

# **Environmental Assessment**

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

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-01189

**Project Name:** Hector M Otero Montes

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

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

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

**Preparer:** Gabriela Rodríguez

**Certifying Officer Name and Title:** Permit and Compliance Officers: Sally Acevedo Cosme, Pedro De León Rodríguez, María T. Torres Bregón, Ángel G. López-Guzmán, Ivelisse Lorenzo Torres, Santa Damarys Ramírez Lebrón, Janette I. Cambrelén, Limary Vélez-Marrero, Juan Carlos Perez Bofill, and Mónica Machuca Ríos.

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

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

#### **Project Location:**

The property is a 3.54-acre site located at Carr 149 km 23.3 Bo Cialitos Sector Las Cañas in the Municipality of Ciales, Puerto Rico (Parcel ID# 164-079-103-07-000). The coordinates of the project site are 18.288217, -66.511682.

This terrain was and is currently used for agricultural purposes with the growing of coffee and banana.

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

The undertaking includes the construction of a new warehouse and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Farm supplies and equipment will be stored at the new proposed warehouse. As per quote "Equipo Agrícola" dated 1/27/2023, the farm equipment includes a 3.8 gallons per minute pump, 6-D amine 2.5 gal, yellow 3/8 weed sleeve, royal files, crocodile machete, rope hoe, four-wheel drive, cutting/mixing shovel. The supplies and equipment will be used for operational and maintenance purposes of the farm. The equipment quote also includes the purchase fine barbed wire 820 ft, 1 1/4 staples, 5x8 treated spikes, 3 x 6-1/2 treated spikes for the repairs and construction of a fence.

The Scope of Work 1 is the construction of a metal (galvalume) structure on a 70-foot (ft) by 30 ft poured concrete pad to be constructed and located at 18.288217, -66.511682. Thickness of concrete pad depends on different factors, for the proposed pad the thickness should be in a range of 8 to 12 inches. An estimated depth of 1.5 ft is needed for the construction of the concrete pad. The warehouse would be used for storage of the fertilizer and other farm supplies and equipment. Anchoring of the warehouse will require the installation of structural post at to an approximate depth of 3-foot depth. At least 18 posts will be required. The proposed action does not contemplate residential use or mid- to long-term occupation (more than 4 hours a day) of proposed structure.

The Scope of Work 2 included the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel with initial coordinates from 18.288521, -66.51220 and ending in the coordinates 18.288667, - 66.510569. The materials to use for this purpose are barbed wires and 100 treated wood spikes of approximately 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

Applicant residence is currently connected to the PRASA and PREPA/LUMA utilities. No new water or power connections to the local utility providers will be needed. The applicant plans to connect the new warehouse to utilities running underground from the residence. The water connection would be through approximately 50 linear ft PVC pipes placed 1 ft deep, while the electrical connection would be approximately 75 linear ft and 3 ft deep. While the applicant plans to pay for this activity themselves and no HUD funds would be utilized for this portion of work, the potential impacts from this action are included in the analyses below and it is contained within the delimited Area of Potential Effect (APE). This APE has been extended to the right of way to include utility connection point location and allow for future utility connections. The visual APE is the viewshed of the proposed project. The proposed project potential effect area is approximately 0.15 acres.

The project site will require clearing, grading, and vegetation removal. However, proposal does not contemplate cutting, pruning or transplanting of trees.

Site photos are included in **Appendix A**. A site map (Figure 1) is included in **Appendix B**.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. The purpose of this project is to increase the productivity of the farm. This agricultural project associated with the construction of a new warehouse and the purchase of farm equipment in keeping with the overall objectives of the Economic Development Program.

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

The land proposed for the installation of the warehouse and where the farm equipment would be utilized is used for agricultural purposes. Therefore, there is no change in land use associated with the project. Some ground disturbance will be required.

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

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

- Appendix A – Site Inspection
- Appendix B – Maps
- Appendix C – Additional Documentation
- Appendix D – Endangered Species
- Appendix E – SHPO Consultation

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
B-17-DM-72-0001,	Community Development Block Grant – Disaster Recovery (CDBG-DR)	\$11,938,162,230
B-18-DP-72-0001,	CDBG-DR, Re-Grow Puerto Rico	
B-19-DP-78-0002,	Urban-Rural Agricultural Program	
B-18-DE-72-0001		

**Estimated Total HUD Funded Amount:** \$37,977.11

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$37,977.11

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

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The nearest civil airport, "Aeropuerto Internacional Mercedita (PSE)", is approximately 101,905 feet from the proposed site. The nearest military airport, "Aeropuerto Internacional Luis Muñoz Marín (SJU)", is approximately 180,412 feet from the proposed site. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Refer to Figure 2 in <b>Appendix B.</b>
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in the north and central area of Puerto Rico. The distance to the nearest CBRS unit is 63,138 feet. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in <b>Appendix B.</b>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project site is in Zone X, area of minimal flood hazard as per Flood Rate Insurance Map (FIRM) 72000C0645H, effective date April 19, 2005.  This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in <b>Appendix B.</b> )

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5**

<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a county or air quality management district that is in non-attainment status or non-attainment status for any criteria pollutants. The Municipio of Ciales is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants". The construction of a new warehouse and the purchase of farm equipment would have no impact on air quality.</p> <p>The project is in compliance with Clean Air Act. Refer to EPA listing in <b>Appendix C</b>.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project is located 59,493 feet to the southwest from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the PR Coastal Zone Management Plan.</p> <p>The project is in compliance with the Coastal Zone Management Act. See Figure 7 in <b>Appendix B</b>.</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>A site visit conducted on May 12, 2023. A second site visit was conducted on February 2, 2024. The purpose of the second visit was to include the repairs and construction activities of the proposed fence. No debris or rubbish or visible signs vegetative stress, contamination, or toxic substances were noted at the project site. The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV).</p> <p>The proposed action does not include demolition or interior structures that would be occupied long-term, therefore testing for lead-based paint and</p>

		<p>asbestos containing materials is not required.</p> <p>The proposed action does not include residential occupation or mid- to long-term occupation (more than 4 hours a day) of structures. Therefore, the consideration of radon in the contamination analysis is exempted under the CPD Notice #CPD-23-103 and no further consideration or action with respect to radon is needed.</p> <p>Refer to CPD-23-103 Notice <b>in Appendix C.</b></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. There is one site of environmental concern identified within 3,000 feet of the project site.</p> <p>The Metzgermeitzer and Research Corp., 830 feet northeast of the project site, is a water discharge (NPDES) facility with a facility level status as not applicable. With these conditions and the distance, there would not be any impacts to the project site. See ECHO report in <b>Appendix C.</b></p> <p>Refer to Figures 8 and 9 in <b>Appendix B</b> and the Site inspection report and photos in <b>Appendix A.</b> The project is in compliance with Contamination and Toxic Substances.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed location of</p>

the project is an area that has been used for agricultural purposes.

According to EPA NEPAassist Enviromapper, the nearest critical or proposed critical habitat is 11,744 feet to the northwest of the project location. Per the Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the Puerto Rican Broad-winged Hawk, Puerto Rican Parrot, Puerto Rican Harlequin Butterfly, and the Puerto Rican Boa can be found, but there are no critical habitats at this location.

A site-specific review of endangered species was conducted in accordance with the Fish and Wildlife Act (47 Stat. 401, as amended: 16 U.S.C. 661 et seq.)

The project is "May affect, but not likely to adversely affect" (NLAA) the Puerto Rican Broad-winged Hawk, Puerto Rican Parrot, Puerto Rican Harlequin Butterfly, and the Puerto Rican Boa, provided conservation measures are implemented as part of the project. The USFWS concurred with the NLAA determination on September 20, 2024

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 USFWS Puerto Rican Boa Conservation Measures.

