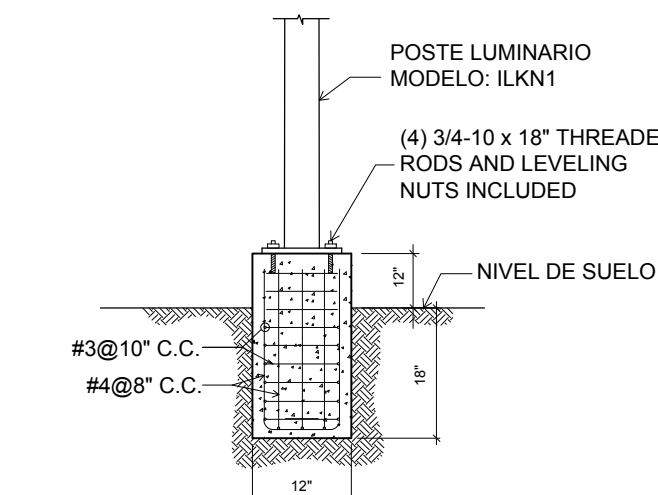
SOMETIDO:
 100%
PROYECTO:
 SUEÑO DEL PESCADOR
 PLACITA DEL PESCADOR
 PR-CRP-000701
TÍTULO DE HOJA:
 DISTRIBUCIÓN DE ILUMINACIÓN SITE (REV.)



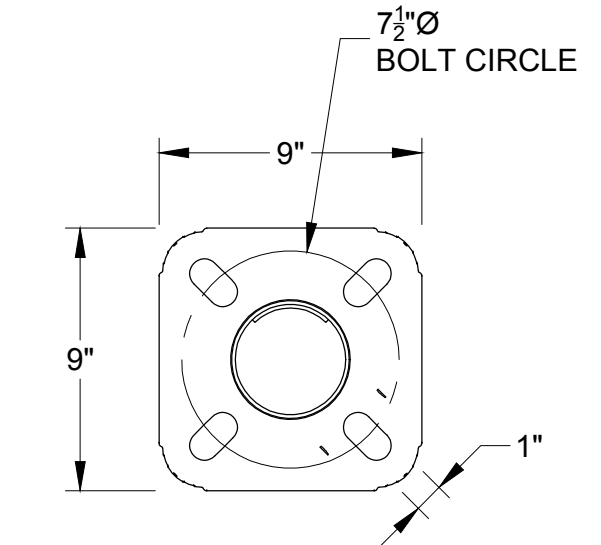
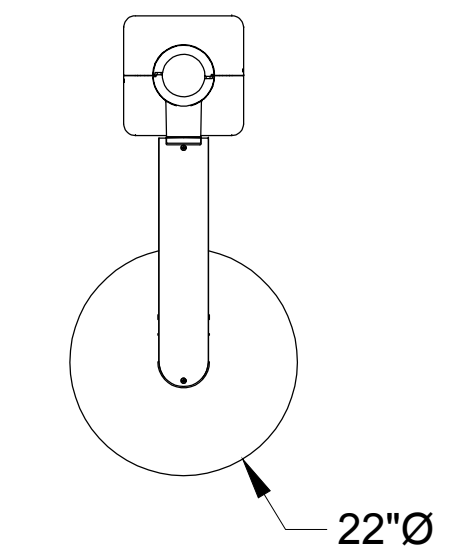
IGUAL O SIMILAR A LANDSCAPE FORMS MODELO LEO. COLOR A SER ESCOGIDO POR EL DUEÑO.



SECCIÓN TRINCHERA LUMINARIA
NO A ESCALA



DETALLE CIMENTO DE POSTE EN ALUMBRADOS



BASE PLATE DETAIL

SÍMBOLOS ELÉCTRICOS

- CONDUCTO POR EL PISO
- ⊙ SIMILAR OR EQUAL TO LEO-30, 120V. WITH PHOTOCELL, FULL-CUT OFF MANUFACTURE BY LANDSCAPE FORMS

Luminaire Schedule									
Symbol	Qty	Label	Description	LLF	Luminaire Lumens	Luminaire Watts			
⊙	4	L4	LEO 30 LED Area Light, Type IV, Low Output, Clear Lens, Turtle Friendly Amber, 120V-277V, 50/60Hz, Single Arm, No Motion Sensor // AL Pole, 12", Single Luminaire, No Twist Lock, Nut Covers (LE330-T4-L-CLR-TFA MOD-UV1-4A-NMS // LE-12-A-NTW-NUT)	0.650	2767	24			

Calculation Summary							
Label	Calc Type	Units	Avg	Max	Min	Avg/Min	Max/Min
Plaza	Illuminance	Fc	1.98	3.5	0.3	6.80	11.67



Sello Profesional

Yo, David Peña Cruz, número de licencia 22026, certifico que soy el profesional que preparó este plano y que he leído y comprendido los requisitos de esta licencia y he verificado que dichos planos y especificaciones cumplen con los reglamentos y códigos de construcción vigentes de las Agencias, Juntas Reglamentadoras o Corporaciones Públicas con Jurisdicción. Certifico, además, que en la preparación de estos planos y especificaciones se aplicó la Ley para la Inversión por la Industria Puertorriqueña, y con la Ley Núm. 319 de 15 de mayo de 1935, según enmendada; Ley Núm. 96 de 6 de julio de 1978, según enmendada; según aplique. Reconozco que cualquier declaración falsa o falsificación de los hechos que se haya producido por desconocimiento o por negligencia ya sea por mí, mis socios, asociados, empleados, representantes, o por cualquier otro individuo, me hace responsable de cualquier acción judicial y disciplinaria por la OGPB.

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m: 787-949-5298

Honorable Christian E. Cortés Feliciano
Alcalde
Municipio de Aguada
PO Box 517
Aguada, PR 00602

SOMETIDO: 100%
PROYECTO: SUENO DEL PESCADOR FUENTE DEL PESCADOR PR-CRP-000701
TÍTULO DE HOJA: DISTRIBUCIÓN DE ILUMINACIÓN SITE (REV.)
FECHA: OCTUBRE, 2023

ESCALA: 1: 100

E-3.1

3 DE 3



Aguada Nueva



permisos@uniko23.com

uniko23.com

787.423.7171

Sueño del Pescador: Topo Map

Lat: 18.39157425, Long: -67.19548732
Camino de la Playa, Guaniquilla Ward, Aguada, PR



Sueño del Pescador: Aerial Photo

Lat: 18.39157425, Long: -67.19548732
Camino de la Playa, Guaniquilla Ward, Aguada, PR



Sueño del Pescador | Placita del Pescador

Sueño del Pescador | Ventana del Atardecer

Sueño del Pescador - Fuente del Pescador





United States Department of the Interior



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

In Reply Refer To:
Project Code: 2023-0063732
Project Name: Sueño del Pescador

April 03, 2023

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

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

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

This species list is provided by:

Caribbean Ecological Services Field Office
caribbean_es@fws.gov

Post Office Box 491
Boqueron, PR 00622-0491
(786) 244-0081

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Marine Mammals
 - Wetlands
-

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(787) 834-1600

PROJECT SUMMARY

Project Code: 2023-0063732

Project Name: Sueño del Pescador

Project Type: Recreation - Maintenance / Modification

Project Description: Improvements to three recreational areas in the Municipality of Aguada.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.39129375,-67.1958483233232,14z>



Counties: Aguada County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

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

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

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

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

MAMMALS

NAME	STATUS
<p>West Indian Manatee <i>Trichechus manatus</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. <i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i></p> <p>Species profile: https://ecos.fws.gov/ecp/species/4469</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWC�QA/documents/generated/6943.pdf</p>	Threatened

REPTILES

NAME	STATUS
<p>Green Sea Turtle <i>Chelonia mydas</i></p> <p>Population: North Atlantic DPS</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6199</p>	Threatened
<p>Hawksbill Sea Turtle <i>Eretmochelys imbricata</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/3656</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWCNQA/documents/generated/7103.pdf</p>	Endangered
<p>Leatherback Sea Turtle <i>Dermochelys coriacea</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1493</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWCNQA/documents/generated/7104.pdf</p>	Endangered
<p>Loggerhead Sea Turtle <i>Caretta caretta</i></p> <p>Population: Northwest Atlantic Ocean DPS</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1110</p>	Threatened
<p>Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i></p> <p>Population: Wherever found, except when listed as endangered under 50 CFR 224.101</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1513</p>	Threatened
<p>Puerto Rican Boa <i>Chilabothrus inornatus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6628</p> <p>General project design guidelines:</p> <p>https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWCNQA/documents/generated/6941.pdf</p>	Endangered

CRITICAL HABITATS

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty 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.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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

MIGRATORY BIRDS FAQ

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

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

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

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

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

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list

of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

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

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

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

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

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

What are the levels of concern for migratory birds?

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

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

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

MARINE MAMMALS

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

-
1. The [Endangered Species Act](#) (ESA) of 1973.
 2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
 3. [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.

NAME

West Indian Manatee *Trichechus manatus*

Species profile: <https://ecos.fws.gov/ecp/species/4469>

WETLANDS

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

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

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

ESTUARINE AND MARINE WETLAND

- [M2US2P](#)

ESTUARINE AND MARINE DEEPWATER

- [M1RB1L](#)

RIVERINE

- [R2UBHx](#)
-

IPAC USER CONTACT INFORMATION

Agency: Municipio of Aguada

Name: Angel Garcia

Address: PO Box 13753

City: San Juan

State: PR

Zip: 00908-3753

Email: angel@agepr.com

Phone: 7876057000

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

General Project Design Guidelines (4 Species)

Generated April 03, 2023 04:54 PM UTC, IPaC v6.90.0-rc5



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Puerto Rican Boa - Caribbean Ecological Services Field Office	11

Species Document Availability

Species with general design guidelines

Hawksbill Sea Turtle *Eretmochelys imbricata*

Leatherback Sea Turtle *Dermochelys coriacea*

Puerto Rican Boa *Chilabothrus inornatus*

West Indian Manatee *Trichechus manatus*

Species without general design guidelines available

Green Sea Turtle *Chelonia mydas*

Loggerhead Sea Turtle *Caretta caretta*

Olive Ridley Sea Turtle *Lepidochelys olivacea*

Document failed to load

The server was unable to locate the following document. You may attempt to download it using the link below.

General Project Design Guidelines - West Indian Manatee, Caribbean Ecological Services Field Office

https://ecos.fws.gov/docs/tess/ipac_project_design_guidelines/doc6943.pdf

Document failed to load

The server was unable to locate the following document. You may attempt to download it using the link below.

General Project Design Guidelines - Hawksbill Sea Turtle, Caribbean Ecological Services Field Office

https://ecos.fws.gov/docs/tess/ipac_project_design_guidelines/doc7103.pdf

General Project Design Guidelines - Olive Ridley Sea Turtle and 6 more species

Published by Caribbean Ecological Services Field Office for the following species included in your project

Olive Ridley Sea Turtle *Lepidochelys olivacea*

West Indian Manatee *Trichechus manatus*

Loggerhead Sea Turtle *Caretta caretta*

Green Sea Turtle *Chelonia mydas*

Hawksbill Sea Turtle *Eretmochelys imbricata*

Leatherback Sea Turtle *Dermochelys coriacea*

Puerto Rican Boa *Chilabothrus inornatus*



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

Conservation Measures for sea turtles in Puerto Rico and the U.S. Virgin Islands

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

In Puerto Rico and the U.S. Virgin Islands (USVI), the three most common species of sea turtles nesting are: leatherback sea turtle “tinglar” (*Dermochelys coriacea*), hawksbill sea turtle “carey” (*Eretmochelys imbricata*), and green sea turtle “peje blanco” (*Chelonia mydas*). A few nests of the olive ridley “golfina” (*Lepidochelys olivacea*) have been documented in Puerto Rico and several nests of the loggerhead sea turtle “cabezona” (*Caretta caretta*) have been documented in St. Croix, USVI. All sand beaches, including mixed sand and gravel (shell, coral rubble) beaches and some mangrove areas, throughout Puerto Rico and the USVI have the potential for sea turtle nesting.

Coastal development without comprehensive sea turtle conservation measures may result in habitat degradation and destruction, resulting in adverse impacts to sea turtles and their nesting habitat. Some of the activities that may affect these species and their habitat are: destruction of native coastal vegetation, installation of permanent barriers or structures at their habitat, installation of artificial lights that can be seen from the beach, vehicular traffic or parking within the beach areas, increased predation or damage by pest species (rats, mongooses, dogs, horses, and ants), and root intrusion into nesting habitat from landscapes or exotic vegetation. Artificial lighting may keep females from coming onto the beach to nest and may cause disorientation or miss orientation of both adult female nesting turtles and emerging hatchlings, often resulting in their death. All projects should avoid affecting sea turtle nests and their nesting habitat.

The U.S Fish and Wildlife Service (Service) has developed the following sea turtle conservation measures with the purpose of assisting others to avoid and minimize adverse impacts of existing

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coastal development on sea turtles. These recommendations may be incorporated into new projects and under certain circumstances into existing projects. Depending on the project, additional recommendations can be made besides the ones presented in this document.

1. Avoid the removal of vegetation, fence installation, construction activities, and light installation within 50 meters inland from the high tide. Designate a buffer zone of additional 20 meters, for a total of 70 meters setback and buffer, to minimize indirect impacts from the project and plant salt tolerant native shrubs or trees within the zone (see #14). The setback recommendations do not apply if an existing road is located between the beach and project site. In that case, the road serves as the boundary of the beach.
2. Any temporary or permanent lighting associated to the project should utilize sea turtle friendly lights and fixtures to minimize possible adverse effects of direct, indirect and cumulative lighting on sea turtles, for example, adult or hatchling disorientation. Projects should develop and implement a comprehensive sea turtle lighting plan:
 - a. The concept of sea turtle friendly lighting is to use specific types of light sources that emit a wavelength of 560 nanometers or longer. This wavelength is virtually invisible to sea turtles if viewed indirectly. If the lights can be directly view from the beach, then the light source is paired with a lighting fixture that directly controls the direction and beam spread of the lighting within 70 degrees full cut off. This means that light is effectively and accurately directed at the areas of concern without wasteful light.
 - b. The comprehensive lighting plan should be designed to avoid detrimental impacts of artificial lighting on sea turtles. This plan should be sent to the Service for revision and approval prior to implementation. The plan should form part of the project construction plans outlining the luminaries to be used. The goal of the plan is that lights should not be seen directly, indirectly or cumulatively from the beach. Light management strategies such as shielding, lowering of the lights, locating the lights away from sight view of the beach, using an alternate light source such as Low Pressure Sodium Vapor lights, red or amber LEDs and planting of vegetation barriers are some of the available alternatives to reach the plan goal.
 - c. LEDs should be of the proper wavelength (true red or amber colored diode), shielded or recessed. Do not use white or blue lights with filter material, sleeves or other covering.
 - d. For more information on sea turtles and lighting you may also refer to the following Florida Fish and Wildlife Commission website: <https://myfwc.com/wildlifehabitats/wildlife/sea-turtle/lighting/>
 - e. In already constructed projects, all lights visible from the beach should be eliminated, modified or relocated so that are not visible from the beach.

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3. For Puerto Rico, the project should also comply with Puerto Rico Law 218-2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2016 Regulation to Control and Prevent Light Contamination. These laws and regulations clearly establish public policy that acceptable illumination fixtures are those that shield the light source to minimize glare impact on habitats. This applies to existing and new construction and for private lighting systems, and is intended develop new strategies to eliminate excessive lighting in all areas, particularly in beach zones. For sea turtle beach areas this Regulations requires that lights have a 70 degree cut off in addition to being sea turtle friendly light.

For the U.S. Virgin Islands, the project must comply with VI Code Title 12, Chapter 2, Section 105, where it outlines the Prohibited Activities in regards to Endangered or Threatened wildlife. These laws state, "No person may harass, injure or kill, or attempt to do the same, of an endangered or threatened species". The use of non-friendly sea turtle lighting would be considered harassment towards these endangered and threatened species.

4. No vehicles, equipment, staging or debris shall be used, parked or stored on the primary dune or in vegetated areas. Staging/parking/storage areas should be located on paved surfaces as much as possible and outside vegetated areas or the primary dune.
5. Enhancing the coastal vegetation by planting native coastal species (e.g., sea grapes, buttonwood, icaco, etc.) is recommended within the maritime zone.
6. During nesting season (March 1 to November 30), a qualified sea turtle monitor shall survey each beach work area during the early morning hours for possible sea turtle nests. Any nests found within the area must be marked or flagged in place. Outside of peak nesting season, beaches where work will occur shall be surveyed during the early morning hours at least twice a week. If required, debris removal and construction activities on beaches shall initiate only after the sea turtle monitor has completed surveys that morning and nests are clearly marked.

Sea turtle trained personnel shall conduct surveys following PRDNER/USVI-DPNR protocols (see attached list of PR and USVI sea turtle groups). Nests located adjacent to the work area shall be clearly identified and a 10-foot square roped off buffer, and an unobstructed path seaward from the nest to the water shall be established. Sea turtle monitoring groups shall have site-specific information for nests in their areas and inform work crews of areas to avoid.

7. If a sea turtle crawl is encountered the working crew should not disturb the integrity of the crawl and a sea turtle monitor should be contacted and the Agencies should be notified. Care must be taken to avoid walking or driving equipment over or near a crawl, so potential nests are not damaged.
8. If silt fencing is going to be used during the highest nesting season (April through November), the agencies should be contacted for technical assistance.