If a Puerto Rican Broad-winged Hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of

		<p>Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p> <p>If a Puerto Rican Parrot is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p> <p>If a worker believes they have spotted a Puerto Rican Harlequin Butterfly, work should cease within the area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p> <p>Refer to Figures 10 and 11 in <b>Appendix B</b> and the Endangered Species Package in <b>Appendix D</b>. This project is in compliance with the Endangered Species Act.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project does not include development, construction, or rehabilitation that will increase residential density.</p> <p>The project is in compliance with Explosive and Flammable Hazard requirements.</p> <p>Refer to site visit report in <b>Appendix A</b>.</p>
<p><b>Farmlands Protection</b></p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the</p>

<p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>		<p>purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The project site is not designated as farmland of statewide importance or prime farmland. The project does not include any activities that could potentially convert agricultural land to nonagricultural use. Although the project includes new construction, the project is exempt from review under the Farmland Protection Policy Act (FFPA) as the project is limited to construction of on-farm structures needed for farm operations. No further review is required.</p> <p>This project is in compliance with the Farmland Protection Policy Act. Refer to Figure 12 in <b>Appendix B</b>.</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, as amended by Executive Order 13690, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The proposed project is not located in a Federal Flood Risk Management Standard (FFRMS) floodplain. FFRMS was determine using the 0.2-Percent-Annual-Chance (PAC) (500- Year) Flood Approach.</p> <p>The Project site is not located in an Advisory Base Flood Elevation (ABFE) special flood hazard area as per ABFE Map 72000C0645H, effective date April 13, 2018. Since the project site does not lies within the 1 percent (100-year), nor within the 0.2 PAC floodplain on the ABFE, it is not within the FFRMS.</p> <p>PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Ciales; therefore, PFIRM information was not available for the area and therefore not considered in the review.</p>

		This project is in compliance with Executive Order 11988 and Order 13690. See Figure 6 in <b>Appendix B</b> .
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The site was evaluated on June 16, 2023 by an SOI Qualified Architect/Architectural Historian and on June 20, 2023, by an SOI Qualified Archaeologist. SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential on Effects on August 17, 2023. Consultation was reinitiated to include the proposed repairs and construction of the fence on the north side of the parcel. SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential on Effects on April 2, 2024.</p> <p>Refer to Figure 13 in <b>Appendix B</b> and the report in <b>Appendix E</b>. This project is in compliance with Historic Preservation requirements.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). HUD's noise regulations protect residential properties from excessive noise exposure. HUD noise regulations do not apply as the project does not include new construction for residential use or rehabilitation of an existing residential property.</p> <p>The proposed project is in compliance with Noise Abatement and Control.</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended,</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>There are no EPA sole source aquifers in Puerto Rico. The nearest Sole Source Aquifer is 5,334,578 feet to the northwest of the project site. The project is in</p>

<p>particularly section 1424(e); 40 CFR Part 149</p>		<p>compliance with Sole Source Aquifer requirements.  Refer to Figure 17 in <b>Appendix B.</b></p>
<p><b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No <input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV).</p> <p>The north coast is 68,326 feet northeast of the property. The closest fresh-water bodies include several creeks tributaries of the Rio Cialitos, the closest is at 270 feet to the southeast of the project area. The Rio Cialitos is 1,295 feet to the west of project area.</p> <p>The NWI maps show no wetlands on the or adjacent to the project site. This project does not impact any on or off-site wetlands and includes no activities that would require further evaluation under this section.</p> <p>The project is in compliance with Executive Order 11990. Refer to Figure 14 in <b>Appendix B.</b></p>
<p><b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No <input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 249,001 feet.</p> <p>The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in <b>Appendix B.</b></p>

<b>ENVIRONMENTAL JUSTICE</b>		
<p><b>Environmental Justice</b>  Executive Order 12898</p>	<p>Yes    No <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>

		Therefore, this topic complies with Executive Order 12898. Refer to EJ Report in <b>Appendix C.</b>
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**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features, and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable, and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits or approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project is located on a private farm. The project site is zoned as "Rural General (R-G)". The proposed action is compliant with the current agricultural land use of the Project area.
Soil Suitability/ Slope/ Erosion/	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV).

Drainage/ Storm Water Runoff		<p>The proposed project is located in relatively flat terrain, previously and currently used for cultivating coffee and bananas. Soils in the proposed project area are classified as Morado clay loam (MpF2), 40 to 60 percent slopes, surrounded by farmland with secondary forest vegetation cover further south, 310 meters above mean sea level.</p> <p>Projects larger than 1 acre must comply with the CWA and develop a SWPPP with the NPDES. The proposed project area is approximately 0.15 acres.</p> <p>The project site will require clearing, grading, and vegetation removal. However, proposal does not contemplate cutting, pruning or transplanting of trees.</p> <p>The project sites are in area is rated "low to moderate" for landslide susceptibility (See Figure 16 in <b>Appendix B</b>).</p> <p>There will be little to no additional runoff associated with the project.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). During implementation of the project, construction activities may result in temporary elevation of ambient noise levels in immediate areas around active construction areas. The only nearby receptors are the residents of the farm and those closest to the construction activity area. There is no access to the project area by the public.</p>
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Temporary employment of workers related to construction activities would result, but no new permanent jobs would be created as a result of this</p>

		<p>project. These workers are expected to come from the local region. However, since the project will include an economic component, it may aid in restoring some employment opportunities and increase income.</p> <p>The proposed project would not negatively impact employment or income patterns.</p>
Demographic Character Changes, Displacement	2	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project would not result in demographic character changes or displacement. Given the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.</p>
Environmental Justice	2	<p>In the area (one mile radius) in which project will occur.</p> <p>100% are people of color compared to PR average of 96%</p> <p>96% are low income compared to PR average of 70%</p> <p>24% are unemployed compared to PR average of 15%</p> <p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). This project will result in restoration and increase in income and potential employment opportunities in the local area. The impacts would be beneficial.</p> <p>See EJSscreen Report in <b>Appendix C</b></p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	<p>The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment,</p>

		glyphosate, utility trailer and a utility task vehicle (UTV). The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.
Commercial Facilities	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The agricultural activity of the project property will improve. Other commercial facilities would not be impacted by the proposed project.
Health Care and Social Services	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Health care and social services facilities would not be impacted by the proposed project. The project would not increase demand for health care and social services facilities.
Solid Waste Disposal / Recycling	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Waste vegetation from clearing activities will either be composted on site or at regional composting centers. Soil from grading would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., piping, structural materials, others) would be stored for later use. The remaining construction solid waste materials would be collected for transport to the local landfill. The amount of impact of solid waste resulting from the construction of the proposed project would be minor. During operations, the products and by-products would be agricultural, which waste would be biodegradable. Other waste components related to the operation of the proposed project includes recyclable materials such as plastics and cardboard. Recyclables will be set aside and dispose according to the local recycling management plan. The remaining municipal solid waste would be collected for the transport to the local landfill.

Wastewater / Sanitary Sewers	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project would not include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged.
Water Supply	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Applicant has access to a water supply from the local utility (PRASA). The new warehouse will be connected to the existing water supply by connecting the residence to the warehouse using 75 linear foot, 1 foot depth, underground PVC tube pipe. Water connection will provide a hose bib for daily operational purposes. Current operations do not include the use of pesticides or chemicals. There will be little to no additional runoff associated with the project. Used water can be managed by infiltration. Parcel runoff patterns will allow for the management of the runoff internally. No chemicals, pesticide or any contaminant substance will be washed as part of the operation of warehouse. The proposed project will have minor impact on water usage.
Public Safety – Police, Fire and Emergency Medical	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project would not create any new demand for emergency or health services.
Parks, Open Space and Recreation	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project would not create or destroy any new parks, open space, or recreational activities. It also would not increase use of those facilities.
Transportation and Accessibility	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment,

	glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project would not involve the creation of new roads nor any increase in long-term traffic on existing roads. There would be some minor use of the existing road during construction. All residents and businesses would retain access to their properties during and after the project.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project will be situated on land previously used for agriculture and will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. The proposed project will have no impact on vegetation and wildlife. Waste vegetation from clearing activities will either be composted on site or at regional composting centers. Soil from grading would be recycled on the farm as fill. Proposal does not contemplate cutting, pruning or transplanting of trees. The proposed project will have minimal impact on vegetation and no impact on wildlife.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>CLIMATE AND ENERGY</b>		
Climate Change Impacts	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV).

		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. This is a small project with no measurable impact on climate change factors. With respect to climate change impact on the project, agricultural activities could be affected by drought.
Energy Efficiency/Energy Consumption	2	The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The new warehouse will be connected to the existing local power utility (PREPA/LUMA) from the residence using underground conduct with an approximate length of 50 linear foot at a depth of 3 foot. The proposed project will have minor impact on the local electricity provider.

**Additional Studies Performed:** None required.

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

Site inspection was conducted on May 12, 2023 and on February 2, 2024 by Carlos Medina.

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

Puerto Rico State Historic Preservation Office

FAA, National Plan for Integrated Airport Systems:

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

John H. Chafee Coastal Barrier Resources System, Puerto Rico [map](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf).  
[www.fws.gov/CBRA/Maps/Locator/PR.pdf](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf)

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

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

Programmatic Agreement among the Federal Emergency Management Agency, the Puerto Rico State Historic Preservation Office and the Central Office for Recovery,

Reconstruction and Resilience – amended to include the Puerto Rico Department of Housing.

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

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

US Fish and Wildlife Service, Environmental Conservation Online System:  
<https://ecos.fws.gov/ecp/report/species-listings-by-state?stateAbbrev=PR&stateName=Puerto%20Rico&statusCategory=Listed>

Federal Emergency Management Agency, Flood Mapping Service:  
<https://msc.fema.gov/portal/home> (compilation of numerous maps)

US Fish and Wildlife Service, National Wetlands Inventory:  
[www.fws.gov/wetlands/data/mapper.html](http://www.fws.gov/wetlands/data/mapper.html) (compilation of numerous maps)

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

US Geological Survey, Data Release of May Showing Concentration of Landslides Caused by Hurricane Maria,  
[www.sciencebase.gov/catalog/item/59de6459e4b05fe04ccd39d8](http://www.sciencebase.gov/catalog/item/59de6459e4b05fe04ccd39d8)

#### **List of Permits Obtained:**

None.

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

The local community has been very proactive in the recovery process. Puerto Rico Department of Agriculture has worked closely with the agricultural community. The project will include a FONSI / NOI-RROF in compliance with NEPA regulations for HUD.

#### **Cumulative Impact Analysis** [24 CFR 58.32]:

In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the proposed project. The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). The project, among others benefits, would allow more space for the storage of agricultural products and equipment leading to a more efficient processing and growing of the agricultural products. The possible cumulative impacts associated to the proposed project are related to the increase in energy and water demand. Water and electric use would increase to a minor degree with the proposed project.

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

The RGRW Program's goal is to increase agricultural capacity while promoting and increasing food security island-wide. This Program seeks to enhance and expand agricultural production related to economic revitalization and sustainable development activities. Alternative locations off and on property may represent an impact to undisturbed and/or uneven ground, sloped terrain or within forested areas, which could require heavier clearing and grading activities. Any alternative that would involve an off-property location might require the purchase of land, the movement of products, equipment, infrastructure, water and power utility connections, among others, representing an additional cost. An off-property alternative will not enhance and expand agricultural production or allow for the economic development for this applicant. Given the above-mentioned possible impacts of an alternative location, an off-property alternative was not selected.

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

The project consists of the construction of a new warehouse, the repairs and construction of a fence, and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Under the No Action Alternative, the applicant would not receive federal funding for the proposed action, which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for the economic development for this applicant.

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

The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with federal agencies associated with the topics evaluated above. There are no environmental review topics addressed above that result in the need for additional formal compliance steps with federal agencies or the requirement for mitigations other than those listed below. There may be additional approvals or permits from local agencies. 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, and any other procedure necessary for business development and land use in Puerto Rico. The appropriate and necessary permits should be obtained by the applicant and/or contractor, from the appropriate Department or concerned agency, prior to construction activities.

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

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These

measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Endangered Species	<p>Implement Puerto Rican Boa conservation measures prior to and during construction to avoid or minimize impacts to this species. If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124.</p> <p>If a Puerto Rican Broad-winged Hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p> <p>If a Puerto Rican Parrot is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p> <p>If a worker believes they have spotted a Puerto Rican Harlequin Butterfly, work should cease within the area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p>
<b>Permits or Agency Approvals Required</b>	
Permit or Approval	Permit Conditions
Ground disturbance	Projects whose earthworks are more than 40 m <sup>3</sup> must submit an Incidental Permit. The permit must be submitted via the Single Business Portal to the OGPe to be evaluated and physicalized by the Water Quality Division of the PRDNER.



Certifying Officer Signature:  Date: October 15, 2024

Name/Title: Sally Z. Acevedo Cosme- Permits and Environmental Compliance Specialist

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

# **APPENDIX A**

## **Site Inspection and Photos**

## Environmental Field Observation - Puerto Rico Department of Housing

APPLICANT INFORMATION			
<b>Application ID</b>	PR-RGRW-01189		
<b>Applicant Name</b>	Hector M Otero Montes DBA Hector A Otero Montes		
<b>Property Address</b>	Carr 149 km 23.3 Bo Cialitos Sector Las Cañas		
<b>Parcel ID</b>	----		
<b>Coordinates</b>	18.288217, -66.511682		
<b>Inspector Name</b>	Carlos O. Medina		
<b>Inspection Date</b>	05/12/2023, 2/2/2024		
<b>Building Type</b>	vacant		
<b>Number of Units</b>	0		
<b>Number of Stories</b>	0		
<b>Year Built; Data Source</b>	----; Historian		
ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers)			
OBSERVATION ITEMS	YES	NO	COMMENTS
<b>A. Is the structure in use?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>B. Is structure a greenhouse?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>C. Is Electricity connected?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Power service to the warehouse will be provided from the applicant house.
<b>D. Is water connected?</b> (Utilities or Well)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water service to the warehouse will be provided from the applicant house.
<b>1. Are there signs of poor housekeeping</b> on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>2. Are there any 55-gallon drums</b> visible on site? If yes, are they leaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>3. Are there any (or signs of any) underground storage tanks</b> on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4. Are there signs of ASTs</b> on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5. Is there any stained soil or pavement</b> on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>6. Is a water drainage system</b> in use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>7. Is a warehouse in use for storage of Fertilizer or Pesticides?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>8. Are there any groundwater monitoring wells</b> on the site or adjacent parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>9. Is there evidence of a faulty septic system?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>10. Is there distressed vegetation</b> on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>11. Is there any visible indication of MOLD?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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

Additional Notes:

Re Grow Additional Notes:

Case: PR-RGRW-01189

Project Name: Hector M Otero Montes DBA Hector A. Otero Montes

Coordinates: 18.288217, -66.511682

Is the field graded? For what purpose the field was graded? Month, Year: the field is not graded.

Scope of Work: Purchase of fertilizer, warehouse for fertilizer, farm equipment, glyphosate, Utility trailer and UTV.

Land current in use for: Bananas and coffee plantation.

Past Land use was: 50 years ago coffee and banana plantation

The applicant plans to do: The ground disturbance will be a terrace of 70' x 30' approximately for a warehouse.