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9. If the beach topography is altered by construction activities during the nesting season, the sand should be re-accommodated at the end of each day, so that sea turtles are not impeded to come ashore. For example, raking of tire ruts, filling pits or holes, and smoothing out the sand. Any potential obstructions (e.g. construction debris, equipment) should also be removed from the beach by the end day.
10. If during project activities, a sea turtle nest is accidentally damaged, all activities should immediately stop and the PRDNER, the VIDPNR (if in USVI), and the USFWS should be contacted immediately. In addition, authorized sea turtle groups may also be contacted for assistance (see Appendix).
11. If a sea turtle (either adult or hatchling) is observed, maintain at least 50 feet between the turtle and project personnel and contact the PRDNER or VIDPNR and seek the assistance of an authorized sea turtle groups (see Appendix). Allow the sea turtles to crawl unobstructed to the water.
12. If a dead, injured, or sick sea turtle is found or if eggs or nests have been disturbed by other actions, stop all work and contact PRDNER, VIDPNR, USFWS, or the Caribbean Stranding Network.
13. For tourist, residential or hotel projects, remove beach chairs, umbrellas, surfboards, and any other recreational items from the beach on a daily basis and store these items in a designated area away from the nesting habitat.
14. All trash resulting from construction or operation activities should be removed from the beach area and be disposed properly at the end of the day.
15. All sea turtle monitoring activities and measures taken to implement the conservation measures should be clearly documented and included in the final project report.
16. If the project will result in take of sea turtles (kill, harm, harassment, wound, trap, capture or collect) a formal Section 7 consultation must be initiated.

Projects must comply with all State laws and regulations. Please contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER, see Appendix) or the USVI Department of Planning and Natural Resources (VIDPNR), Fish and Wildlife Division (340-775-6762 St. Thomas, 340-773-1082 St. Croix). For projects that are within any USFWS Caribbean Islands National Wildlife Refuges, please contact 786-649-8830.

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

- Office phone: 786-244-0081
- Marelisa Rivera, Deputy Field Supervisor
 - Email: marelisa_rivera@fws.gov or mobile 305-304-1814
- José Cruz-Burgos, Endangered Species Coordinator
 - Email: jose_cruz-burgos@fws.gov or mobile 305-304-1386

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APPENDIX

Volunteer sea turtle groups in Puerto Rico are authorized by the PRDNER to conduct certain sea turtle monitoring and management activities. If groups are available to help, coordination with these groups should be well documented as part of the planning and implementation of projects. Be aware that coordination with these groups may not represent an official PRDNER consultation process. Thus, proposed project still need to go through the PRDNER permit and project evaluation process.



In addition to the above listed numbers, you may also contact the DNER Rangers or the Caribbean Stranding Network in case of strandings and rescues.

- DNER Rangers (law enforcement, strandings, rescues):
 787-724-5700
 787-230-5550
 787-771-1124
- Caribbean Stranding Network (strandings and rescues):
 787-400-AQUA (2782)

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For the U.S. Virgin Islands contact:

- VIDPNR Division of Fish and Wildlife
STX: 340-773-1082
STT/STJ: 340-775-6762
- Sea Turtle Assistance and Rescue (STAR)
Claudia Lombard
STX/STT/STJ: 340-690-0474
- Coral World Ocean Park
Erica Palmer
STT: 340-775-1555
- St. Croix Animal Welfare Center
Michele Mehalick
STX: 340-778-1650
- Virgin Islands National Park
Thomas Kelley
STJ: 340-690-2440

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General Project Design Guidelines - Olive Ridley Sea Turtle and 6 more species

Published by Caribbean Ecological Services Field Office for the following species included in your project

Olive Ridley Sea Turtle *Lepidochelys olivacea*

West Indian Manatee *Trichechus manatus*

Loggerhead Sea Turtle *Caretta caretta*

Green Sea Turtle *Chelonia mydas*

Hawksbill Sea Turtle *Eretmochelys imbricata*

Leatherback Sea Turtle *Dermochelys coriacea*

Puerto Rican Boa *Chilabothrus inornatus*



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

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

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

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



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

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

Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. The PR boa is considered more active at night. Thus, in order to maximize its detection, the species should be searched at nights prior to habitat disturbance.
5. Once the area has been searched for PR boas, vegetation should first be cleared by hand to the maximum extent possible. Vegetation should be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow boas present on site to move away on their own to adjacent available habitat. Any stone walls or naturally occurring rock piles must be carefully dismantled by hand as these are refuges for the snake. This will allow any boas present to vacate the site without injury.
6. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

7. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #6). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at this area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.
8. If a PR boa is captured by the PRDNER, record the name of the PRDNER staff and information on where the PR boa will be taken. This information should be reported to the Service.
9. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #7). If not possible, the animal should be left alone until it leaves the vehicle on its own.
10. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
11. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #6). If the PR boa was accidentally? killed as part of the project actions, please include information on what conservation measures had been implemented and what actions that will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
12. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

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

- Marelisa Rivera, Deputy Field Supervisor
 - Email: marelisa_rivera@fws.gov
 - Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator
 - Email: jose_cruz-burgos@fws.gov
 - Office phone (786) 244-0081 or mobile (305) 304-1386





January 11, 2023

Hon. Chistian E. Cortés Feliciano
Mayor
Municipality of Aguada
Aguada, PR

PROJECT: SUEÑO DEL PESCADOR
PR-CRP-000701
Community Development Block Grant-Disaster Recovery

OWNER: Municipality of Aguada

ADDRESS: Camino Playa Bo. Guaniquilla
Aguada, PR 00602

MEMORIAL

Dear mayor Cortés Feliciano:

Best regards from us. As part of the environmental phase required for the design professional services for the abovementioned project, we are submitting the Level of Environmental Review Determination for you review and process.

Herewith, the project description and flood zone analysis.

1.0 PROJECT DESCRIPTION

The Municipality of Aguada is located at the northwest of the Island. Fifty eight percent of Aguada surface is high ground, or hills. It has an area of 78 square kilometers (30 sq mi) and a population of 40,495, according to HUD data.

Geographically, Aguada belongs to the area called "Llanuras Costeras Occidentales", where the soils are alluvial and very fertile. In the last decade, the coast of Aguada has developed tourist attractions for Puerto Rico and the world. The integration of the communities is a fundamental part for the development of the Municipality of Aguada and the public facilities becoming the main axis for the development of other socioeconomic aspects. This strengthens living standards and reduces poverty, unemployment, and crime.

The proposed project is in the Camino Playa municipal road in the Guaniquilla neighborhood of the Municipality of Aguada.

The Municipality proposes the construction of the project called "Sueño del Pescador" which consists of the construction of gazebos, sanitary facilities, benches, green areas, lighting and sidewalks on the coast of the town of Aguada. The project integrates four strategic points that we identify with its sites and names. All sites are part of the Sueño del Pescador project.

Site 1 – “Ventana del Atardecer” - Leveling of floor tiles comprising approximately 10,500 sq. ft. in concrete with white and gray aggregate, consonant with the "Plaza Cruz de Colón" and the construction of a sidewalk. Construction speed reducer to connect with existing “Plaza Cruz de Colón” bathrooms. Installation of prefabricated concrete benches consonant with the existing ones in the "Plaza Cruz de Colón". Construction of three reinforced concrete painted gazebos of approximately 196 sq. ft. each, with their respective doors and windows. Construction of a gazebo of approximately 231 sq. ft., for fishermen with an area, to flake the fish and sale of their products. Each one will have potable water facilities, and electrical facilities interconnected to the primary facilities that are part of the infrastructure works. The proposed project will have energy efficient lighting poles and trash cans. Wireless coverage will be installed for internet access via "hot spot" for the enjoyment of visitors. Demolition of an existing gazebo of approximately 176.00 sq. ft

Site 2 – "La Placita del Pescador" – leveling of the entire terrain comprising approximately 4,500 sq. ft. Concrete floor with white and gray aggregate including green areas. Lighting, prefabricated concrete benches in harmony with the existing ones in the "Plaza Cruz de Colón". Demolition of two existing gazebos of approximately 200.00 sq. ft each. Relocation of one electric pole.

Remodeling of the “Virgen del Carmen” monument area. Construction of restrooms facilities. Gazebo construction of approximately 435.27 sq. ft. with concrete domino tables. Installation of trash cans, energy efficient lighting poles, and green areas. ADA law-compliant sidewalks will be built around the plaza to provide pedestrian safety.

Site 3 – "La Fuente del Pescador" – Remodeling of the existing fountain. Electrical connections, plumbing, and pumping system. The place will be reforested with gardening, lighting and a boat sculpture with fishermen will be designed. Paint the structure adjacent to "La Fuente del Pescador". Sign installation.

Site 4 - The previous project will integrate the revitalization of the existing Boulevard by remodeling the green areas and extending the sidewalks where necessary.

2.0 FLOOD ZONE

According to the flood risk map, the sites number 2 - "La Placita del Pescador", 3-"La Fuente del Pescador" and the site number 4, the flood risk classification is X with panel number 72000C040J with an effective date of April 13, 2018. Therefore, the sites are not located in a flood zone. A small portion of the northern part of Site 1- "Ventana del Atardecer" is in the VE floodplain. However, all structures are in the non-floodable area. Reference is made to the floodplain and the location of the structures to illustrate that they are outside the floodplain (See Exhibit B).

If you have any question or for additional information do not hesitate to contact me by email at hector@uniko23.com or by phone at 787.423.7171.

Respectfully.



Héctor Rodríguez Echevarría PE

Critical Habitat for Threatened & Endangered Species [USFWS] PR-CRP-000701 El Sueño del Pescador



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

Maxar | Esri Community Maps Contributors, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, NPS, US Census Bureau



December 8, 2023

Wetlands

- | | | | | | |
|-------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



EXHIBIT – B
(FLOOD ZONE MAPS)





United States Department of the Interior

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



In Reply Refer To:
FWS/R4/CESFO/72003-023

Submitted Via Electronic Mail: (angel@agepr.com)

Mr. Angel García PE
AG Environmental PSC
900 Ave Fernandez Juncos Suite #3
San Juan, PR 00907

Re: PR-CRP-000701 Sueño del Pescador Project,
Aguada, Puerto Rico

Dear Mr. García:

This is in reply to your request for consultation regarding the Municipality of Aguada's proposed Sueño del Pescador Project. The project will be using CDBG-DR funding. Our comments are issued in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (16 U.S.C. 1531 et seq. as amended).

The project integrates four strategic locations with the construction of gazebos, sanitary facilities, benches, green areas, lighting, and sidewalks.

Based on the action area, you have identified the following species:

Puerto Rican Boa	<i>Chilabothrus inornatus</i>
West Indian Manatee	<i>Trichechus manatus manatus</i>
Green Sea Turtle	<i>Chelonia mydas</i>
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>
Loggerhead Sea Turtle	<i>Caretta caretta</i>
Olive Ridley Sea Turtle	<i>Lepidochelys olivacea</i>

You have made a No Effect determination for the manatee and all sea turtles. We acknowledge receipt of your NE determination for the manatee. Currently we do not have any information to refute your determination. Because you made a NE determination, you are not required to conduct formal or informal section 7 consultation with the U.S. Fish and Wildlife Service (Service), and the Service is not required to concur with your NE determination.

However, we do not concur with the No Effect determination for sea turtles. Since the project is adjacent to the coast and sand beaches, it should comply with the Service's sea turtle conservation measures for lighting (see enclosure). Please include the lighting recommendations and modify your effects determination accordingly.

In addition, the project should comply with PR Law 218 of 2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2014 Regulation to Control and Prevent Light Contamination. These laws and regulations clearly establish public policy that acceptable illumination fixtures are those that shield the light source to minimize glare impact on habitats. This applies to existing and new construction and for private lighting systems and will be used to develop new strategies to eliminate excessive lighting in all areas but in particular in beach zones. A part of the project extends to the beach and should comply with sea turtle friendly lighting to avoid any future impacts on nesting sea turtles.

Given the advances in technology, we recommend LED lighting for all the luminaries. We recommend that all lights facing the beach and parking area also have LED lighting. The LED lighting and luminaries should be sea turtle friendly and full cut off. Based on the use of sea turtle friendly lighting in the project, the proposed action may affect but is not likely to adversely affect nesting sea turtles.

With regards to the PR boa, you determined that the project may affect but is likely to not adversely affect the boa based on following the current boa conservation measures. We have reviewed the information provided in your letter and our files and concur with your determination that the proposed action may affect, but is not likely to adversely affect, the PR boa.

Final review of the effects to sea turtles is pending.

Thank you for the opportunity to comment on this action, if you have any questions, please contact Felix Lopez of my staff at (305) 304-1128.

Sincerely yours,

EDWIN MUNIZ
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MUNIZ
Date: 2023.06.28 06:18:56
-04'00'

Edwin E. Muñoz
Field Supervisor

fhl

cc:

DNER, San Juan
PRPB, San Juan
NMFS, San Juan
HUD, San Juan
CDBG, San Juan

April 29, 2023

Mr. Edwin E. Muñiz
Field Supervisor
United States Fish and Wildlife Service
Caribbean Ecological Services
Field Office
P. O Box 491
Boquerón, Puerto Rico 00622

Proposed Sueño del Pescador Project, Municipality of Aguada (PR-CRP-000701).

Dear Mr. Muñiz:

The Municipality of Aguada proposes the construction of the project called "Sueño del Pescador", which consists of improvements to existing recreational facilities along a segment of the coast of the Municipality of Aguada. The project is located at Lat: 18.39157425, Long: -67.19548732, Camino de la Playa, Guaniquilla Ward, Aguada, PR. The project will be developed within three parcels of land, only one of which is identified by a cadastral number (*Placita del Pescador* - 068-049-003-01-001). Please refer to the attached location maps for details.

The project integrates four strategic locations with the construction of gazebos, sanitary facilities, benches, green areas, lighting, and sidewalks. The following paragraphs include the proposed tasks to be undertaken at each:

- Location 1 – “*Ventana del Atardecer*” – Approximate area of 0.24 acres.
 - The leveling of floor tiles comprising approximately 10,500 sq. ft. in concrete with white and gray aggregate, consistent with the “*Plaza Cruz de Colón*” and the construction of a sidewalk.
 - Construction speed reducer to connect with existing “*Plaza Cruz de Colón*” bathrooms. Installation of prefabricated concrete benches consistent with the existing ones in the “*Plaza Cruz de Colón*”.
 - Construction of three reinforced concrete painted gazebos of approximately 196 sq. ft. each, with their respective doors and windows.
 - Construction of a gazebo of approximately 231 sq. ft., for fishermen to prepare and sell their products. Each one will have potable water facilities, and electrical facilities.
 - The proposed project will have energy efficient lighting poles and trash cans. Wireless internet access infrastructure will also be provided.
 - Demolition of an existing gazebo of approximately 176.00 sq. ft.
- Site 2 – “*La Placita del Pescador*” – Approximate area of 0.13 acres.
 - The level of the entire terrain comprises approximately 4,500 sq. ft.
 - New concrete floor with white and gray aggregate including green areas.
 - Lighting fixtures and prefabricated concrete benches in harmony with the existing ones at the “*Plaza Cruz de Colón*”.
 - Demolition of two existing gazebos of approximately 200.00 sq. ft each.

- Relocation of one electric pole.
- Remodeling of the “Virgen del Carmen” monument area.
- Construction of restrooms facilities.
- New gazebo of approximately 435.27 sq. ft. with concrete domino tables.
- Installation of trash cans, energy efficient lighting poles, and green areas.
- ADA law-compliant sidewalks will be built around the plaza to provide pedestrian safety.
- Site 3 – "La Fuente del Pescador" – Approximate area of 0.086 acres.
 - Remodeling of the existing fountain.
 - Install electrical connections, plumbing, and pumping system.
 - New landscaping, lighting and a boat sculpture with fishermen will be designed.
 - Painting of the structure adjacent to "La Fuente del Pescador".
 - Sign installation.
- Site 4 - The previous project will integrate the revitalization of the existing Playa Boulevard by improving landscaped areas and extending sidewalks where necessary.

The proposed action entails no in-water activities. The proposed project activities would occur within the existing footprint and would not change, but rather improve, the preexisting design, function, and location as the originals.

In compliance with Section 7 of the Endangered Species Act, the USFWS IPaC website was used to obtain an Official Species list (Project Code: 2023-0063732, attached) identifying federally protected species which could occur within the project area, and to make an anticipated effects determination for each species (attached). Results of this preliminary inquiry and a preliminary effects determination is summarized in the following table:

Species	Status	Critical Habitat	Effects determination
Puerto Rican Boa <i>Chilabothrus inornatus</i>	Endangered	According to the USFWS, no critical habitat exists in the project area.	May affect, not likely to adversely affect – The project area sits on the coastal fringe, and is mostly devoid of trees and shrubs. There are vegetated areas (grass) around the parcels that may contain supporting elements for this species’ habitat. Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).

Species	Status	Critical Habitat	Effects determination
West Indian Manatee <i>Trichechus manatus</i>	Threatened	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	No effect. The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging habitats for these species. Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).
Green Sea Turtle <i>Chelonia mydas</i>	Threatened	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	No effect. The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species.
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i>	Endangered	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	No effect. The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species. Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).
Leatherback Sea Turtle <i>Dermochelys coriacea</i>	Endangered	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	No effect. The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species. Nevertheless, the applicant will require the project contractor to implement USFWS Project Design Guidelines for these species (attached).

Species	Status	Critical Habitat	Effects determination
Loggerhead Sea Turtle <i>Caretta caretta</i>	Threatened	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	No effect. The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species.
Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i>	Threatened	There is a final critical habitat for this species. The Project location does not overlap the critical habitat.	No effect. The project entails no in-water activities. Likewise, the proposed construction activities are not located on potential foraging or nesting habitats for these species.

Notwithstanding the above determinations, the Applicant shall implement any additional recommendations or supplemental conservation measures specified by the FWS regarding potential impacts to listed species, as necessary.