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

Scope of work 1: 18.288217, -66.511682

Construction of a warehouse in metal (galvalum) with a concrete pad of approximately 70' x 30' footprint.

Scope of work 2: Included the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel with initial coordinates from 18.288521, -66.51220 and ending in the coordinates 18.288667, -66.510569. The materials to use for this purpose are barber wires and 100 treated wood spikes of approximately of 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

Any new water connection or power connection?

Applicant plans to add water connection to the warehouse, from the service of his house, underground 1' with PVC tubes.

Applicant plans to add power service to the warehouse, from the service of his house, underground 3'.

**Front of Structure**

Photo Direction: West



**Facing Away From Front**

Photo Direction: East



**Side #1 of Structure**

Photo Direction: West



**Facing Away From Side #1**

Photo Direction: East



**Back of Structure**

Photo Direction: Southeast



**Facing Away From Back**

Photo Direction: Northwest



**Side #2 of Structure**

Photo Direction: North



**Facing Away From Side #2**

Photo Direction: South



**Streetscape #1**

Photo Direction: East



**Streetscape #2**

Photo Direction: West



**Address**

Photo Direction: Southeast



Outbuildings

Photo Description: Applicant house

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: North



Structural Details

Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: East



Electricity Connected

Photo Description: Power service

Photo Direction: South



Water Connected

Photo Description: Water meter

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: South



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: Southwest



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: East



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Northeast



# APPENDIX B

## Maps



**Legend**

- Project Parcel
- Parcels
- Area of Potential Effect
- Project Parcel Boundaries
- Power connection
- Water connection

**PUERTO RICO**



**Figure 1: PROJECT LOCATION**

**APPLICANT ID: PR-RGRW-01189**

**ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638**

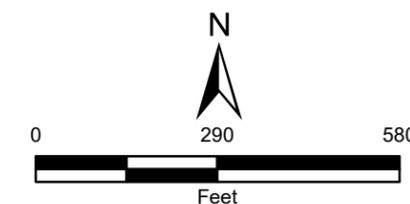
Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

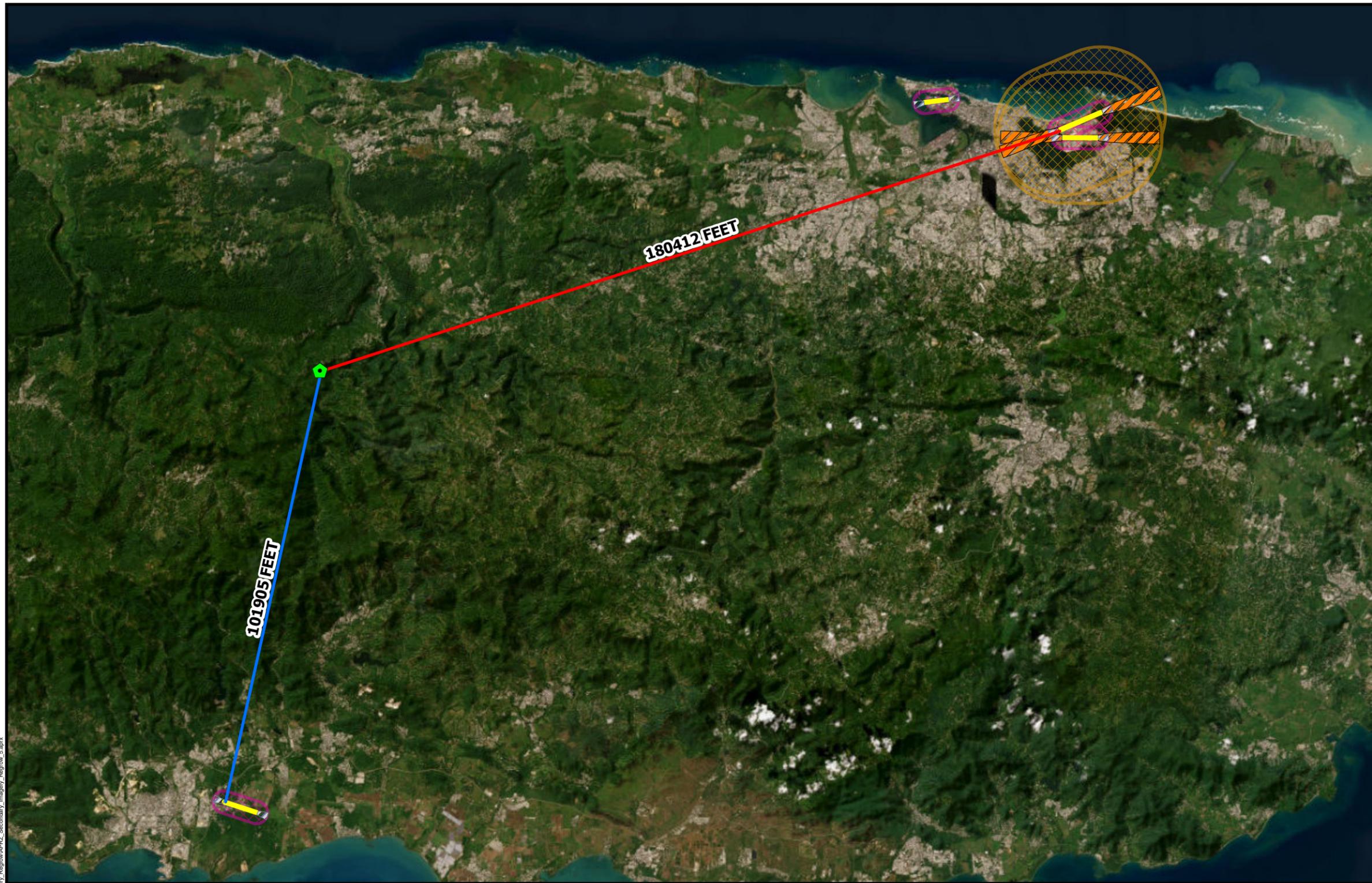
Parcel Coordinates: 18.288217, -66.511682



Source: CRIM  
<https://catastro.crimpr.net/cdprpc/>

Author: TG Date: 3/22/2024





**Legend**

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

**Distance to Nearest Airport  
in Feet: 101,905**

**Distance to Nearest Civilian Airport  
in Feet: 101,905**

**Distance to Nearest Military Airport  
in Feet: 180,412**

**PUERTO RICO**



**Figure 2: AIRPORT ZONES  
APPLICANT ID: PR-RGRW-01189**

**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

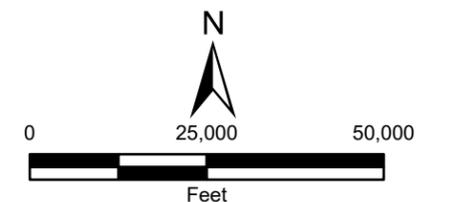
**Name of Development:** Hector M Otero Montes DBA Hector A. Otero Montes

**Parcel Coordinates:** 18.288217, -66.511682

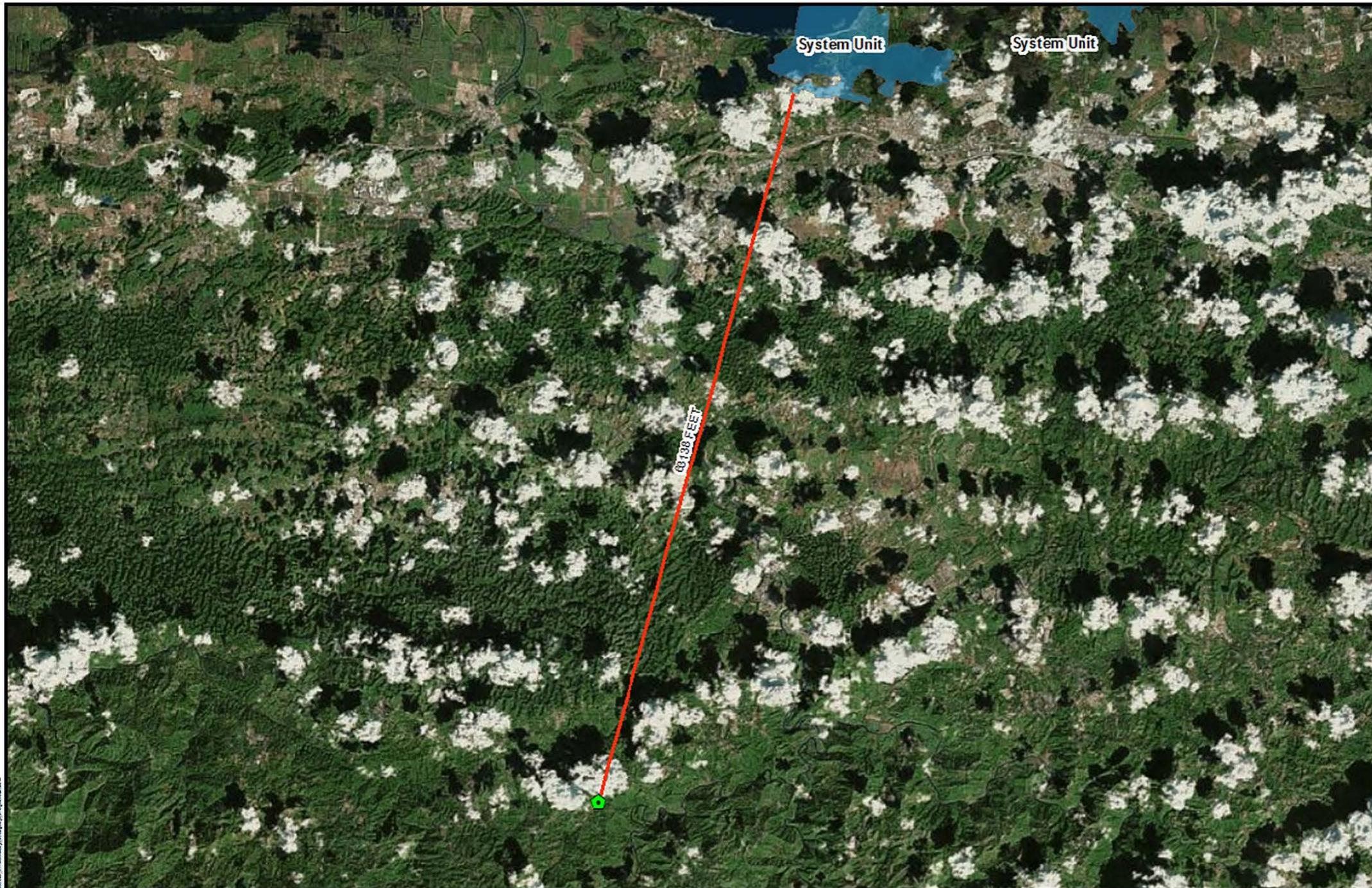


Source: USDOT  
<https://www.faa.gov>

Author: TG Date: 3/20/2024



File Path: Z:\data\USRT\Tier2\Regrow\APRZ\_Secondary\_Imagery\_Regrow\APRZ\_Secondary\_Imagery\_Regrow\_5.aprx



**Legend**

Project Parcel

**Coastal Barrier Resources System Unit Type**

Otherwise Protected

System Unit

Distance to Nearest Coastal Barrier Resources System in Feet: 63138 FEET

**PUERTO RICO**



**Figure 3: COASTAL BARRIERS IMPROVEMENT ACT  
APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

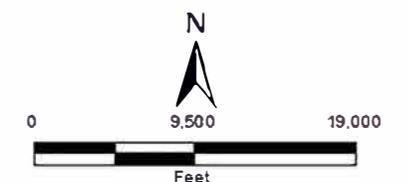
Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

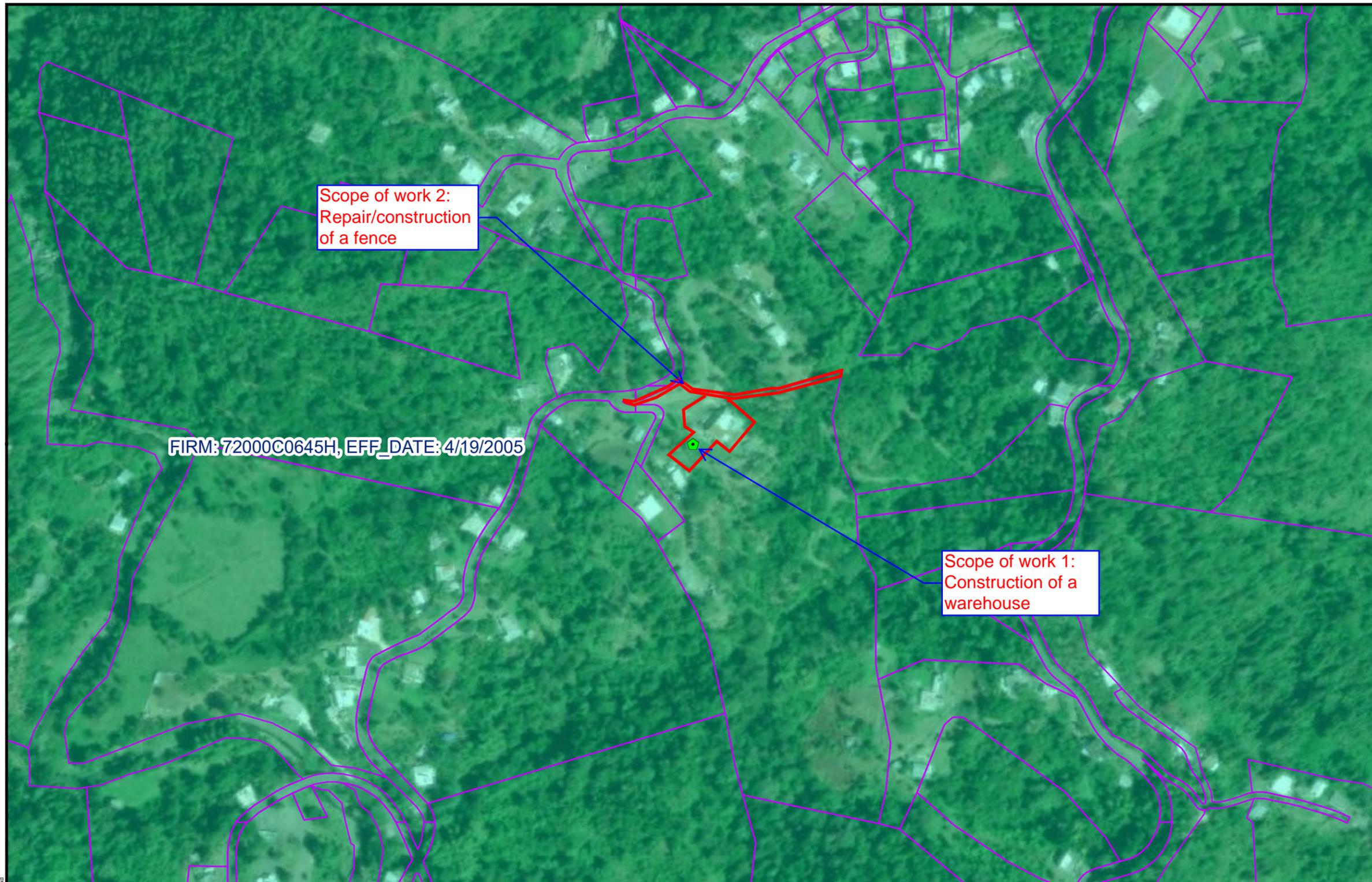
Parcel Coordinates: 18.288217, -66.511682