According to the nature of the project, habitat characteristics, and the implementation of said conservation measures, we therefore request your concurrence with these effect determinations.

Should you have any questions or need additional information, please contact us at 787-605-7000 or angel@agepr.com.

Cordially,

Angel Garcia PE
Sr. Environmental Engineer

Cc. Ms. Marisol Rosa, Municipality of Aguada

Enclosures

Sueño del Pescador: Topo Map

Lat: 18.39157425, Long: -67.19548732
Camino de la Playa, Guaniquilla Ward, Aguada, PR



- Aguada Parque de Cole
- Sueño del Pescador | Fuente del Pescador
- Sueño del Pescador | Ventana del Atardecer
- Sueño del Pescador | Placita del Pescador

Sueño del Pescador: Aerial Photo

Lat: 18.39157425, Long: -67.19548732
Camino de la Playa, Guaniquilla Ward, Aguada, PR



Sueño del Pescador | Placita del Pescador

Sueño del Pescador | Ventana del Atardecer

Sueño del Pescador - Fuente del Pescador





United States Department of the Interior



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

In Reply Refer To:
Project Code: 2023-0063732
Project Name: Sueño del Pescador

April 03, 2023

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

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

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

This species list is provided by:

Caribbean Ecological Services Field Office
caribbean_es@fws.gov

Post Office Box 491
Boqueron, PR 00622-0491
(786) 244-0081

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Marine Mammals
 - Wetlands
-

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(787) 834-1600

PROJECT SUMMARY

Project Code: 2023-0063732

Project Name: Sueño del Pescador

Project Type: Recreation - Maintenance / Modification

Project Description: Improvements to three recreational areas in the Municipality of Aguada.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.39129375,-67.1958483233232,14z>



Counties: Aguada County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

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

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

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

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

MAMMALS

NAME	STATUS
<p>West Indian Manatee <i>Trichechus manatus</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. <i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i></p> <p>Species profile: https://ecos.fws.gov/ecp/species/4469</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXCNHMLLZDWCNQA/documents/generated/6943.pdf</p>	Threatened

REPTILES

NAME	STATUS
<p>Green Sea Turtle <i>Chelonia mydas</i></p> <p>Population: North Atlantic DPS</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6199</p>	Threatened
<p>Hawksbill Sea Turtle <i>Eretmochelys imbricata</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/3656</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWCNQA/documents/generated/7103.pdf</p>	Endangered
<p>Leatherback Sea Turtle <i>Dermochelys coriacea</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1493</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWCNQA/documents/generated/7104.pdf</p>	Endangered
<p>Loggerhead Sea Turtle <i>Caretta caretta</i></p> <p>Population: Northwest Atlantic Ocean DPS</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1110</p>	Threatened
<p>Olive Ridley Sea Turtle <i>Lepidochelys olivacea</i></p> <p>Population: Wherever found, except when listed as endangered under 50 CFR 224.101</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1513</p>	Threatened
<p>Puerto Rican Boa <i>Chilabothrus inornatus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6628</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/K32BWR3P5JDMXC�NHMLLZDWCNQA/documents/generated/6941.pdf</p>	Endangered

CRITICAL HABITATS

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty 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.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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

MIGRATORY BIRDS FAQ

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

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

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

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

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

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list

of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

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

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

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go 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.

MARINE MAMMALS

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

-
1. The [Endangered Species Act](#) (ESA) of 1973.
 2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
 3. [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.

NAME

West Indian Manatee *Trichechus manatus*

Species profile: <https://ecos.fws.gov/ecp/species/4469>

WETLANDS

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

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

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

ESTUARINE AND MARINE WETLAND

- [M2US2P](#)

ESTUARINE AND MARINE DEEPWATER

- [M1RB1L](#)

RIVERINE

- [R2UBHx](#)
-

IPAC USER CONTACT INFORMATION

Agency: Municipio of Aguada

Name: Angel Garcia

Address: PO Box 13753

City: San Juan

State: PR

Zip: 00908-3753

Email: angel@agepr.com

Phone: 7876057000

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

General Project Design Guidelines (4 Species)

Generated April 03, 2023 04:54 PM UTC, IPaC v6.90.0-rc5

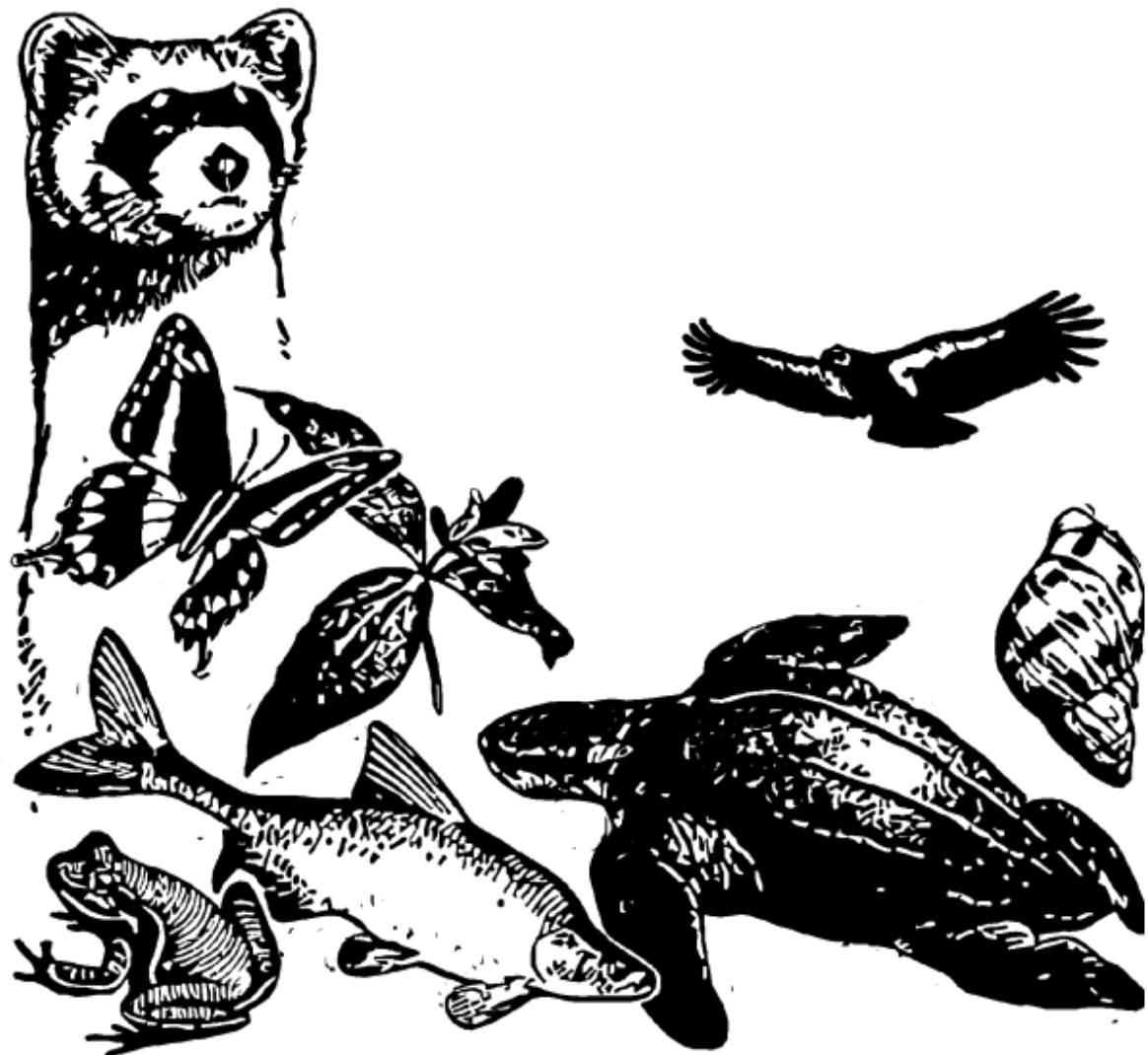


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Species Document Availability

Species with general design guidelines

Hawksbill Sea Turtle *Eretmochelys imbricata*

Leatherback Sea Turtle *Dermochelys coriacea*

Puerto Rican Boa *Chilabothrus inornatus*

West Indian Manatee *Trichechus manatus*

Species without general design guidelines available

Green Sea Turtle *Chelonia mydas*

Loggerhead Sea Turtle *Caretta caretta*

Olive Ridley Sea Turtle *Lepidochelys olivacea*

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The server was unable to locate the following document. You may attempt to download it using the link below.

General Project Design Guidelines - West Indian Manatee, Caribbean Ecological Services Field Office

https://ecos.fws.gov/docs/tess/ipac_project_design_guidelines/doc6943.pdf

Document failed to load

The server was unable to locate the following document. You may attempt to download it using the link below.

General Project Design Guidelines - Hawksbill Sea Turtle, Caribbean Ecological Services Field Office

https://ecos.fws.gov/docs/tess/ipac_project_design_guidelines/doc7103.pdf

General Project Design Guidelines - Olive Ridley Sea Turtle and 6 more species

Published by Caribbean Ecological Services Field Office for the following species included in your project

Olive Ridley Sea Turtle *Lepidochelys olivacea*

West Indian Manatee *Trichechus manatus*

Loggerhead Sea Turtle *Caretta caretta*

Green Sea Turtle *Chelonia mydas*

Hawksbill Sea Turtle *Eretmochelys imbricata*

Leatherback Sea Turtle *Dermochelys coriacea*

Puerto Rican Boa *Chilabothrus inornatus*



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

Conservation Measures for sea turtles in Puerto Rico and the U.S. Virgin Islands

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

In Puerto Rico and the U.S. Virgin Islands (USVI), the three most common species of sea turtles nesting are: leatherback sea turtle “tinglar” (*Dermochelys coriacea*), hawksbill sea turtle “carey” (*Eretmochelys imbricata*), and green sea turtle “peje blanco” (*Chelonia mydas*). A few nests of the olive ridley “golfina” (*Lepidochelys olivacea*) have been documented in Puerto Rico and several nests of the loggerhead sea turtle “cabezona” (*Caretta caretta*) have been documented in St. Croix, USVI. All sand beaches, including mixed sand and gravel (shell, coral rubble) beaches and some mangrove areas, throughout Puerto Rico and the USVI have the potential for sea turtle nesting.

Coastal development without comprehensive sea turtle conservation measures may result in habitat degradation and destruction, resulting in adverse impacts to sea turtles and their nesting habitat. Some of the activities that may affect these species and their habitat are: destruction of native coastal vegetation, installation of permanent barriers or structures at their habitat, installation of artificial lights that can be seen from the beach, vehicular traffic or parking within the beach areas, increased predation or damage by pest species (rats, mongooses, dogs, horses, and ants), and root intrusion into nesting habitat from landscapes or exotic vegetation. Artificial lighting may keep females from coming onto the beach to nest and may cause disorientation or miss orientation of both adult female nesting turtles and emerging hatchlings, often resulting in their death. All projects should avoid affecting sea turtle nests and their nesting habitat.

The U.S Fish and Wildlife Service (Service) has developed the following sea turtle conservation measures with the purpose of assisting others to avoid and minimize adverse impacts of existing

Last Revised: July 2022

coastal development on sea turtles. These recommendations may be incorporated into new projects and under certain circumstances into existing projects. Depending on the project, additional recommendations can be made besides the ones presented in this document.

1. Avoid the removal of vegetation, fence installation, construction activities, and light installation within 50 meters inland from the high tide. Designate a buffer zone of additional 20 meters, for a total of 70 meters setback and buffer, to minimize indirect impacts from the project and plant salt tolerant native shrubs or trees within the zone (see #14). The setback recommendations do not apply if an existing road is located between the beach and project site. In that case, the road serves as the boundary of the beach.
2. Any temporary or permanent lighting associated to the project should utilize sea turtle friendly lights and fixtures to minimize possible adverse effects of direct, indirect and cumulative lighting on sea turtles, for example, adult or hatchling disorientation. Projects should develop and implement a comprehensive sea turtle lighting plan:
 - a. The concept of sea turtle friendly lighting is to use specific types of light sources that emit a wavelength of 560 nanometers or longer. This wavelength is virtually invisible to sea turtles if viewed indirectly. If the lights can be directly view from the beach, then the light source is paired with a lighting fixture that directly controls the direction and beam spread of the lighting within 70 degrees full cut off. This means that light is effectively and accurately directed at the areas of concern without wasteful light.
 - b. The comprehensive lighting plan should be designed to avoid detrimental impacts of artificial lighting on sea turtles. This plan should be sent to the Service for revision and approval prior to implementation. The plan should form part of the project construction plans outlining the luminaries to be used. The goal of the plan is that lights should not be seen directly, indirectly or cumulatively from the beach. Light management strategies such as shielding, lowering of the lights, locating the lights away from sight view of the beach, using an alternate light source such as Low Pressure Sodium Vapor lights, red or amber LEDs and planting of vegetation barriers are some of the available alternatives to reach the plan goal.
 - c. LEDs should be of the proper wavelength (true red or amber colored diode), shielded or recessed. Do not use white or blue lights with filter material, sleeves or other covering.
 - d. For more information on sea turtles and lighting you may also refer to the following Florida Fish and Wildlife Commission website: <https://myfwc.com/wildlifehabitats/wildlife/sea-turtle/lighting/>
 - e. In already constructed projects, all lights visible from the beach should be eliminated, modified or relocated so that are not visible from the beach.

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3. For Puerto Rico, the project should also comply with Puerto Rico Law 218-2008, Control and Prevention of the Lighting Pollution of Puerto Rico and the PR EQB 2016 Regulation to Control and Prevent Light Contamination. These laws and regulations clearly establish public policy that acceptable illumination fixtures are those that shield the light source to minimize glare impact on habitats. This applies to existing and new construction and for private lighting systems, and is intended develop new strategies to eliminate excessive lighting in all areas, particularly in beach zones. For sea turtle beach areas this Regulations requires that lights have a 70 degree cut off in addition to being sea turtle friendly light.

For the U.S. Virgin Islands, the project must comply with VI Code Title 12, Chapter 2, Section 105, where it outlines the Prohibited Activities in regards to Endangered or Threatened wildlife. These laws state, "No person may harass, injure or kill, or attempt to do the same, of an endangered or threatened species". The use of non-friendly sea turtle lighting would be considered harassment towards these endangered and threatened species.

4. No vehicles, equipment, staging or debris shall be used, parked or stored on the primary dune or in vegetated areas. Staging/parking/storage areas should be located on paved surfaces as much as possible and outside vegetated areas or the primary dune.
5. Enhancing the coastal vegetation by planting native coastal species (e.g., sea grapes, buttonwood, icaco, etc.) is recommended within the maritime zone.
6. During nesting season (March 1 to November 30), a qualified sea turtle monitor shall survey each beach work area during the early morning hours for possible sea turtle nests. Any nests found within the area must be marked or flagged in place. Outside of peak nesting season, beaches where work will occur shall be surveyed during the early morning hours at least twice a week. If required, debris removal and construction activities on beaches shall initiate only after the sea turtle monitor has completed surveys that morning and nests are clearly marked.

Sea turtle trained personnel shall conduct surveys following PRDNER/USVI-DPNR protocols (see attached list of PR and USVI sea turtle groups). Nests located adjacent to the work area shall be clearly identified and a 10-foot square roped off buffer, and an unobstructed path seaward from the nest to the water shall be established. Sea turtle monitoring groups shall have site-specific information for nests in their areas and inform work crews of areas to avoid.

7. If a sea turtle crawl is encountered the working crew should not disturb the integrity of the crawl and a sea turtle monitor should be contacted and the Agencies should be notified. Care must be taken to avoid walking or driving equipment over or near a crawl, so potential nests are not damaged.
8. If silt fencing is going to be used during the highest nesting season (April through November), the agencies should be contacted for technical assistance.

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9. If the beach topography is altered by construction activities during the nesting season, the sand should be re-accommodated at the end of each day, so that sea turtles are not impeded to come ashore. For example, raking of tire ruts, filling pits or holes, and smoothing out the sand. Any potential obstructions (e.g. construction debris, equipment) should also be removed from the beach by the end day.
10. If during project activities, a sea turtle nest is accidentally damaged, all activities should immediately stop and the PRDNER, the VIDPNR (if in USVI), and the USFWS should be contacted immediately. In addition, authorized sea turtle groups may also be contacted for assistance (see Appendix).
11. If a sea turtle (either adult or hatchling) is observed, maintain at least 50 feet between the turtle and project personnel and contact the PRDNER or VIDPNR and seek the assistance of an authorized sea turtle groups (see Appendix). Allow the sea turtles to crawl unobstructed to the water.
12. If a dead, injured, or sick sea turtle is found or if eggs or nests have been disturbed by other actions, stop all work and contact PRDNER, VIDPNR, USFWS, or the Caribbean Stranding Network.
13. For tourist, residential or hotel projects, remove beach chairs, umbrellas, surfboards, and any other recreational items from the beach on a daily basis and store these items in a designated area away from the nesting habitat.
14. All trash resulting from construction or operation activities should be removed from the beach area and be disposed properly at the end of the day.
15. All sea turtle monitoring activities and measures taken to implement the conservation measures should be clearly documented and included in the final project report.
16. If the project will result in take of sea turtles (kill, harm, harassment, wound, trap, capture or collect) a formal Section 7 consultation must be initiated.

Projects must comply with all State laws and regulations. Please contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER, see Appendix) or the USVI Department of Planning and Natural Resources (VIDPNR), Fish and Wildlife Division (340-775-6762 St. Thomas, 340-773-1082 St. Croix). For projects that are within any USFWS Caribbean Islands National Wildlife Refuges, please contact 786-649-8830.