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

Author: TG





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

**PUERTO RICO**



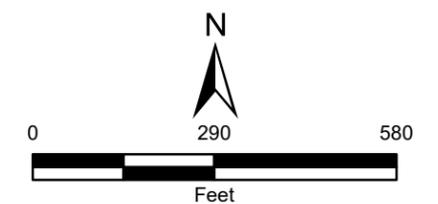
**Figure 4: FLOO INSURANCE RATE MAP (FIRM)  
 APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
 Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes  
 Parcel Coordinates: 18.288217, -66.511682



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

Author: TG Date: 3/22/2024



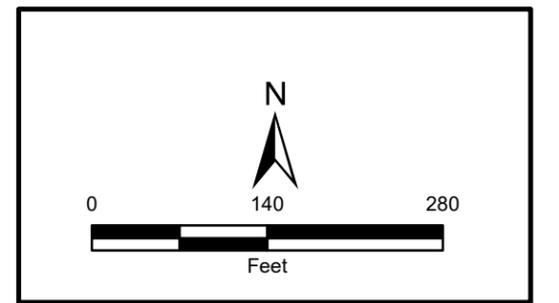


### Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
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.



**TETRA TECH**

Source: FEMA  
<https://www.msc.fema.gov>

Author: TG      Date: 5/31/2023

## FIGURE 5: NATIONAL FLOOD HAZARD LAYER FIRMETTE

### APPLICANT ID: PR-RGRW-01189

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

Parcel Coordinates: 18.288217, -88.511882

File Path: \\nas102\gis\GIS\CDR\PR\Accis\Shane\TDR\GIS\USFIRM\PR\LOC\_Regrow\_Secondary\_Imagery.mxd



- Legend**
- Project Parcel
  - Parcels
  - ABFE Flood Zone**
  - A
  - AE
  - AO
  - VE
  - X
  - Area of Potential Effect

**PUERTO RICO**



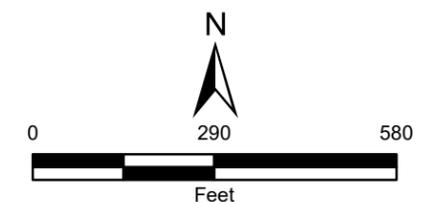
**Figure 6: ADVISORY BASE FLOOD ELEVATION (ABFE) MAP  
 APPLICANT ID: PR-RGRW-01189**

**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
**Name of Development:** Hector M Otero Montes DBA Hector A. Otero Montes  
**Parcel Coordinates:** 18.288217, -68.511682



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

Author: TG Date: 3/22/2024





**Legend**

-  Project Parcel
-  Coastal Zone Management Boundary

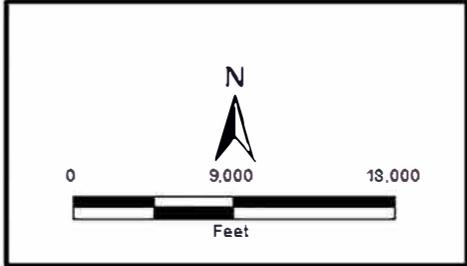
Distance to Nearest Coastal Zone: 59493 FEET

**PUERTO RICO**



**Figure 7: COASTAL ZONE MANAGEMENT  
APPLICANT ID:PR-RGRW-01189**

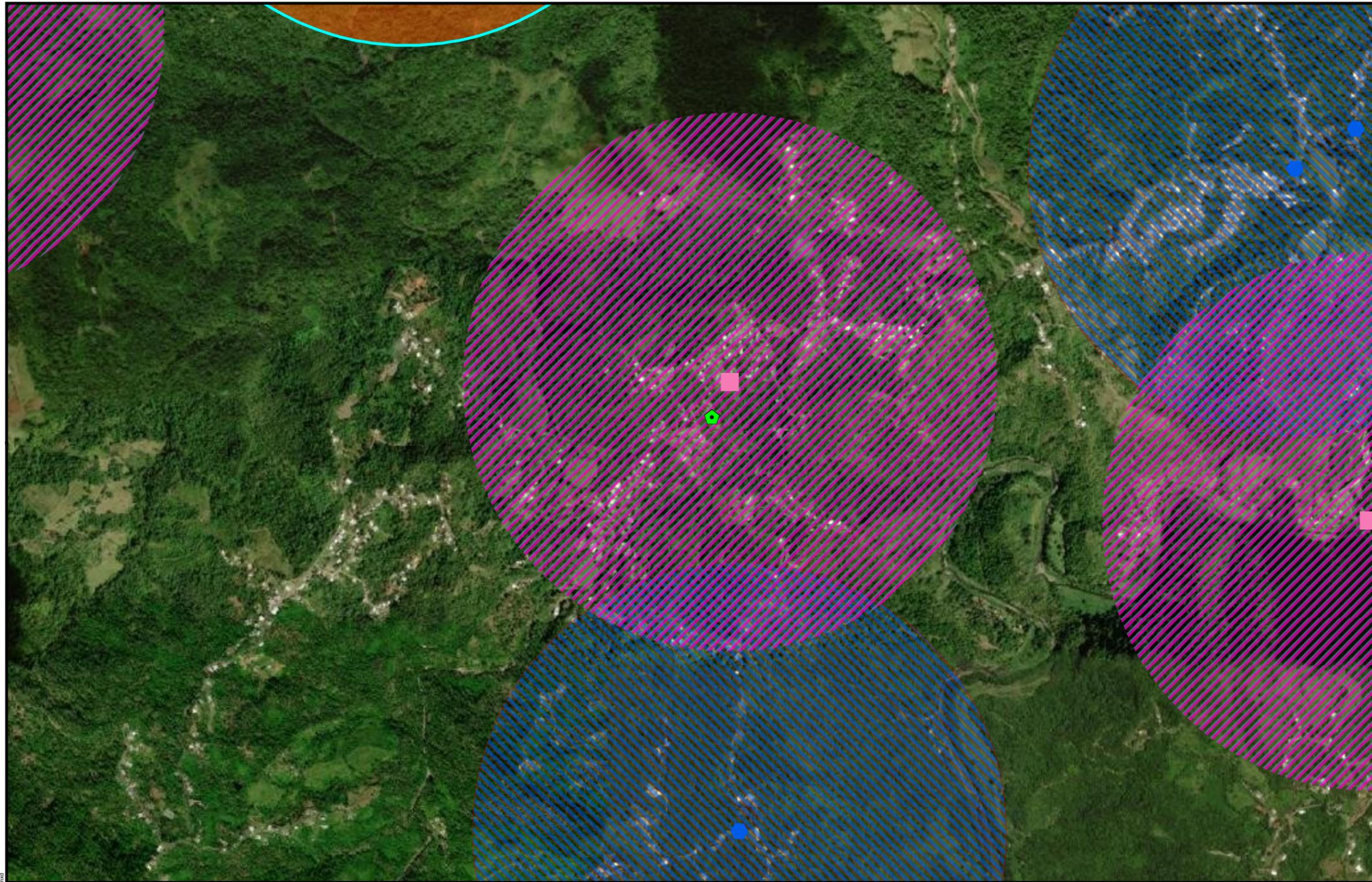
ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
 Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes  
 Parcel Coordinates: 18.288217, -86.511682



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

Author: TG

The data on this map was derived from the National Wetlands Inventory (NWI) and the National Coastal Zone Management Inventory (NCZMI) data. The data was processed by Tetra Tech, Inc.



**Legend**

-  Project Parcel
-  RCRA
-  Toxic Release Inventory Site
-  NPDES
-  Superfund Site
-  Brownfield Sites
-  3000 Ft Buffer NPDES
-  3000 Ft Buffer TRI
-  3000 Ft Buffer Superfund
-  3000 Ft Buffer RCRA
-  3000 Ft Buffer Brownfield

**PUERTO RICO**



**Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS, CONTAMINATION, AND RADIOACTIVE SUBSTANCES**  
**APPLICANT ID: PR-RGRW-01189**

**ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638**

**Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes**

**Parcel Coordinates: 18.289217, -86.511682**

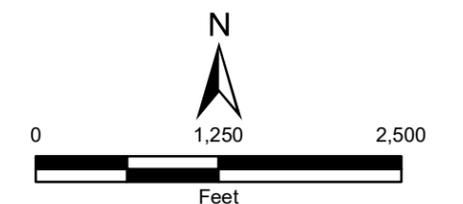


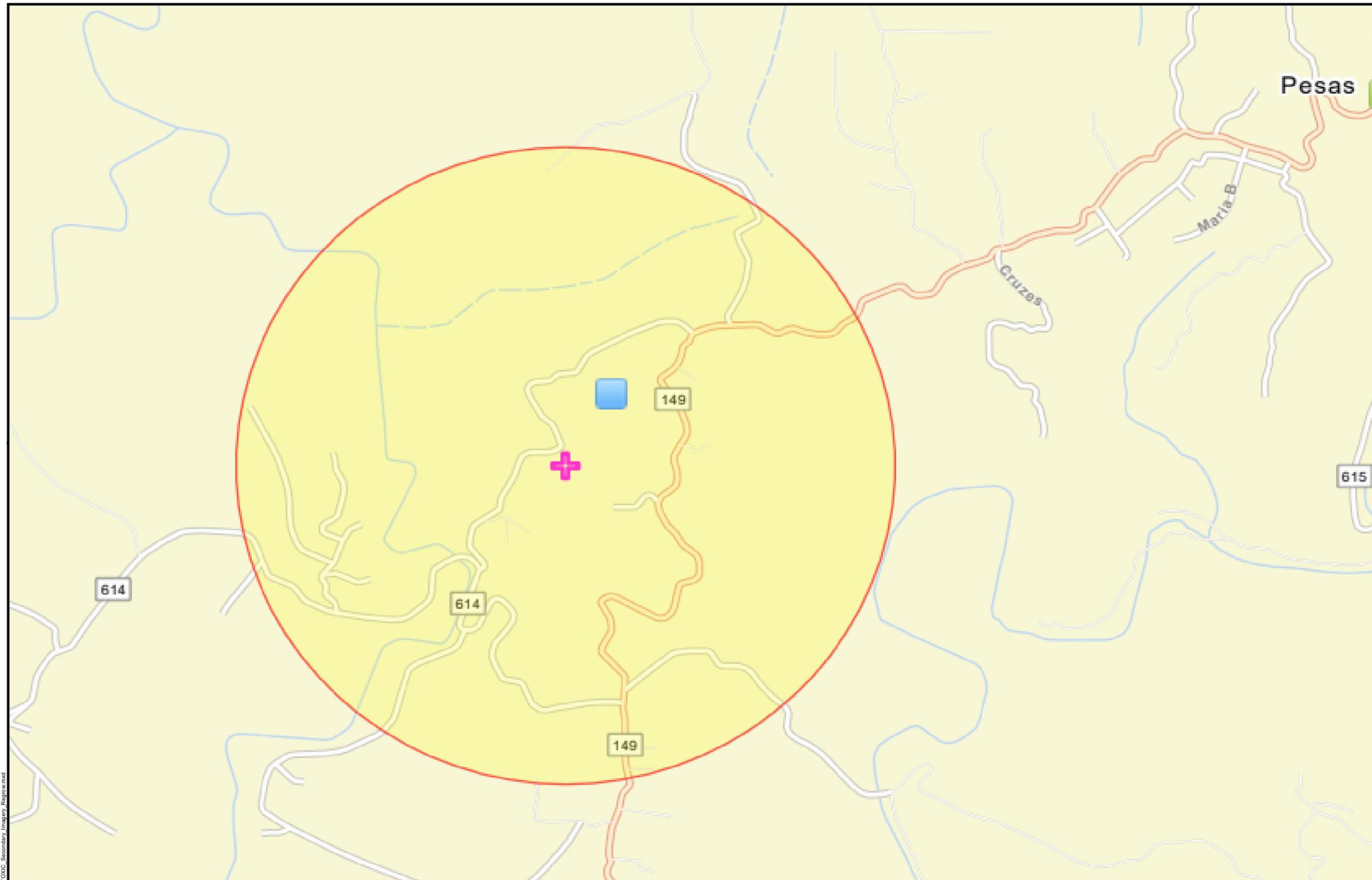
Source: E.P.A.

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

Author: JB/AK

Date: 3/22/2024





- Legend**
- Superfund (NPL)
  - Toxic Substances Control Act (TSCA)
  - Toxic Releases (TRI)
  - Brownfields (ACRES)
  - Hazardous Waste (RCRAInfo)
  - Water Dischargers (NPDES)
  - Air Pollution (ICIS-AIR)
  - + Project Parcel