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

- Office phone: 786-244-0081
- Marelisa Rivera, Deputy Field Supervisor
 - Email: maRELISA_rivera@fws.gov or mobile 305-304-1814
- José Cruz-Burgos, Endangered Species Coordinator
 - Email: jose_cruz-burgos@fws.gov or mobile 305-304-1386

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APPENDIX

Volunteer sea turtle groups in Puerto Rico are authorized by the PRDNER to conduct certain sea turtle monitoring and management activities. If groups are available to help, coordination with these groups should be well documented as part of the planning and implementation of projects. Be aware that coordination with these groups may not represent an official PRDNER consultation process. Thus, proposed project still need to go through the PRDNER permit and project evaluation process.



In addition to the above listed numbers, you may also contact the DNER Rangers or the Caribbean Stranding Network in case of strandings and rescues.

- DNER Rangers (law enforcement, strandings, rescues):
 787-724-5700
 787-230-5550
 787-771-1124
- Caribbean Stranding Network (strandings and rescues):
 787-400-AQUA (2782)

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For the U.S. Virgin Islands contact:

- VIDPNR Division of Fish and Wildlife
STX: 340-773-1082
STT/STJ: 340-775-6762
- Sea Turtle Assistance and Rescue (STAR)
Claudia Lombard
STX/STT/STJ: 340-690-0474
- Coral World Ocean Park
Erica Palmer
STT: 340-775-1555
- St. Croix Animal Welfare Center
Michele Mehalick
STX: 340-778-1650
- Virgin Islands National Park
Thomas Kelley
STJ: 340-690-2440

Last Revised: July 2022

General Project Design Guidelines - Olive Ridley Sea Turtle and 6 more species

Published by Caribbean Ecological Services Field Office for the following species included in your project

Olive Ridley Sea Turtle *Lepidochelys olivacea*

West Indian Manatee *Trichechus manatus*

Loggerhead Sea Turtle *Caretta caretta*

Green Sea Turtle *Chelonia mydas*

Hawksbill Sea Turtle *Eretmochelys imbricata*

Leatherback Sea Turtle *Dermochelys coriacea*

Puerto Rican Boa *Chilabothrus inornatus*



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

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

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

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



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

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

Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. The PR boa is considered more active at night. Thus, in order to maximize its detection, the species should be searched at nights prior to habitat disturbance.
5. Once the area has been searched for PR boas, vegetation should first be cleared by hand to the maximum extent possible. Vegetation should be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow boas present on site to move away on their own to adjacent available habitat. Any stone walls or naturally occurring rock piles must be carefully dismantled by hand as these are refuges for the snake. This will allow any boas present to vacate the site without injury.
6. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

7. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #6). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at this area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.
8. If a PR boa is captured by the PRDNER, record the name of the PRDNER staff and information on where the PR boa will be taken. This information should be reported to the Service.
9. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #7). If not possible, the animal should be left alone until it leaves the vehicle on its own.
10. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
11. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #6). If the PR boa was accidentally? killed as part of the project actions, please include information on what conservation measures had been implemented and what actions that will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
12. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

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

- Marelisa Rivera, Deputy Field Supervisor
 - Email: marelisa_rivera@fws.gov
 - Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator
 - Email: jose_cruz-burgos@fws.gov
 - Office phone (786) 244-0081 or mobile (305) 304-1386

Appendix E



GOVERNMENT OF PUERTO RICO
STATE HISTORIC PRESERVATION OFFICE

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

November 14, 2023

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

SHPO 10-31-23-02 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:
PR-CRP-000701: SUEÑO DEL PESCADOR PROJECT, AGUADA, PUERTO RICO

Dear Ms. Bair,

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

The *Cruz de Colón* statue at Plaza Colón, a property eligible for listing on the National Register of Historic Places, is located within the project's area of potential effects. Nevertheless, we agree with your finding that implementation of the undertaking will have **no adverse effect** on this historic property.


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

Sincerely,

Carlos A. Rubio-Cancela
State Historic Preservation Officer

CARC/GMO/MB



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM CITY REVITALIZATION PROGRAM (CITY-REV) Section 106 NHPA Effect Determination		
Subrecipient: Municipio de Aguada, Sueño del Pescador		
Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602		City: Aguada

Project Location: Aguada Municipality	
Project Coordinates: Site 1: (18.391635, -67.196432), Site 2: (18.391902, -67.195022), Site 3: (18.390922, -67.195736)	
TPID (Número de Catastro): Site 1: N/A, Site 2: 068-049-003-01, Site 3: N/A	
Type of Undertaking: <input checked="" type="checkbox"/> Substantial Repair <input type="checkbox"/> New Construction	
Construction Date (AH est.): c1980	Property Size (acres): 0.456


SOI-Qualified Architect/Architectural Historian: Ing. Samuel Pérez María L. Schmid
Date Reviewed: April 10, 2023 / October 2, 2023.
SOI-Qualified Archaeologist: Virginia Rivera Calderón P.H.D. Roberto G. Muñoz-Pando, PhD.
Date Reviewed: April 10, 2023/ October 16, 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, PR-CRP-000701)

Location: The municipality of Aguada is located in the northwest of the island. It is bordered on the north by the Atlantic Ocean and the Municipality of Aguadilla, on the south by the municipalities of Rincón and Añasco, on the east by the municipalities of Aguadilla and Moca and on the west by the municipality of Rincón. 58% of the surface of Aguada is high terrain, called hills. This hilly area is located in the following neighborhoods: Atalaya, Laguna, Cerro Gordo, Naranjo, Marías, Piedras Blancas, Jagüey and Cruces. 42% of the surface of Aguada is flat land. This strip of land belongs to the coastal side of the North. The plain area is located in the following neighborhoods: Espinar, Guanábanas, Carrizal, Asomante, Guayabo, Río Grande, Guaniquilla, part of Mamey, Malpaso, Piedras Blancas, Jagüey and Cruces. The hilly area is mainly used for the cultivation of farinaceous and coffee. The rest of the land is used for pastures and minor fruits. The plain area was mostly used for sugar cane plantations.

The proposed project is located on the northwestern coast of the Municipality of Aguada. The Municipality proposes the construction of the project called *Sueño del Pescador* which consists of the construction of gazebos, sanitary facilities, benches, green areas, lighting, and sidewalks along the municipal road of *Camino Playa* and *Carretera Carrizales* in the Guaniquilla neighborhood of Aguada. The project combines four strategic points in proximity


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM CITY REVITALIZATION PROGRAM (CITY-REV) Section 106 NHPA Effect Determination	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
Subrecipient: Municipio de Aguada, Sueño del Pescador	
Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602	City: Aguada

of each other to create a complete public recreational area that take advantage of the beach and local commercial activities. Identified below are descriptions of the four sites with site numbers and project names.

Site 1 – *Ventana del Atardecer* (18.391631, -67.196452) is located along the *Camino Playa* and north of the *Plaza Cruz de Colón*. Demolition activities will be performed throughout the site before the new constructions are done. These demolitions will go to a maximum depth of 3 feet 3 inches below the ground surface. It is currently a concrete platform on the beach of rectangular shape with an angular shape punctuated to the northwest by a square gazebo. The proposed work for this site consists of leveling of concrete floor tiles of approximately 10,500 sq. ft. with concrete containing white and gray aggregate material, to match with the *Plaza Cruz de Colón* pavement. Additionally, the project will include the construction of a defined sidewalk along the *Camino Playa Road*. The construction of a speed reducer will also serve as a connector to the existing *Plaza Cruz de Colón* on the west side to make the existing public bathrooms more accessible. The installation of prefabricated concrete benches on the pier for Site 1 will be compatible with existing ones in *Plaza Cruz de Colón*. The existing gazebo of approximately 176.00 sq. ft will be demolished, and the construction of three enclosed reinforced concrete gazebos of approximately 196 sq. ft. each will be built with doors and windows. Also, the construction of a gazebo of approximately 231 sq. ft. will be built to allow for a designated fishing area, and a separate area to flake fish and sell products. Each gazebo will have potable water facilities and an electrical system interconnected to the primary facilities that are part of the infrastructure work. The proposed project will also have energy efficient lighting poles and trash cans. Wireless coverage will be installed for internet access via "hot spot" for the enjoyment of visitors.

According to the proposed project plans, the existing concrete pavement will remain for the most part except for the areas where the gazabos, a new grass area, and the existing concrete low walls will be demolished up to the start of the bridge. The expected ground disturbance in these areas will be a maximum of 3.5 feet for the new foundations for these gazebos.

Site 2 – *La Placita del Pescador* (18.391879, -67.195027) is located on the east corner of *Camino Playa*. The proposed work for this site consists of leveling of the entire terrain comprising of approximately 4,500 sq. ft. A concrete floor with white and gray aggregate will be added and will include green areas for vegetation. Lighting poles and prefabricated concrete benches will be included in harmony with the existing ones in the *Plaza Cruz de Colón*. One existing electric pole will be relocated. The demolition of two existing gazebos

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and a restroom of approximately 200.00 sq. ft each will take place as part of the project. Remodeling of the “Virgen del Carmen” monument area will be included in the project along with the construction of restrooms facilities, the construction of Gazebo of approximately 435.27 sq. ft. with concrete domino tables inside, installation of trash cans, benches, plumbing, energy efficient lighting poles, and green areas for vegetation. ADA law-compliant sidewalks will be built around the plaza to provide pedestrian safety.


In summary, according to the proposed project plans, the existing bathroom building, two gazebos concrete benches, tables, and pavements will be demolished in this area. The expected ground disturbance in these areas will be a maximum of 3.5 feet below ground surface for the new foundations of the gazebo building, pavement, and other features.

Site 3 – *La Fuente del Pescador* (18.390912, -67.195758) is located on the south corner of *Carretera Carrizales* and Road 441. The proposed work for this site includes reconstruction of the existing fountain, electrical connections, plumbing, and a pumping system. The area will be planted with vegetation, installation of new lighting system, new pavement, new concrete benches sidewalks, ramp, concrete bollards, and a boat sculpture with a fisherman on a boat will be designed inside the fountain. Painting of the structure adjacent to *La Fuente del Pescador* and signage installation will also take place.

According to the proposed project plans, the existing mechanical building will remain, but the existing fountain, concrete benches, trash bins, ramp, low walls, and pavements will be demolished in this area. The expected ground disturbance in these areas will be approximately 3.5 feet below ground surface.

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 are the areas where the projects will impact the sites. **Site 1**- Has an area of 12,184.46 square feet and the perimeter is 0.11 miles. To the north has the ocean, to the east and west portions of the beach, to the south the Camino Playa Street. **Site 2** – Has an area of 5,934.43 square feet and the perimeter is 0.07 miles. To the north, east and south, has Carretera Carrizales and to the west a private property. **Site 3** – Has an area of 3,314.61 square feet and the perimeter is 0.05 miles. To the east, west and south has also Carretera Carrizales and to the north a private property.

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Subrecipient: Municipio de Aguada, Sueño del Pescador	
Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602	City: Aguada


The visual APE is the viewshed of the proposed project that includes the surrounding streets and adjacent buildings. The visual APE for **Site 1** - is 154.00 feet wide by 335.19 feet long and includes the beach to the north, Camino Playa Road to the south and the existing Parque Colón to the south of the road and existing buildings to the west and southeast. **Site 2** – is 160.96 feet wide by 210.10 feet long and includes the beach to the north, the buildings on the south of Camino Playa Road and an existing building to the west. **Site 3** –is 193.76 feet wide by 192.71 feet long and includes road PR-441 to the east and south, Carrizales road to the west, and an existing building to the north.



Google map of the project area identifying the three sites of the project and its visual APE (blue).

Historic Context


According to historians, on the evening of November 18, 1493, Admiral Don Christopher Columbus, turned the tip of vessel in the towards Punta Aguada, and entered with his 17 ships to the wide and deep bay, which was later called Bay of the Aguada de Colón and San Francisco. This was Columbus' second voyage to the Indies in 1493. It dawns on November 19 of that year and Columbus, in tune with the royal orders, prepares to go ashore and proceed to take possession of the Island, according to custom, in the name of the Catholic

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Monarchs Fernando and Isabel. When he got off the ship, he had a tree cut from the trees on the shore on land and a good and high cross was built, and nailed to the quick, white sand of the beach. All knelt around her and anointed with a great religious faith, sang a Te Deum, thanking God for that enterprise. They baptized the Island with the name of San Juan Bautista and took it in the name of the Kings. Admiral Christopher Columbus sent a group of men to explore the surroundings and after a few hours of exploration, they found a group of spring wells very close to the beaches and between the hills near the sea. They took samples of that spring water to the Admiral and his men. Columbus found these waters so sweet and drinkable that he ordered his sailors to take a large number of barrels, to have abundant for his fifteen hundred men, for cooking and for his animals. When Columbus left with his Navy for the Spanish, that natural anchorage was baptized with the name of the Puerto de los Pozos de la Aguada de Colón. This port was in continuous activity until 1880, when its captaincy was transferred to the nascent Port of Aguadilla, which was opened to navigation in 1804.

There is documentary evidence that the Kings of Spain were very interested in the island of Puerto Rico having religious services and education for the indigenous people who inhabited it. In keeping with these wishes of the Crown, a group of Franciscans was sent to Santo Domingo in 1525. Of that number, Bishop Manso sent eight under the command of Presbyter Fray Alonso de Espinar, to Puerto Rico. According to historians Cayetano Coll y Tosté and Don Salvador Brau, they arrived through the Puerto de los Pozos Colombinos and were located in the region that today is called the Barrio de Espinar de Aguada. This historic act was during the year 1525. Once installed there they built their holy house, made of tree trunks and branches, which they baptized with the name of the Hermitage of the Conception, in memory of the Virgin of that name. Triumphant and joyful walked the Franciscan missionaries in their work of Christianizing and teaching the Taino Indians, because they arrived in this region with the Holy Bible in one hand and the alphabet in the other. It was in that Sanctuary house where the first library in Puerto Rico was installed, the list of the first books that constituted it is in the work written by Don Antonio Cuesta Mendoza.

They spent four years in the region of Aguada without any inconvenience, in the year 1529, surprisingly arrived the brave Carib Indians in large numbers, armed with poisoned arrows, their sharp axes and their hard macanas and in a impious way, fell on the settlers who did not have enough weapons to defend themselves, nor strong houses to protect themselves, and were victims of the Caribbean fury. Of the Franciscans they killed five and three managed to escape, fleeing through the weeds; and of the settlers, they liquidated most of them. Both the religious and the settlers who were saved from the massacre, managed to reach Caparra and give the governor, Don Juan Ponce de León the tragic news. The Caribs stole everything they could from what the inhabitants of the Caserío had and then turned it into ashes,


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including the Santa Casa, (Hermitage of the Conception). There, in that region of Espinar de Aguada, the first blood of Christian martyrs was shed in Puerto Rico. As soon as the new town of Aguada was firm and stable, the Franciscan Friars returned and built their new sanctuary of lime and rocks, in memory of his fellow martyrs killed by the Carib Indians. It was active until 1885. The name of the Hermitage of Espinar and the neighborhood of Espinar has its origin from the surname of Fray Alonso de Espinar. The surroundings of the historic Hermitage were the site of one of the oldest fairs known in the history of Puerto Rico. They lasted eight consecutive days in honor of Our Lady of the Conception. It was part of a religious and mercantilist process that transcends the sixteenth century. He congregated in the area of La Aguada to undertake a series of pilgrimages, parties and maritime trips. Parishioners from all over the Antillean account gathered. Later due to the commercialization that had reached the fair, it was suspended by order of the priest and Vicar of the Villa. The Hermitage of Espinar was restored in 1971 by Father Francisco Cardona and today the historic ruins are covered within the structure and constitute the altar of the new Hermitage. It is a parish where religious acts are celebrated and is in turn, our oldest and most appreciated historical, religious, and cultural legacy.



Image of the interior of the Espinar Hermitage, with a segment of the original structure.

On January 14, 1778, King Carlos III approved Royal Decree Number 456, where Aguada was declared a Villa and assigned political and geographical jurisdiction. This document provided, as follows:

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1) It ordered a reorganization of the towns already founded, dividing them under the jurisdiction of San Juan, San Germán, Arecibo, Aguada and Coamo. In this regard, the Cédula provided for the towns of Arecibo, Aguada and Coamo to be promoted to the category of Villa, with the same prerogatives as the old town of San Germán. This authorized these three towns, therefore, to have their municipal councils, ordinary mayors of the Holy Brotherhood as the Capital and San Germán, Justice and Regiment had. Aguada was assigned the towns of Aguadilla, Rincón, Moca and Pepino. Because it is of great historical interest, we will transcribe the section of Certificate Number 456, which refers to the granting of the title of Villa to Aguada: " Being one of the main points of my first intentions the increase of the population of my domains and the right Administration of Justice in them; I have come to grant the appointment of Villas, with Cabildo, Justice and Regiment in the same terms that it is that of San Germán, to the three named towns of Arecibo, Aguada and Coamo, assigning them by parties to the first: Manatí, Utuado and Tuna; to the second: Aguadilla, Rincón, Moca and Pepino; and for the third: Ponce, Guayama and Cayey de Mueas; adhering in everything to the laws that deal with the matter". Given in El Pardo, January 14, 1778.


2) A tax was imposed on the landowners of real and quarter for each acre of the estancias and three quarters of real for each cuerda of the herd if they were granted the ownership of the lands that until then they had only in usufruct. This tribute was to defray the clothing of the militias. This brought great satisfaction to the landowners, because for some time they had been fighting for property titles to be given to the farms they had been enjoying.

3) The introduction and residence in Puerto Rico of foreigners skilled in the manufacture of sugar with the apparatus and procedures used in the neighboring islands was allowed. These should profess the Catholic religion and swear allegiance to the Spanish monarch.

4) The planting of sugar cane, malagueta, pepper, cotton, indigo, annatto, ginger, cocoa, and tobacco was authorized and encouraged in order to further promote agriculture. MANUSCRIPT OF THE FRAGMENT OF THE ROYAL CHARTER NUM 456.

Identification of Historic Properties – Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is within a quarter mile (1/4) radius of nine (9) archaeological evaluations and there are no documented archaeological sites and /or NRHP listed eligible historic properties within the project area. Below, we present three tables, informative related to the archaeological studies consulted in the ICPR, SHPO and the archaeological resources


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documented in the archives of ICPR and SHPO. Each of the tables presents details such as name of the study, their respective coordinates number of ICPR and / or SHPO, author of the study, year carried out, phase and, results of the study carried out, description of the finding, designation of the archaeological resource and if the resource is registered in the National Register of Historic Sites.

The town of Aguada was arguably the landing spot of Admiral Christopher Columbus on November 18, 1493. As such the beach was commemorated with a statue and a plaza located in between the river and the main road Carretera Carrizales. The Cross of Columbus was built in 1893 by the Board of the Fourth Centennial on the occasion of the celebration of the 400th anniversary of the Discovery of Puerto Rico by our coasts. It symbolizes the first cross of Christianity that entered through Aguada. It was originally located on the left bank of the Culebrinas River, in the Espinar neighborhood. Don Salvador Brau and Don Cayetano Coll y Toste were the main proponents in defending the historical truth of the landing of Colon through the bay of La Aguada. This monument cross was destroyed by the earthquakes of 1918. The "Patriotic League of Aguada" under the direction of Don Eugenio González was in charge of rebuilding the monument in 1928. In its new location they marked the place where the Puerto de los Pozos was located in the Guaniquilla ward. This eligible monument is within the visual APE from Site 1 of this project.



Figures 1 & 2. Images of the "Cruz de Colón.

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The cross was designed by master ceramist Don Francisco Sánchez and built by master craftsman Don Diego Sánchez, both sons of Aguada. The Patriotic League of Aguada donated the Monument Cross and other properties to the Municipality of Aguada by deed before the notary Luis Antonio Rosario in 1933. In the 1960s and on the initiative of the History and Culture Committee of the Aguadeño Club of the Metropolitan Area, founded in 1956, it is managed and manages to obtain funds to improve and beautify the Cross-Monument and turn it into a Historic Sanctuary with its square. Between 1989-91 the Club Aguadeño and the Committee of History and Culture achieved the construction and placement of the busts of Don Eugenio González and Doctor Cayetano Coll y Toste and Doctor Salvador Brau, historians who have most stood out in the defense of the historical rights of Aguada. The Cruz de Colón is currently within the indirect/ visual APE of the project.

As a result of our investigations, we see no previous underground utilities constructions that would have found previous precolonial archaeological sites in the vicinity of the APE. Furthermore, since the constructions of sidewalks, roads, and other buildings in the area are from an era where cultural heritage was not taken into account as thoroughly as it is in the present, many of the precolonial sites previously present in the area have probably been negatively impacted or destroyed by those constructions.

During our consultation in the SHPO archives, we were able to identify a total of three (3) archaeological reports within our area of study. All three archaeological evaluations reported negative findings. The nearest of these evaluations was; Sanitary Sewer System, For Palmar Novoa Phase 1A-1B (05-19-87-02) by Herminio Rodríguez (1987). This project area is located west of the main project area.

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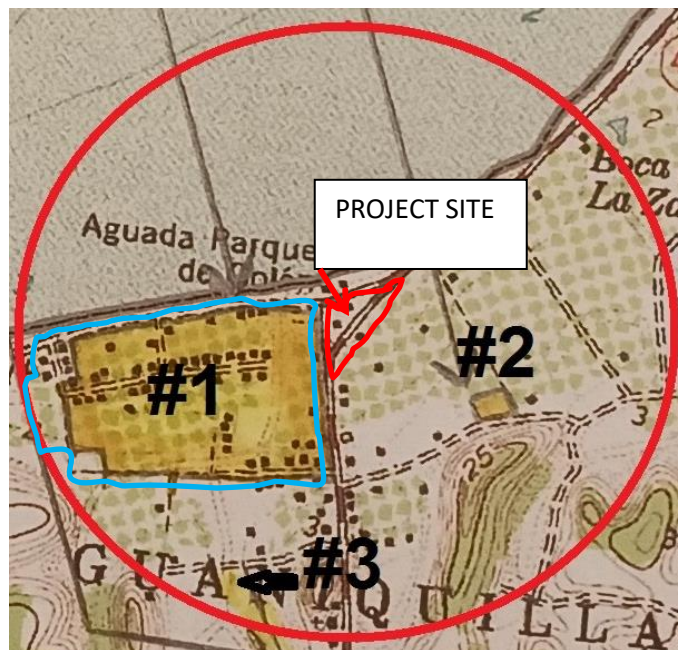


Figure -3- Segment of USGS map, showing outlined in blue lines the location of the nearest archaeological evaluation consulted in SHPO archives.

The consultation in the ICPR archives resulted in the identification of six (6) archaeological reports within $\frac{1}{4}$ mile of the projects area of study four (4) of the reports resulted negative and two (2) reported positive results. The Phase 1A study prepared by archaeologist Carlos Ayes (2002) (AA-03-05-05) presents the following conclusion "It has been established that there is superficial archaeological material in the western part of the farm, which seems to correspond to the remains of a nineteenth-century housing structure. Recommends that the proposing party be requested to undertake an extension of this study to a phase 1B study". The second archaeological evaluation, which is Phase 1B, with the same identification number concludes the following "The existing archaeological site in the place is impacted and does not present integrity. Recommends endorsement".

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Figure -4- Google map, showing outlined in red lines the positive sites (1-2), in the ICPR archives.

Table -1- ARCHAEOLOGICAL EVALATIONS IN PERIMETER OF 1/4 OF A MILE IN INFORMATION IN SHPO AND ICPR ARCHIVES IN RELATION TO THE PROJECT SUEÑO DEL PESCADOR

#	SHPO ID # or ICPR ID # STUDY TITLE	AUTHOR /YEAR	PHASE	COORDINATES/ DISTANCE FROM EI SUEÑO DEL PESCADOR PROJECT	RESULTS	COMENTS
1	SHPO # 05-19-87-02 Sanitary Sewer System, For Palmar Novoa	Herminio Rodríguez/ 1987	PHASE 1 A-1B	18.391099, -67.195911 Distance: 0.019 Miles Southwest	Negative	No additional studies are recommended for this project.
2	SHPO # 09-15-06-03 Aguada Elderly Apartment	Juan González Colón/ 2006	PHASE 1A	18.390372, -67.193255 Distance:0.162 Miles East	Negative	No further studies are recommended.




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3	SHPO # 12-22-97-01 Canalización Quebrada Guaniquilla	José Muñoz Vázquez/ 1997	PHASE 1A- 1B	18.385359, -67.196504 Distance: 0.236 Miles Southwest	Negative	Endorsement of the project as planned is recommended.
4	ICPR # AA-03-05-05 Vista Bahía	Carlos M. Ayes Suárez/ 2003	Phase 1A	18.392636, -67.193300 Distance:0.081 Miles East	Positive	It has been established that there is superficial archaeological material in the western part of the farm, which seems to correspond to the remains of a nineteenth-century housing structure. Recommend that the proposing party be requested to undertake an extension of this study to a phase 1B study.
5	ICPR # AA-03-05-04 Vista Bahía	Carlos M. Ayes Suárez/ 2003	Phase 1B	18.392636, -67.193300 Distance: 0.081 Miles East	Positive	The existing archaeological site in the place is impacted and does not present integrity. Recommends endorsement.
6	ICPR # AA-06-06-09 Aguada Elderly Apartments	Juan González Colón/ 2006	Phase 1 A	18.390372, -67.193255 Distance: 0.162 Miles East	Negative	No further studies are recommended.
7	ICPR # AA-98-03-06 Urb. Residencial Valle Verde	José Muñoz Vázquez/ 1998	Phase 1 A- 1B	18.398957, -67.199602 Distance: 0.234 Miles South	Negative	Approximate location. The study did not reveal the presence of any archaeological resources that could be adversely impacted.
8	ICPR # AA-00-04-03 Urb. Residencial Valle Verde	Harry Alemán Crespo/ 2000	Phase 1 A- 1B	18.398957, -67.199602 Distance:0.234 Miles South	Negative	Addendum, endorsement of the project as planned is recommended

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9	ICPR # AA-87-01-03 Sanitary Sewer System For Palmar Nova Community At The Guaniquilla Ward Of Aguada	Herminio Rodríguez Morales/ 1987	Phase 1 A	18.391099, -67.195911 Distance: 0.019 Miles South	Negative	No additional studies are recommended for this project.
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During our consultation in the National Register of Historical Places and other existing archaeological inventories we did not identify any archaeological or historical property documented within the APE for the proposed project.

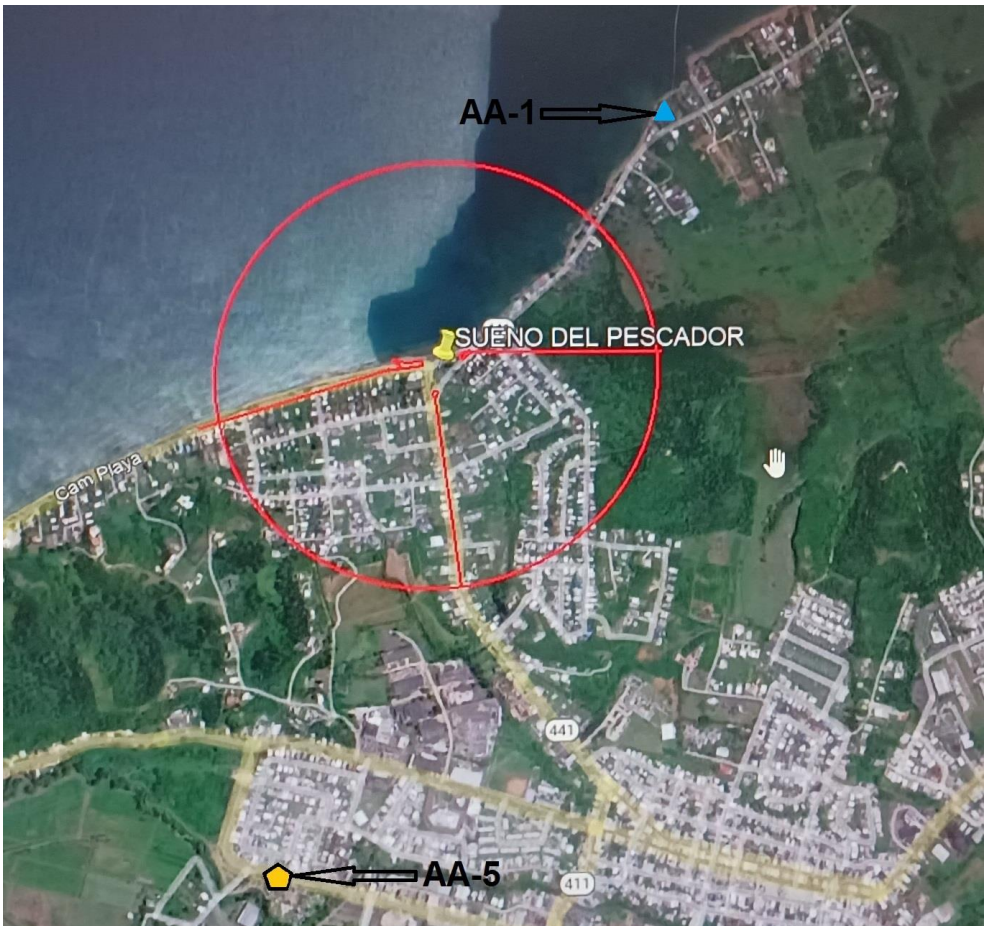



Figure -5- Google aerial map showing the perimeter of ¼ of a mile, without any cultural documented resource of any kind in the archives consulted.

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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. The Traditional Urban Center of Aguada lies outside of the quarter-mile radius buffer zone. Additionally, there are no National Register-listed properties within a quarter-mile radius of the project area. There are two eligible properties in the Guaniquilla neighborhood of Aguada and these are: the Historic Sanctuary of Colón and the Church of *San Francisco de Asís de la Aguada*.

The eligible Historic Sanctuary of Colón is a commemorative cross on a classical column atop a pedestal from 1928 that is located in Barrio Guaniquilla on the eastern bank of the Culebrinas River. The monument lies on the Plaza Colón across the road from the APE of **Site 1** of this project and is on the visual APE. This monument pays tribute to the belief that Christopher Columbus landed in Aguada on the 19th of November 1493. The monument was built by the Patriotic League of Aguada in the year 1925 and it commemorates the site of the discovery of Puerto Rico on the beaches of Aguada and the site of the Port of the Wells of Aguada. The Cross was designed by Don Francisco Sánchez and built by Don Diego Sánchez, both natives of Aguada. A Bronze plaque attached to the base of the Cross of Columbus reads: "To commemorate the landing on these beaches of the famous Admiral Don Christopher Columbus on November 19, 1493. This monument was erected by the Board of the Fourth Centennial of the Discovery of Puerto Rico on November 19, 1893. The monument was rebuilt by the Puerto Rico Reconstruction Administration in 1937."

The town of Aguada is one of the oldest in Puerto Rico and it was a key location for the Spanish ships since it was a good place to refill with fresh water supply and provisions on their voyages to Europe or on their way to other places in the Americas. The name of the town Aguada come from this term to “take the water” in Spanish.

In 1508 Aguada achieved status as a villa with the name “Villa de San Francisco de la Aguada” when Juan Ponce de León was Governor of the island. Ponce de León established Aguada as the second mayor town on the island. In 1511 the construction of a monastery was ordered by the King of Spain in the ward of Aguada named Espinal. The monastery was completed in 1516, when eight Franciscan fathers arrived on the island to bringing Christianity to the population.

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The Guaniquilla neighborhood lies north of the original town of Aguada along both sides of Road 441 and along the south side of *Camino Playa* that borders the north coast. The ward limits to the north with the Atlantic Ocean, and it is crossed by the *Culebrinas* River. The image below shows a representation of the town of Aguada by Francisco Fernandez Valdelomar. This map shows buildings on the east bank of the *Culebrinas* River that is now the location of Guaniquilla ward.



Figure 6. Map of 1737 in Puerto Rico Urbano Vol.1 showing the first map of Aguada.

The area is indicated by the name *Los Ranchos* which denoted wood frame buildings typically roofed with wood or straw. A fort that was never built is depicted on the western bank of the river. The town of Aguada is shown to the southwest represented by a church building surrounded by smaller buildings or houses. Being an important port since the 1500s, the Guaniquilla ward serviced the Spanish ships on their arrivals.

The town developed slowly and by 1909 William H. Amstrong reports that Aguada has a population of about 800 people. The main product of the town is sugar cane followed by the production of cigars. Buildings in town around the plaza were mainly of wood frame construction and only the church was a masonry building at the time.

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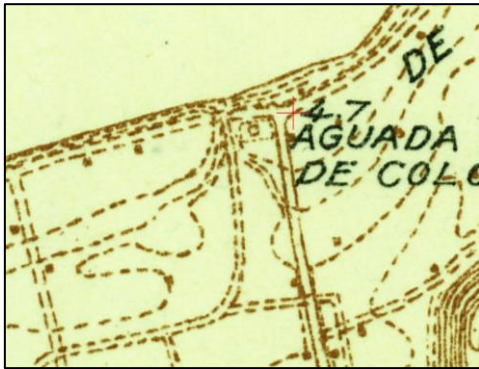


Figure 7 & 8. Detail of the 1937 and the 1942 USGS Topographic Map showing the Guaniquilla neighborhood.

Guaniquilla neighborhood was sparsely populated with a few buildings along the beach and the Carretera Carrizales was a defined road by the 1930s as seen on the 1937 topographic map. A few buildings were added to the area by 1942 with the road established as a prominent feature. In the 1960 map more streets and blocks were developed with the triangle that is formed by Camino Playa, Carrizales Road, and PR-443 Road established. Plaza Colón can be recognized by a rectangle just to the west of Carretera Carrizales on all the topographic maps.

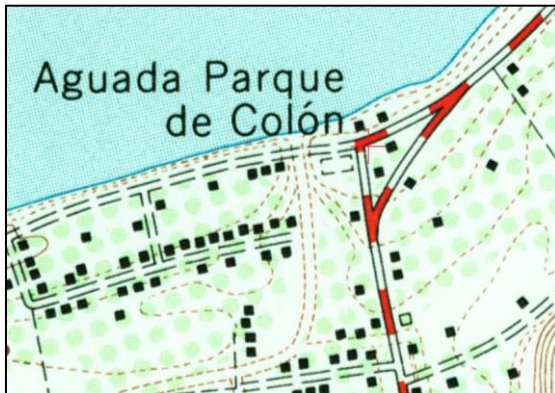



Figure 9 & 10. Detail of the 1960 USGS Topographic Map and 1993 aerial image showing Guaniquilla neighborhood.

Today Guaniquilla ward is a developed community of predominantly single-family houses, including schools, churches, recreational parks, piers, and a few commercial buildings. Many restaurants and guesthouses in the area serve the local coastal tourism attracted by Guaniquilla beach.

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The raised platform of **Site 1** first appears on a 1993 aerial image (shown below), but not a 1983 aerial image when only the beach shore was present. Therefore, the construction date for this feature is estimated at 1990. This concrete platform overlooking the sea has remained the same over the years with the addition of a gazebo at the northwest point and planters with palm trees along the length of it added circa 2004. Note that the Plaza Colón across the street has had a circular design since the 1990s.

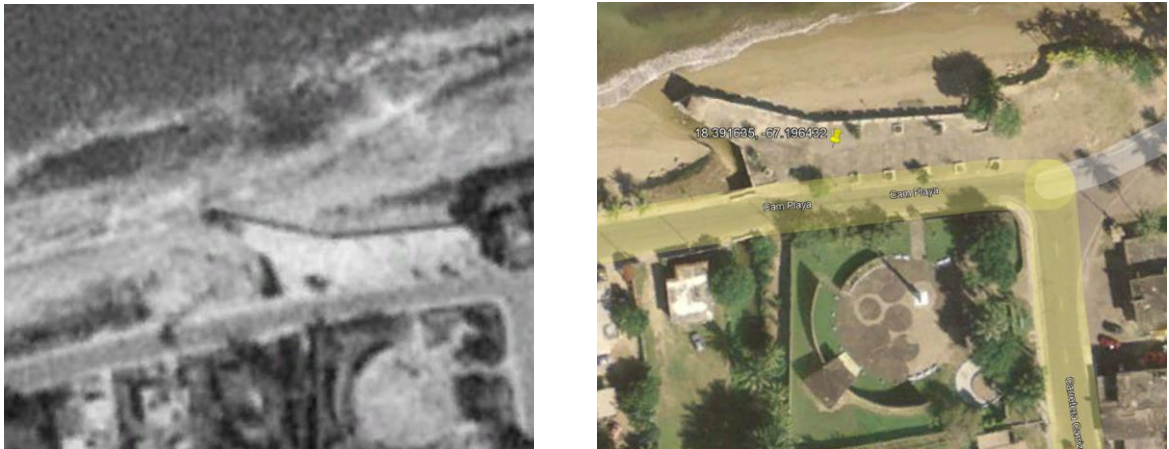



Figure 11 & 12. Detail of the 1993 and 2006 aerial image showing Site 1.

The buildings at **Site 2** appear on a 1983 aerial image (shown below), but not a 1977 aerial image, therefore, the construction date for this site is estimated around 1980; previously this was an empty lot. In addition to the buildings, concrete benches were placed around the gazebo buildings and a statue is centered on this plaza.



Figure 13 & 14. Detail of the 1983 and 2006 aerial image showing Site 2.

The fountain at **Site 3** appears on a 2004 aerial image (shown below) under construction, therefore the estimated year built for this site is 2004; before this only vegetation is

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appreciated on the images. The concrete floor and benches of the Plaza del Pescador appear complete by 2006 on the aerial image below.




Figures 15 & 16. Detail of the 2004 and 2006 aerial image showing Site 3.

Determination

The following historic properties have been identified within the APE:

- Direct Effect: No National Register-listed or eligible historic properties are reported within the direct APE.
- Indirect Effect: One National Register-eligible historic property is reported within the indirect APE. This property is the Cruz de Colón statue at Plaza Colón across the street from Site 1.

Based on the results of our historic property identification efforts, the Program has determined that project actions **will not have an adverse** effect on any historic properties. There are **no** NRHP-listed historic properties at or adjacent to the APE. No historic properties have been previously identified within the APE. There will be **no direct effect** on historic properties from the remodeling of this project. There is a possible **indirect effect** to the Cruz de Colón statue at plaza Colón as this is located within the indirect APE of Site 1 of the project.

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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): Archaeological monitoring of all ground disturbing activities is recommended.

- 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:

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Project (Parcel) Location – Area of Potential Effect Map (Aerial)





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Source:

Legend

-  Area of Potential Effect
-  Parcels



Author: GK

Date: 10/16/2023

Subrecipient: Municipio de Aguada, Sueño del Pescador

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Project (Parcel) Location - Aerial Map

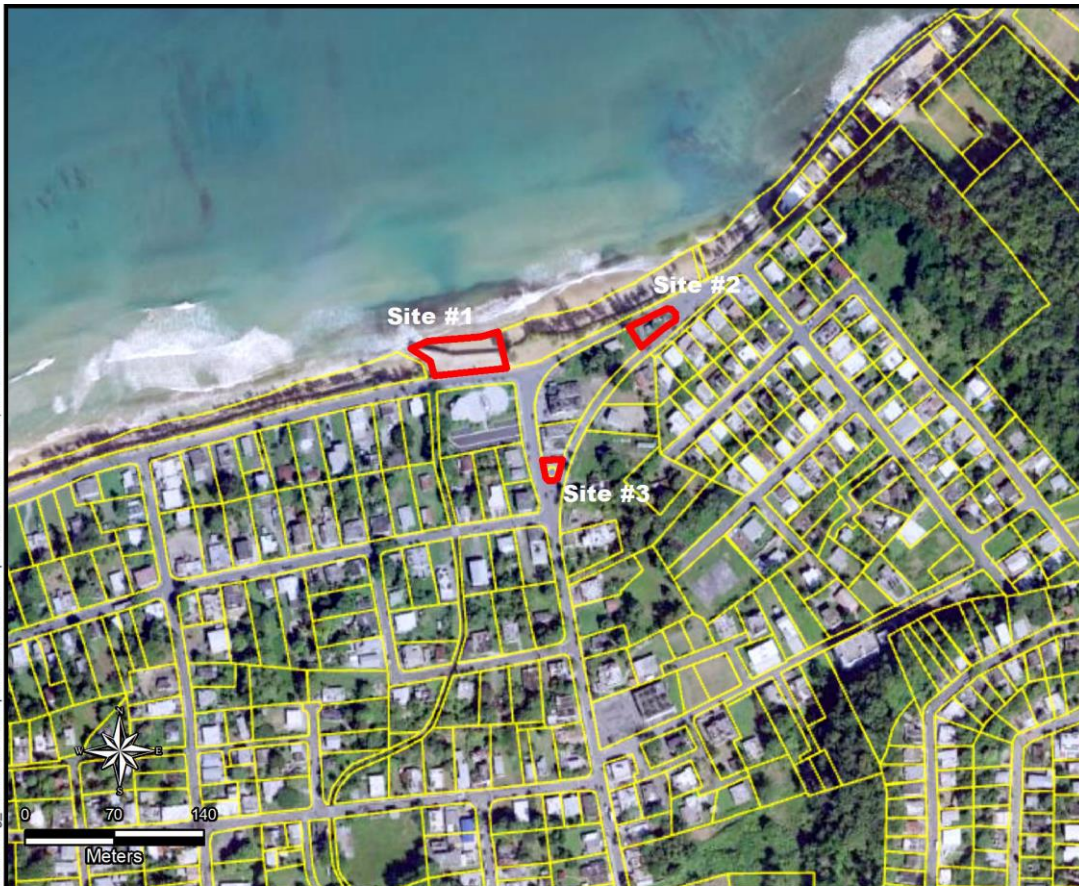


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Project (Parcel) Location - Aerial Map





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Source:

Legend

-  Area of Potential Effect
-  Parcels



Author: GK

Date: 10/16/2023

Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

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Project (Parcel) Location - USGS Topographic Map



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TETRA TECH

SOURCE: CRIM, PR STATE HISTORIC PRESERVATION OFFICE, NSPS NRIS, COPYRIGHT: © 2013 NATIONAL

Author: GK

Date: 10/16/2023

Legend

 Area of Potential Effect



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Project (Parcel) Location – Soils Map (Only if Archaeology Review is Required)



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Source: CRIM, U.S.
Department of Agriculture
Natural Resources
Conservation Service

Author: GK

Date: 10/16/2023

Legend

-  Area of Potential Effect
-  Not prime farmland

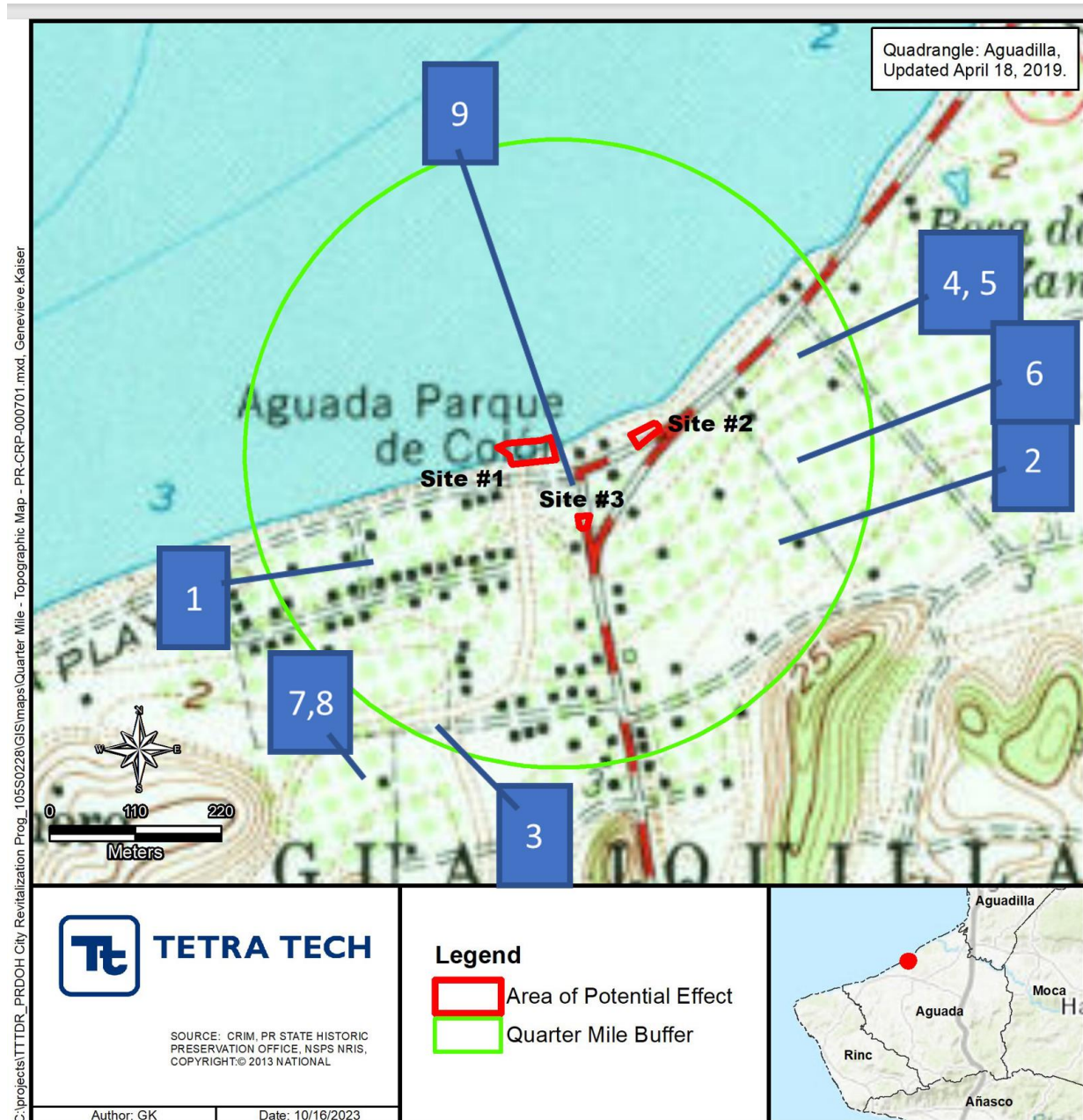


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Project (Parcel) Location with Previous Investigations – Topographic Map

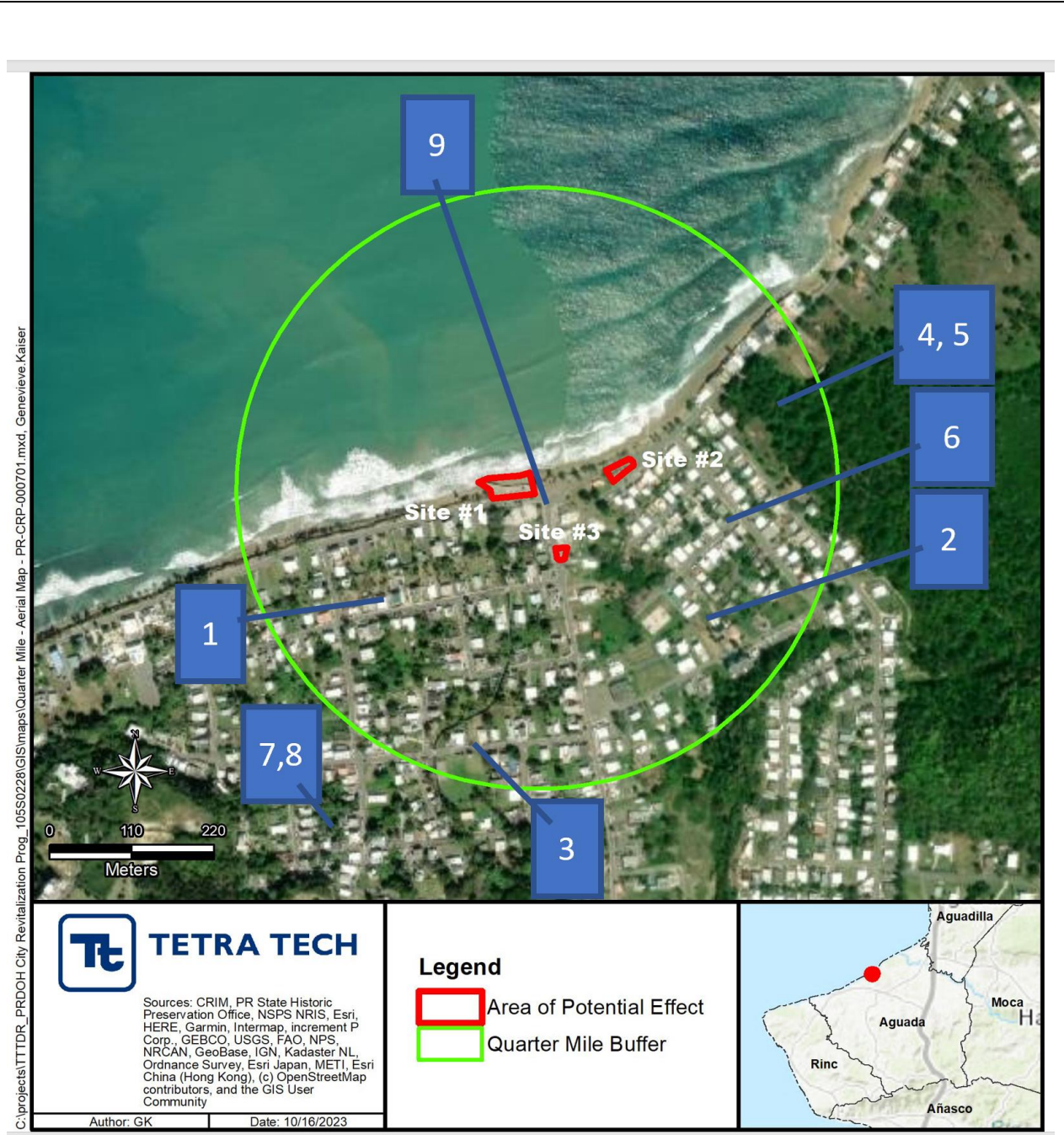


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Project (Parcel) Location with Previous Investigations - Aerial Map



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Photo Key Map- Site 1

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Photo # 1N

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the North.



Photo #: 1S

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the South.

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Photo # 2E

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the West.



Photo # 2W

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the East.

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Photo # 3N

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the North.



Photo # 3S

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the South.

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Photo #: 4W

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the West.



Photo #: 4E

Description (include direction):

Date: 9/4/2023

Site 1- Ventana del Atardecer, view to the East.

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Photo Key Map - Site 2

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
CITY REVITALIZATION PROGRAM (CITY-REV)
Section 106 NHPA Effect Determination



Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 1N

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the North.



Photo # 1S

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the South.

Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 2W

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the West.



Photo # 2E

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the East.

**PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 CITY REVITALIZATION PROGRAM (CITY-REV)
 Section 106 NHPA Effect Determination**



Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 3N

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the North.



Photo # 3S

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the South.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
CITY REVITALIZATION PROGRAM (CITY-REV)
Section 106 NHPA Effect Determination



Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 4W

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the West.



Photo # 4E

Description (include direction):

Date: 9/4/2023

Site 2- Placita del Pescador, view to the East.

Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo Key Map - Site 3

Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 1N

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the North.

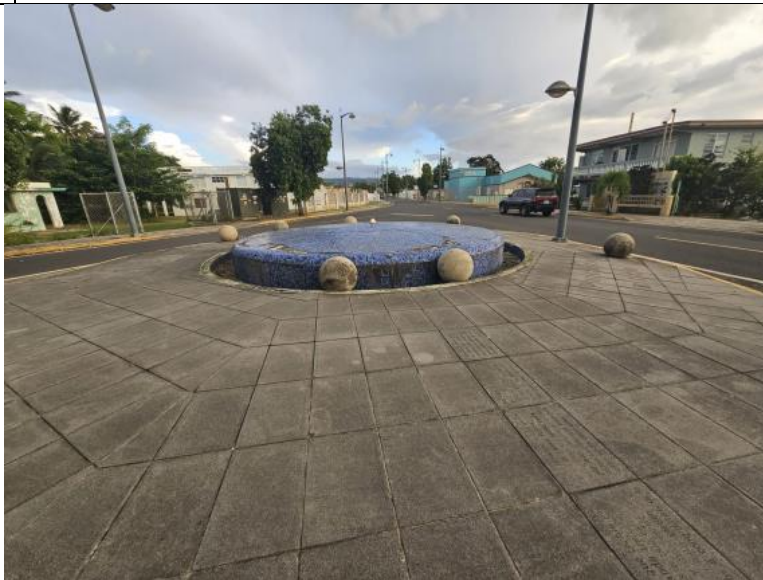


Photo # 1S

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the South.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
CITY REVITALIZATION PROGRAM (CITY-REV)
Section 106 NHPA Effect Determination



Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 2W

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the West.



Photo # 2E

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the East.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
CITY REVITALIZATION PROGRAM (CITY-REV)
Section 106 NHPA Effect Determination



Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 3N

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the North.



Photo # 3S

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the South.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
CITY REVITALIZATION PROGRAM (CITY-REV)
Section 106 NHPA Effect Determination



Subrecipient: Municipio de Aguada, Sueño del Pescador

Project Location (Street Address): Camino Playa Bo. Guaniquilla, PR 00602

City: Aguada



Photo # 4W

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the West.



Photo # 4E

Description (include direction):

Date: 9/4/2023

Site 3 - Fuente del Pescador, view to the East.

Appendix F

**EXECUTIVE ORDER 11988 – FLOODPLAIN MANAGEMENT
EIGHT-STEP PROCESS
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RELIEF (CDBG-DR)
PROGRAM**

**FLOODPLAIN MANAGEMENT 8-STEP DECISION-MAKING PROCESS
Steps 1-6**

Project: “Sueño del Pescador”, Municipality of Aguada, Puerto Rico

Project No. PR-CRP-000701, Grant No. B-18-DM-72-0001, B-18-DP-72-0001

Decision Process for Executive Order 11988 as Provided by 24 CFR §55.20

Step 1: Determine whether the action is located in a 100-year floodplain & wetland

The proposed project, PR-CRP-000701 Sueño del Pescador, is located at Road # 441, km 1.2 to 1.3, Aguada PR, 00602 coordinates 18.391658, -67.196577, coordinates 18.391900, -67.195011, and coordinates 18.390952, -67.195741 with total dimensions of 0.45 acres. The purpose of this project consists of rehabilitation and improvements to three contiguous public areas named Ventana del Atardecer, Placita del Pescador & Fuente del Pescador. It includes improvements to sanitary facilities, benches, green areas, lighting, sidewalks and also, replacement of a gazebo and construction of three kiosks within the existing footprint. The proposed activity is situated in floodplain with dimensions of 0.09 acres based on the FEMA Puerto Rico Advisory Flood Elevation Map. There will not be acquisition of private land and no new construction on previously undisturbed areas addressed by this notice.

The floodplain, situated in flood zone VE, can be found at the FEMA Puerto Rico Advisory Flood Elevation Map, Panel 72000C0140J, as of 11/18/2009, as indicated by the FEMA Flood Map Service Center at <https://gis-r2-fema.hub.arcgis.com/apps/31dfa15671944086b54b55bfc03344d7/explore>.

The project is also located within an estuarine and marine wetland, an estuarine and marine deepwater and adjacent to a riverine wetland. The wetland in the project area can be found at National Wetlands Inventory at <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

Refer to Attachment 1 for FIRMette, ABFE Map and Wetland Map.

This analysis will consider impacts to the floodplain and wetlands along with concerns for loss of life or property; if applicable.

Step 2: Notify the public and agencies.

A public notice describing the project was published in in the “Primera Hora” newspaper of Puerto Rico on October 13, 2023. The notice targeted local residents, including those in the floodplain and wetland. The notice was also sent to interested Federal, and State agencies to be interested in such notices. The required fifteen (15) calendar days were allowed for public comment. As required by regulation, the notice also included the name, proposed location and description of the activity, total number of floodplain and wetland acres involved, and the responsible entity contact for information as well as a website and the location and hours of the office at which a full description of the proposed action can be viewed. No comments were received. No opposition to the proposed project was expressed by the commentators. Attachment 2 includes copy of the public notice.

Step 3: Identify and evaluate practicable alternatives.

The responsible entity has considered the following alternatives:

Alternative 1: Locate the Project Within the floodplain and wetland. – The proposed action is according to zoning. Besides, the proposed project will not exceed the existing developed area and will not change the present use of the area.

Alternative 2: Locate the Project Outside of the floodplain and wetland. - The responsible entity analyzed to relocate the project outside the floodplain and did not identify an alternative site to develop the proposed project, because the main purpose of the project is to improve the passive waterfront-recreative facility within the urban area. All similar waterfront locations would have similar floodplain concerns.

Alternative 3: No action taken. - The proposed improvements will not be implemented, and the recreative facility will not be enhanced.

Step 4: Identify Potential Direct and Indirect Impacts

Alternative 1: Locate the Project within the floodplain and wetland. –The project at the proposed site will not impact the floodplain or wetland and will not have a significant impact on the actual runoff water behavior during weather events. The project will not require the discharge of dredged or fill material into wetlands. The city of Aguada is a member of the National Flood Insurance Program and structures located in the flood zone must comply with the PR flood regulations. In

consequence, the structures will be constructed according to the current regulations designed to minimize these impacts. Potential adverse impacts from construction would be temporary and mitigated through construction staging plans developed in partnership with the Aguada Municipality to minimize disturbance throughout the construction period and at the end of the project. The proposed project will be connected to the existing infrastructure systems to minimize adverse impacts on the environment and will help preserve the present functions and values like water quality, erosion control and flora & fauna habitat in the park.

Step 5: Mitigate Adverse Impacts

It is the responsible entity determination that there is no practicable alternative for locating the project outside the flood zone and wetland.

The highest priority of this review is to prevent the loss of life. No loss of life could be caused as part of the proposed actions. On the contrary, the proposed works would not only generate a positive impact to the actual floodplain and wetlands in benefit of the people's life and security by providing adequate illumination to this area, but that will also help to protect the financial investment of the contiguous business by promoting tourism that actually support the community economy.

In order to preserve property, flood insurance will also be acquired and maintained in order to mitigate flood damage. The structures will be elevated at above the ABFE to save on flood insurance cost and to enhance the structures' ability to withstand floods.

The site design chosen as an alternative at Step 3 reduced floodplain and wetland impacts and prevented new construction from occurring in the floodplain considering provisions for draining, and using pervious surfaces throughout the site, the construction will have minimal effects on water resources. Impacts to the floodplain and wetland will also be limited due to construction occurring within the previously developed site. Construction debris will be collated and disposed at a certified dump site or other authorized facility to manage wastes. Project construction activities will not impact the wetland. Best management practices will be employed during the design and construction activities.

Step 6: Re-Evaluate Alternatives

No new occupancy or modification of the floodplain and wetland areas will take place since this project consists of an existing recreational facility that is actually in use and that constitute the actual commercial urban area of the municipality

of Aguada. The proposed improvements will provide longer useful life of the facility so that it can be continued to be used by citizens of Aguada and their visitors. The People of Puerto Rico and the Municipality of Aguada are the owners of the proposed project site. No additional cost due to land acquisition will be incurred upon nor will ownership issues needed to be solved.

It is the responsible entity determination that there is no practicable alternative for locating the project outside the flood zone. The proposed project will:

- 1) Enhance current recreational and outdoor options for the people of Aguada.
- 2) Provide recreation alternatives to low- and moderate-income communities surrounding the area.
- 3) Mitigate and minimize impacts on human health, public property, and floodplain and wetland values.
- 4) Have minimal adverse impacts on the floodplain and wetlands functions and values.
- 5) Improve existing site's conditions, and infrastructure.
- 6) Help to prevent further deterioration of the site and to improve traffic safety.
- 7) Improve tourism to the City of Aguada.

Step 7: Determination of No Practicable Alternative

PRDOH has reevaluated the alternatives to building in the floodplain/wetland and has determined that it has no practicable alternative. Alternatives (2) and (3) are not feasible since the needed rehabilitation and improvements for the three public areas are site specific. Alternative 1 is considered a viable option will not permanently impact the floodplain or wetland and will not have a significant impact on the actual runoff water behavior during weather events. The structures located in the flood zone will be constructed according to the current regulations designed to minimize impacts. Potential adverse impacts from construction would be temporary and mitigated through construction staging plans. The project will not require the discharge of dredged or fill material into wetlands.

The proposed use is in harmony with the surrounding developed area.

A final notice was published on December 15, 2023 at a local newspaper "El Vocero" detailing the reasons why the project must be located in the floodplain/wetland, a list of alternatives considered, and all mitigation measures taken to minimize adverse impacts and preserve natural and beneficial floodplain values. No concerns were expressed by the public concerning this notice.

Step 8: Implement the Proposed Action

The Municipality of Aguada will assure that this plan, as described above, is executed and necessary language will be included in all agreements with participating parties. The Municipality of Aguada and designer will take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

Attachment 1

Maps

National Flood Hazard Layer FIRMMette



67°12'2"W 18°23'47"N



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
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		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.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/27/2023 at 3:17 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

67°11'25"W 18°23'13"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

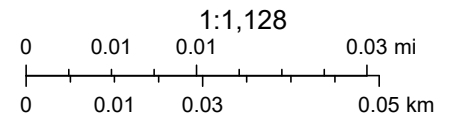
PR-CRP-000701 Sueño del Pescador



12/7/2023

Flood Hazard Area (zoom in to make visible)

- | | | |
|----|-------------------------------|--------------------------------------|
| A | Coastal A Zone | AE-Floodway |
| AO | VE | Coastal A Zone and Floodway |
| AE | 0.2% Annual Chance Flood Zone | Streamline (zoom in to make visible) |
| | A-Floodway | FIRM Panels |











FEMA, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



December 8, 2023

Wetlands

- | | | |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Attachment 2

Step 2 Early Notice and Public Review of a Proposed
Activity in the 100-Year Floodplain and Wetland



aviso público

Aviso Preliminar y Revisión Pública de una Actividad Propuesta en un Valle Inundable de 100 Años y Humedal

Sueño del Pescador
PR-CRP-000701

Para: Todas las partes interesadas, grupos e individuos

Este aviso notifica que el Departamento de la Vivienda de Puerto Rico (Vivienda, en adelante) ha determinado que la siguiente acción propuesta bajo el Programa de Revitalización de la Ciudad, Subvención en Bloque para el Desarrollo Comunitario – Recuperación ante Desastres (CDBC-DR), números de subvención B-17-DM-72-0001 y B-18-OP-72-0001, se encuentra en un valle inundable de 100 años y en un humedal. Vivienda estará evaluando e identificando alternativas viables para realizar la acción propuesta y el impacto potencial en el valle inundable debido a la acción propuesta, según establecido por la Orden Ejecutiva 11988/11990, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subparte C - Procedimientos para tomar determinaciones sobre el manejo de llanuras aluviales y la protección de humedales. El proyecto propuesto, PR-CRP-000701, se encuentra dentro de un municipio que sufrió daños debido a los huracanes Irma y María, y está localizado en la carretera PR-441, km 12 a 13, Aguada, PR 00602; coordenadas 18.391658, -67.196577, coordenadas 18.391900, -67.195011 y coordenadas 18.390952, -67.195741, con una cabida total de 0.45 acres. La actividad propuesta está situada en una zona de inundación VE con una cabida de 0.09 acres. El área del proyecto se encuentra en el mapa de tarifas de seguro contra inundaciones (FIRM, por sus siglas en inglés) (panel 72000C01401, efectivo 18/11/2009) como se indica en el Centro de Servicios de Mapas de Inundaciones de FEMA en <https://msc.fema.gov/portal/home>. El proyecto también está ubicado adyacente a un humedal estuarino. El área de humedal se encuentra en la página de National Wetlands Inventory en <https://wspprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

El proyecto propuesto consiste en la rehabilitación y mejoras de tres áreas públicas contiguas denominadas Ventana del Atardecer, Placita del Pescador y Fuente del Pescador. Este incluye mejoras a las instalaciones sanitarias, bancos, áreas verdes, iluminación y aceras, y, también, reemplazo de un gazebo y la construcción de 3 quioscos dentro de la huella existente.

Este aviso tiene tres propósitos principales. En primer lugar, las personas que puedan verse afectadas por las actividades en el valle inundable/humedal y aquellos que tengan interés en la protección del ambiente natural deben tener la oportunidad de expresar sus inquietudes y proveer información sobre estas áreas. Se exhorta a la comunidad a ofrecer ubicaciones alternas fuera del valle inundable/humedal, métodos alternos para cumplir el mismo propósito del proyecto y métodos para minimizar y mitigar los impactos. Segundo, un programa adecuado de avisos públicos puede ser una herramienta importante para la educación pública. La divulgación de información sobre valles inundables/humedales puede facilitar y mejorar los esfuerzos federales por reducir los riesgos e impactos asociados con la ocupación y alteración de estas zonas especiales. Tercero, como materia de justicia, cuando el gobierno federal determine participar en acciones ubicadas en valles inundables/humedales, debe informarse a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Vivienda considerará todos los comentarios recibidos en o antes de 28 de octubre de 2023. Pueden enviar los comentarios de forma impresa a la siguiente dirección: Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918-8461, Atención: María T. Torres-Bregón, Especialista en Permisos y Cumplimiento Ambiental. Una descripción completa del proyecto está disponible al público para revisión de 8:30 a. m. a 4:00 p. m. en el Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918. El número para obtener información es (787) 274-2527, ext. 4320. Como alternativa, también pueden enviar los comentarios a Vivienda por medio electrónico a environmentcdlog@vivienda.pr.gov.

Fecha: 13 de octubre de 2023

Ldo. William O. Rodríguez Rodríguez
Secretario del Departamento de la Vivienda

COMUNIDAD DE LA
VIVIENDA



public notice

Early Notice and Public Review of a Proposed Activity in the 100-Year Floodplain and Wetland

Sueño del Pescador
PR-CRP-000701

To: All Interested Parties, Groups, and Individuals

This is to give notice that the Puerto Rico Department of Housing (PRDOH) has determined that the following proposed action under the Community Development Block Grant – Disaster Recovery (CDBC-DR), City Revitalization Program, grant numbers B-17-DM-72-0001 and B-18-OP-72-0001, is located in a 100-year floodplain and wetland. PRDOH will be identifying and evaluating practicable alternatives to locate the action in the floodplain/wetland and the potential impacts on the floodplain/wetland from the proposed action, as required by Executive Order 11988/11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. The proposed project, PR-CRP-000701, is within a municipality with structures damaged by hurricanes Irma and María, and it's located on Road PR-441, km 12 to 13, Aguada, PR 00602; coordinates 18.391658, -67.196577, coordinates 18.391900, -67.195011, and coordinates 18.390952, -67.195741; with total dimensions of 0.45 acres. The proposed activity is located in flood zone VE with dimensions of 0.09 acres. The floodplain in the project area can be found in the Flood Insurance Rate Map (FIRM) (panel 72000C01401, effective 11/18/2009), as indicated on the FEMA Flood Map Service Center on <https://msc.fema.gov/portal/home>. The project is also located directly adjacent to an estuarine wetland. The wetland in the project area can be found in the National Wetlands Inventory on <https://wspprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

The proposed project consists of the rehabilitation and improvements to three contiguous public areas named Ventana del Atardecer, Placita del Pescador, and Fuente del Pescador. It includes improvements to sanitary facilities, benches, green areas, lighting, and sidewalks, and also, replacement of a gazebo and the construction of 3 kiosks within the existing footprint.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains/wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the floodplain/wetland, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains/wetlands can facilitate and enhance federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplains/wetlands, it must inform those who may be put at greater or continued risk.

PRDOH will consider all comments received on or before October 28, 2023. Written comments can be sent to the following address: Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918-8461, Attention: María T. Torres-Bregón, Permits and Environmental Compliance Specialist. A complete description of the project is available to the public for review from 8:30 a. m. to 4:00 p. m. at the Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918. The number to get information is (787) 274-2527, ext. 4320. In the alternative, comments may also be sent to PRDOH by email to environmentcdlog@vivienda.pr.gov.

Date: October 13, 2023

William O. Rodríguez Rodríguez, Esc.
Secretary of the Department of Housing

DEPARTAMENTO DE
HOUSING



Andrea Curbelo-Marty

From: environmentcdbg <environmentcdbg@vivienda.pr.gov>
Sent: Friday, October 13, 2023 10:39 AM
To: Jose.A.CedenoMaldonado@hud.gov; Mahon, Donna M; Caribbean_es@fws.gov; Edwin_muniz@fws.gov; Rodriguez.elias@epa.gov; Guerrero.carmen@epa.gov; PublicMail.CESAJ-CC@usace.army.mil; Rich.Okulski@noaa.gov; Noah.Silverman@noaa.gov; nmfs.ser.esa.consultations@noaa.gov; FEMA-R4EHP@fema.dhs.gov; carubio@prshpo.pr.gov; comunicaciones@ddec.pr.gov; secretario@ddec.pr.gov; jannira.colon@ddec.pr.gov; Rivera_r1@jp.pr.gov; comentarios@jp.pr.gov; pmzc@drna.pr.gov; eortega@drna.pr.gov; ayudaciudadano@drna.pr.gov; anais.rodriguez@drna.pr.gov
Subject: Public Notice – Early Notice and Public Review of a Proposed Activity in the 100-Year Floodplain and Wetland_PRDOH Case PR-CRP-000701
Attachments: Early Notice_Primer Hora_PR-CRP-000701.pdf

Concerned agencies,

Enclosed please find a **Public Notice – Early Notice and Public Review of a Proposed Activity in the 100-Year Floodplain and Wetland** the Puerto Rico Department of Housing (as the Responsible Entity) published as part of HUD's requirements for the release of CDBG-DR funds to undertake the project *Sueño del Pescador (PR-CRP-000701)*. The Early Notice was published in the *Primera Hora* newspaper of Puerto Rico on October 13, 2023.

Respectfully,

Permits and Environmental Compliance Division

Office of Disaster Recovery

environmentcdbg@vivienda.pr.gov | 787.274.2527

Visit us: www.cdbg-dr.pr.gov

DEPARTAMENTO DE LA
VIVIENDA



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October 30, 2023

To whom it may concern,

This letter is to validate that no comments were received in the Permits and Environmental Compliance Division e-mail: environmentcdbg@vivienda.pr.gov, for the project *Sueño del Pescador* (PR-CRP-000701), as part of the CDBG-DR City Revitalization Program. The Early Notice and Public Review of a Proposed Activity in the 100-Year Floodplain and Wetland was published in the *Primera Hora* newspaper of Puerto Rico on October 13, 2023, with a comment period that concluded on October 28, 2023.

Cordially,

Permits and Environmental Compliance Division
CDBG-DR/MIT Program
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320

Andrea Curbelo-Marty

From: Kenneth M. Garcia-De Leon
Sent: Monday, October 30, 2023 11:22 AM
To: environmentcdbg
Subject: RE: Comentarios PR-CRP-000701

Buenos días

Por correo postal no llegaron comentarios para mencionado proyecto.

Atentamente

Kenneth M. García De León

Oficial de Radicación de Informes de Operaciones
Oficina Recuperación de Desastres

kgarcia@vivienda.pr.gov | 787.274.2527 Ext. 4013

Visit us: www.cdbg-dr.pr.gov

Write us: infocdbg@vivienda.pr.gov



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From: environmentcdbg <environmentcdbg@vivienda.pr.gov>
Sent: Monday, October 30, 2023 11:13 AM
To: Kenneth M. Garcia-De Leon <kgarcia@vivienda.pr.gov>
Subject: Comentarios PR-CRP-000701

Saludos Kenneth,

Con respecto a la publicación del Aviso Preliminar y Revisión Pública de una Actividad Propuesta en un valle inundable de 100 años y humedal (Paso 2) para el proyecto **Sueño del Pescador – Aguada (PR-CRP-000701)** ¿habrá llegado algún comentario a través del correo postal? De ser así, por favor nos lo hace llegar.

Cordialmente,

Permits and Environmental Compliance Division

Office of Disaster Recovery

environmentcdbg@vivienda.pr.gov | 787.274.2527

Visit us: www.cdbg-dr.pr.gov

DEPARTAMENTO DE LA
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Attachment 3

Step 7 Final Notice and Public Review of a Proposed
Activity in the 100-Year Floodplain

del principal por honorarios de abogado pactados. La propiedad garantiza una cantidad igual por adelantado, si algunos, que tenga que incurrir el acreedor. Se liza como tipo mínimo para la primera subasta la cantidad de \$90,000.00. La primera subasta se celebrará el día 31 de enero de 2024 a las 10:30 de la mañana en la Oficina del Alguacil del Tribunal de Primera Instancia de Ponce, por el tipo mínimo de \$90,000.00. De declararse desierta dicha subasta se celebrará una segunda subasta el día 7 de febrero de 2024 a las 10:30 de la mañana en el mismo lugar antes mencionado, por 2/3 partes del tipo mínimo de la primera, o sea, \$60,000.00. De declararse desierta dicha segunda subasta, se celebrará una tercera subasta el día 14 de febrero de 2024 a las 10:30 de la mañana en el mismo lugar antes mencionado, por la 1/2 del tipo mínimo de la primera subasta, o sea, \$45,000.00. Y PARA QUE ASI CONSTE, y para su publicación en un periódico de circulación general y por un término de catorce (14) días en los sitios públicos conforme a la ley, expido la presente bajo mi firma y

sello de este tribunal, hoy 22 de noviembre de 2023 en Ponce, Puerto Rico. Manuel Maldonado ALGUACIL.

MR-19714 ESTADO LIBRE ASOCIADO DE PUERTO RICO TRIBUNAL DE PRIMERA INSTANCIA CENTRO JUDICIAL DE BAYAMON SALA SUPERIOR DE BAYAMON

BIANCA LIZ PABON CAMACHO Demandante

JONATHAN MORALES RODRIGUEZ Demandado(a)

Caso Núm.: BY2023RF01684 (FAMILIA Y MENORES - SALA DE BAYAMON SALON 40203) Sobre: CUSTODIA - MONOPARENTAL O COMPARTIDA Y OTROS LUZ C. VALENTIN GARCIA VALENTINESLAW@YAHOO.COM NOTIFICACION DE SENTENCIA POR EDICTO (Nombre de las partes que se le notifican la sentencia por edicto) A: JONATHAN MORALES RODRIGUEZ E L

SECRETARIO(A) que suscribe le notifica a usted que el 11 DE DICIEMBRE DE 2023, este Tribunal ha dictado Sentencia, Sentencia Parcial o Resolución en este caso, que ha sido debidamente registrada y archivada en autos donde podrá usted enterarse detalladamente de los términos de la misma. Esta notificación se publicará una sola vez en un periódico de circulación general en la Isla de Puerto Rico, dentro de los 10 días siguientes a su notificación. Y, siendo o representando usted una parte en el procedimiento sujeta a los términos de la Sentencia, Sentencia Parcial o Resolución, de la cual puede establecerse recurso de revisión o apelación contra el término de 30 días contados a partir de la publicación por edicto de esta notificación, dirijo a usted esta notificación que se considerará hecha en la fecha de la publicación de este edicto. Copia de esta notificación ha sido archivada en los autos de este caso, con fecha de 11 de DICIEMBRE DE 2023 En BAYAMON, Puerto Rico, el 11 de DICIEMBRE DE 2023 LAURA I. SANTA SANCHEZ Nombre del (de la) Secretario(a)

#NORMMARY A. ALAMO ARIAGA Nombre y Firma del (de la) Secretario(a) Auxiliar del Tribunal

LB-2373 ESTADO LIBRE ASOCIADO DE PUERTO RICO TRIBUNAL DE PRIMERA INSTANCIA CENTRO JUDICIAL DE UTUADO SALA SUPERIOR DE UTUADO

JOAQUÍN MEDINA SANTIAGO Y OTROS DEMANDANTE

ZOILÓ SANTIAGO Y OTROS DEMANDADOS

CASO NÚM.: UT2022CV00338 (SALÓN 10) SOBRE: ACCIÓN CONTRADICTORIA DE DOMINIO Y OTROS DEMANDADO(A) AMARILYS AROCHO MALDONADO LICENCIADA A AROCHO@GMAIL.COM ANA CRISTINA MARTINEZ FLORES ANACRSTNAMARTINEZ@GMAIL.COM MARTA J MARTINEZ ROMANA MUMR565@GMAIL.COM NOTIFICACION DE SENTENCIA POR EDICTO (Nombre de las partes que se le notifican la

sentencia por edicto) A: ZOILÓ SANTIAGO Y/O LA SUCESIÓN DE ZOILÓ SANTIAGO COMPUESTA POR PERSONAS DESCONOCIDAS NOMBRA DOS I, II, III, IV & V BENIGNA MERCADO Y/O LA SUCESIÓN DE BENIGNA MERCADO COMPUESTA POR PERSONAS DESCONOCIDAS NOMBRA DOS I, II, III, IV & V ZOILÓ SANTIAGO, BENIGNA MERCADO Y LA SOCIEDAD LEGAL DE GANANCIAS COMPUESTA POR ESTE ACCIÓN. EL SECRETARIO(A) que suscribe le notifica a usted que el 11 DE DICIEMBRE DE 2023, este Tribunal ha dictado Sentencia, Sentencia Parcial o Resolución en este caso, que ha sido debidamente registrada y archivada en autos donde podrá usted enterarse detalladamente de los términos de la misma. Esta notificación se publicará una sola vez en un periódico de circulación general en la Isla de Puerto Rico, dentro de los 10 días siguientes a su notificación. Y, siendo o representando usted una parte en el procedimi-

ento sujeta a los términos de la Sentencia, Sentencia Parcial o Resolución, de la cual puede establecerse recurso de revisión o apelación dentro del término de 30 días contados a partir de la publicación por edicto de esta notificación, dirijo a usted esta notificación que se considerará hecha en la fecha de la publicación de este edicto. Copia de esta notificación ha sido archivada en los autos de este caso, con fecha de 12 de diciembre de 2023, en Utuado, Puerto Rico. DIANE ALVAREZ VILLANUEVA Nombre del (de la) secretario(a) IGLORIA I. RIVERA FONSECA Nombre y Firma del (de la) Secretario(a) Auxiliar del Tribunal

LB-2380 ESTADO LIBRE ASOCIADO DE PUERTO RICO TRIBUNAL DE PRIMERA INSTANCIA SALA SUPERIOR DE ARECIBO

AMADO CESAR RODRIGUEZ MERCADO E IRISDALIA ROBLEDO Parte Demandante Vs.

Civil Núm.: AR2023CV02255 Sobre: Expediente de Dominio

SUCESION DE AMADO RODRIGUEZ CLASSEN: Nancy Rodríguez, Ada Maritza Rodríguez Mercado. SUCESION DE PAULA MORALES MELENDEZ: Justino Feliciano Morales, Nilda Noelia Feliciano Morales también conocida como Nilda Madera, Luz Aurea Feliciano Morales, Elizabeth Feliciano Morales, Julio Luis Feliciano Morales y su hijo Julio Luis Feliciano Jr. Parte Demandados Civil Núm.: AR2023CV02255 Sobre: Expediente de Dominio

Título Contradictorio 30L.P.R.A.6282 EDICTO ESTADO UNIDOS DE AMERICA EL ESTADO LIBRE ASOCIADO DE PUERTO RICO A: Todo aquel que tenga algún derecho real o interés sobre el inmueble descrito en la petición de Dominio que muestra el epígrafe; a las personas ignoradas a quienes pueda perjudicar la inscripción, de los miembros cuya dirección o paradero se desconoce, en particular a Justino Feliciano Morales, Luz Aurea Feliciano Morales, Elizabeth Feliciano Morales y en general, a toda persona que desee oponerse. Por la presente se le notifica para que comparezcan si creen que los conviene, ante este Honorable Tribunal dentro de los VEINTE (20) DIAS a partir de la publicación de este edicto y exponer lo que a sus derechos convenga en el expediente promovido por el peticionario para adquirir el dominio sobre la siguiente propiedad: --RUSTICA: Parcela marcada con el treinta y cinco (35) en el plano de parcelación de la comunidad rural Abasco del Barrio Hato Arriba del término municipal de Arecibo, con una CAVIDAD SUPERFICIAL DE SETECIENTOS

aviso público
Aviso Final y Explicación Pública de una Actividad Propuesta en un Valle Inundable de 100 Años y Humedal
Sueño del Pescador PR-CRP-000701
Para: Todas las partes interesadas, grupos e individuos
Este aviso notifica que el Departamento de la Vivienda de Puerto Rico (Vivienda) completó una evaluación según establece la Orden Ejecutiva 11988, de acuerdo con los reglamentos de HUD en 24 CFR 55.20 Subparte C - Procedimientos para Hacer Determinaciones sobre el Manejo del Valle Inundable y la Protección de Humedales. La actividad está subvencionada con fondos del Programa Revitalización de la Ciudad, Subvención en Bloque para el Desarrollo Comunitario - Recuperación ante Desastres (CDBG-DR), números de subvención B-17-DM-72-0001 y B-18-DP-72-0001. El proyecto propuesto, PR-CRP-000701, está localizado en la carretera PR-441, km 12 a 13, Aguada, PR 00602, coordenadas 18.391658, -67.196577, coordenadas 18.391900, -67.195011, y coordenadas 18.390952, -67.195744; con una cabida total de 0.45 acres. El proyecto propuesto consiste en la rehabilitación y mejoras de tres áreas públicas contiguas denominadas Ventana del Atardecer, Placita del Pescador y Fuente del Pescador. Este incluye mejoras a las instalaciones sanitarias, bancos, áreas verdes, iluminación y aceras; el reemplazo de un mirador; y la construcción de tres quioscos dentro de la huella existente. La actividad propuesta está situada en una zona de inundación VE con cabida de 0.09 acres. El área del proyecto se encuentra en el mapa de tarifas de seguro contra inundaciones (FIRM, por sus siglas en inglés) [panel 72000C0140], efectivo 1/18/2009, como se indica en el Centro de Servicios de Mapas de Inundaciones de FEMA en https://msc.fema.gov/portal/home. El proyecto también está ubicado dentro de un humedal estuario y marino, un estuario y marino de aguas profundas y adyacente a un humedal ribereño. El humedal en el área del proyecto se encuentra en el Inventario Nacional de Humedales en https://wvprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.

public notice
Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetland
Sueño del Pescador PR-CRP-000701
To: All Interested Parties, Groups, and Individuals
This is to give notice that the Puerto Rico Department of Housing (PRDOH) has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the Community Development Block Grant - Disaster Recovery (CDBG-DR), City Revitalization Program, grant numbers B-17-DM-72-0001 and B-18-DP-72-0001. The proposed project, PR-CRP-000701, is located on Road PR-441, km 12 to 13, Aguada, PR 00602; coordinates 18.391658, -67.196577, coordinates 18.391900, -67.195011, and coordinates 18.390952, -67.195744; with total dimensions of 0.45 acres. The proposed project consists of the rehabilitation and improvements to three contiguous public areas named Ventana del Atardecer, Placita del Pescador, and Fuente del Pescador. It includes improvements to sanitary facilities, benches, green areas, lighting, and sidewalks; replacement of a gazebo; and construction of three kiosks within the existing footprint. The proposed activity is located on flood zone VE with dimensions of 0.09 acres. The floodplain in the project area can be found in the Flood Insurance Rate Map (FIRM) [panel 72000C0140], effective 1/18/2009, as stated on the FEMA Flood Map Service Center on https://msc.fema.gov/portal/home. The project is also located within an estuarine and marine wetland, an estuarine and marine deepwater and adjacent to a riverine wetland. The wetland in the project area can be found in the National Wetlands Inventory on https://wvprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.

Andrea Curbelo-Marty

From: environmentcdbg <environmentcdbg@vivienda.pr.gov>
Sent: Friday, December 15, 2023 10:54 AM
To: Jose.A.CedenoMaldonado@hud.gov; Mahon, Donna M; Caribbean_es@fws.gov; Edwin_muniz@fws.gov; Rodriguez.elias@epa.gov; Guerrero.carmen@epa.gov; PublicMail.CESAJ-CC@usace.army.mil; Rich.Okulski@noaa.gov; Noah.Silverman@noaa.gov; nmfs.ser.esa.consultations@noaa.gov; FEMA-R4EHP@fema.dhs.gov; carubio@prshpo.pr.gov; comunicaciones@ddec.pr.gov; secretario@ddec.pr.gov; jannira.colon@ddec.pr.gov; Rivera_r1@jp.pr.gov; comentarios@jp.pr.gov; pmzc@drna.pr.gov; eortega@drna.pr.gov; ayudaciudadano@drna.pr.gov; anais.rodriguez@drna.pr.gov
Subject: Public Notice – Final Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain and Wetland_PRDOH Case PR-CRP-000701
Attachments: Final Notice_El Vocero_PR-CRP-000701.pdf

Concerned agencies,

Enclosed please find a **Public Notice – Final Notice and Public Explanation of a Proposed Activity in the 100-Year Floodplain and Wetland** the Puerto Rico Department of Housing (as the Responsible Entity) published as part of HUD's requirements for the release of CDBG-DR funds to undertake the project *Sueño del Pescador* (PR-CRP-000701). The Final Notice was published in the *El Vocero* newspaper of Puerto Rico on December 15, 2023.

Respectfully,

Permits and Environmental Compliance Division

Office of Disaster Recovery

environmentcdbg@vivienda.pr.gov | 787.274.2527

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Andrea Curbelo-Marty

From: Kenneth M. Garcia-De Leon
Sent: Tuesday, December 26, 2023 10:32 AM
To: environmentcdbg
Subject: RE: Comentarios - Aviso Final PR-CRP-000701

Saludos

Por correo postal no llegaron comentarios para mencionado proyecto.

Atentamente

Kenneth M. García De León

Especialista en Control de Documentos / Operaciones

Oficina Recuperación de Desastres

kgarcia@vivienda.pr.gov | 787.274.2527 Ext. 4013

Visítanos: recuperacion.pr.gov

Contactanos: infocdbg@vivienda.pr.gov

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From: environmentcdbg <environmentcdbg@vivienda.pr.gov>
Sent: Tuesday, December 26, 2023 10:03 AM
To: Kenneth M. Garcia-De Leon <kgarcia@vivienda.pr.gov>
Subject: Comentarios - Aviso Final PR-CRP-000701

Saludos Kenneth,

Con respecto a la publicación del Aviso Final y Explicación Pública de una Actividad Propuesta en un valle inundable de 100 años y humedal (Paso 7) para el proyecto **Sueño del Pescador (PR-CRP-000701)** ¿habrá llegado algún comentario a través del correo postal? De ser así, por favor nos lo hace llegar.

Cordialmente,

Permits and Environmental Compliance Division

Disaster Recovery Office

environmentcdbg@vivienda.pr.gov | 787.274.2527

Visit us: recuperacion.pr.gov

Contact us: infocdbg@vivienda.pr.gov

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December 26, 2023

To whom it may concern,

This letter is to validate that no comments were received in the Permits and Environmental Compliance Division e-mail: environmentcdbg@vivienda.pr.gov, for the project *Sueño del Pescador* (PR-CRP-000701), as part of the CDBG-DR City Revitalization Program. The Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetland was published in the *El Vocero* newspaper of Puerto Rico on December 15, 2023, with a comment period that concluded on December 23, 2023.

Cordially,

Permits and Environmental Compliance Division
Disaster Recovery Office
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320