**PUERTO RICO**

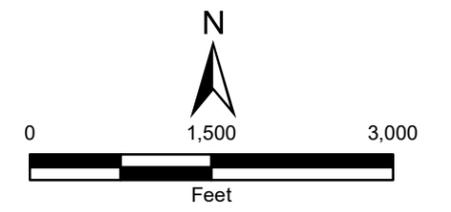


**Figure 9: NEPA Assist Map**  
**APPLICANT ID: PR-RGRW-01189**

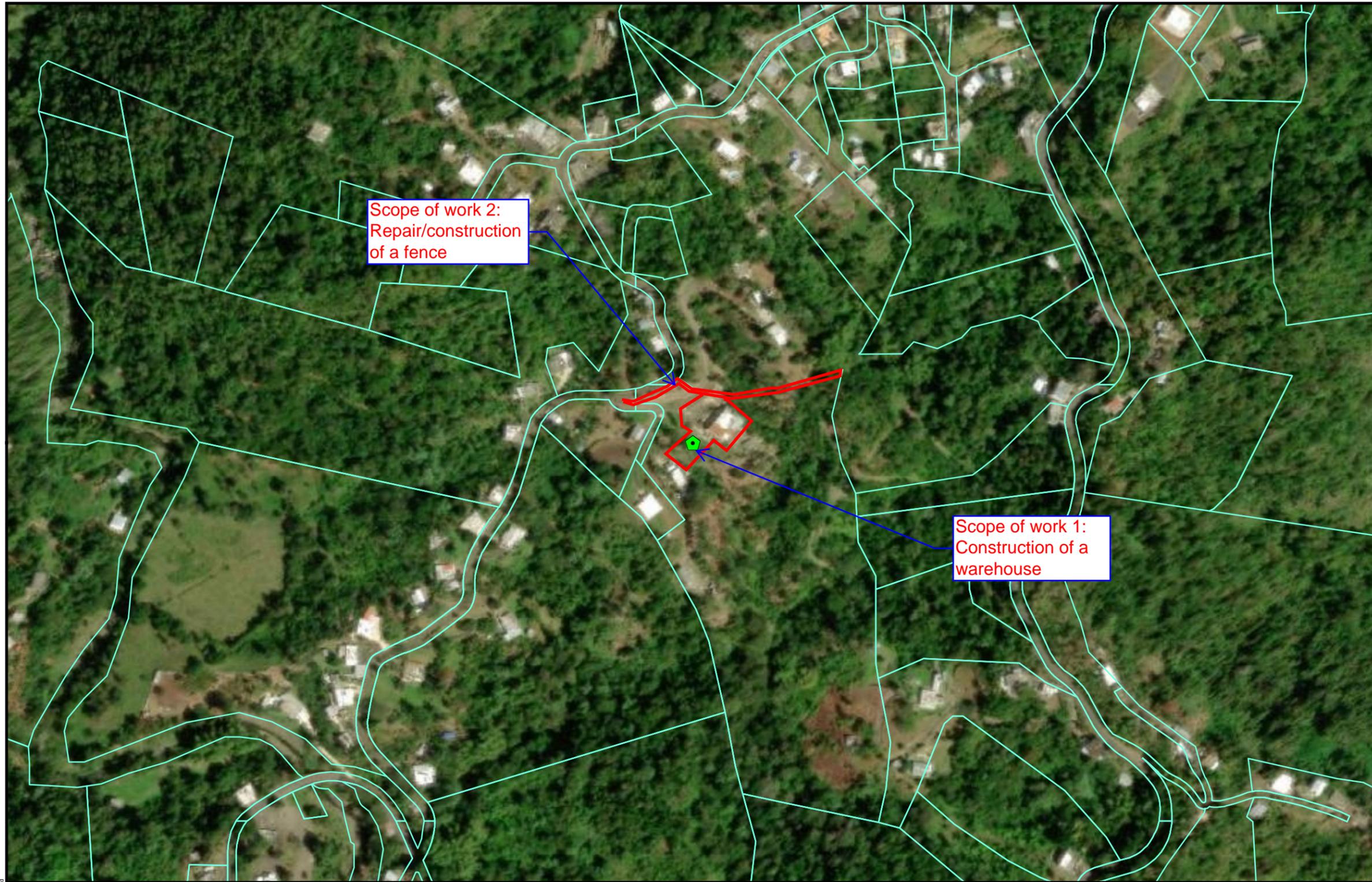
**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
**Name of Development:** Hector M Otero Montes DBA Hector A. Otero Montes  
**Parcel Coordinates:** 18.288217, -86.511682



Source: E.P.A.  
<https://www.epa.gov/frs/geospatial-data-download-service>  
 Author: JB/AK      Date: 5/18/2023



File Path: \\slas20\gis\GIS\PR\Cialitos\GIS\PR\Map\NEPA\Assist\TOXIC\_Secondary\_Imagery\_Regional.mxd



**PUERTO RICO**



**Figure 10: ENDANGERED SPECIES ACT  
APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

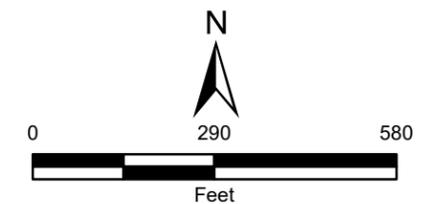
Parcel Coordinates: 18.288217, -86.511682



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

Author: TG

Date: 3/22/2024







**Legend**

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

**PUERTO RICO**

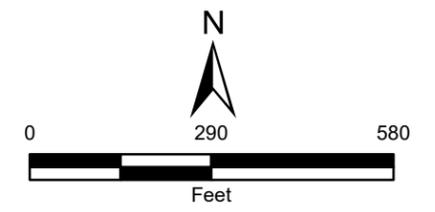


**Figure 12: FARMLAND PROTECTION  
APPLICANT ID: PR-RGRW-01189**

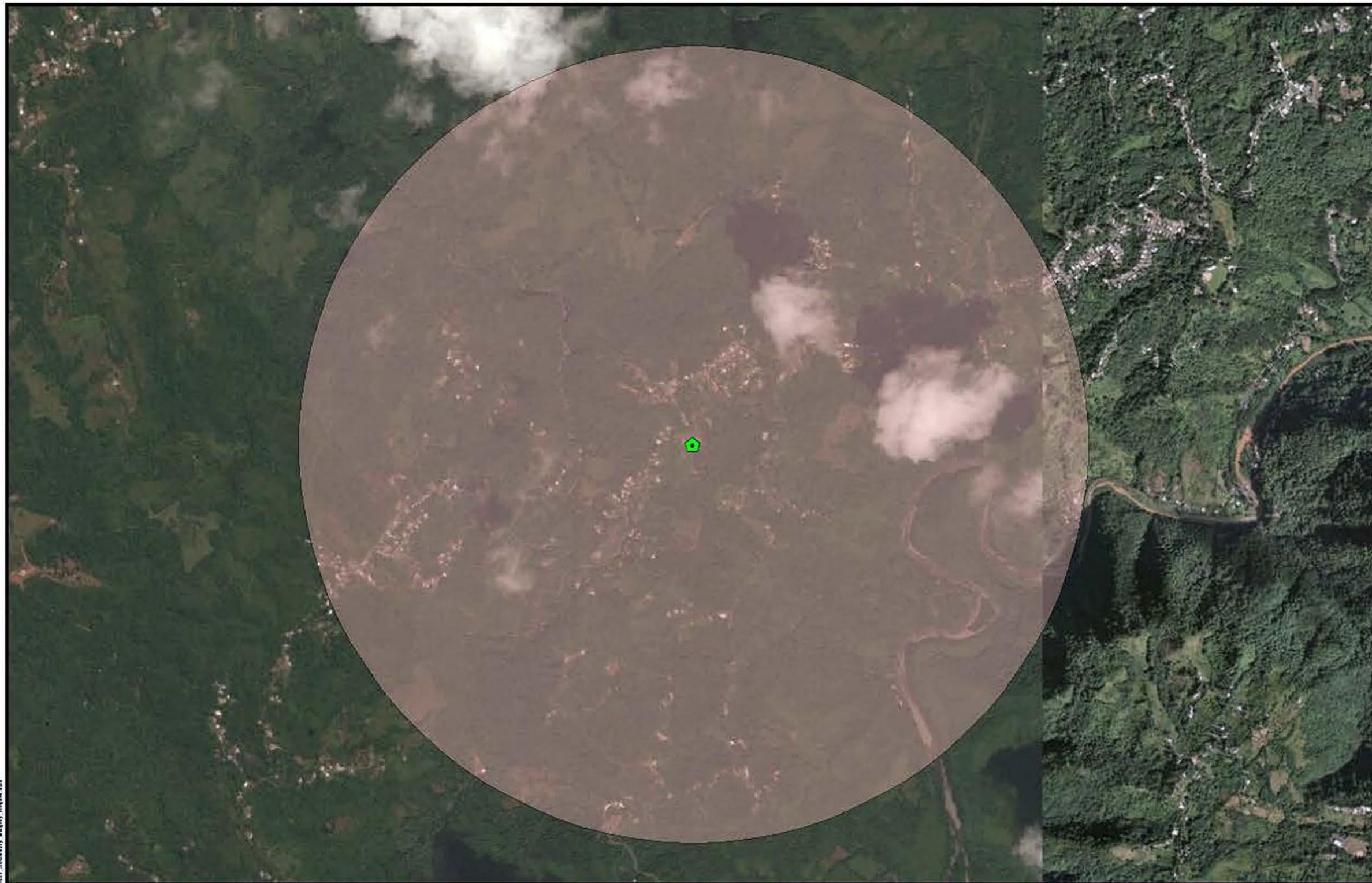
**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
**Name of Development:** Hector M Otero Montes DBA Hector A. Otero Montes  
**Parcel Coordinates:** 18.288217, -66.511682



Source: USDA  
<https://websoilsurvey.sc.egov.usda.gov>  
 Author: TG Date: 3/22/2024



File Path: Z:\data\USPRT\Farmland Protection\Regrow.mxd



**Legend**

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

**PUERTO RICO**



**Figure 13: HISTORIC PRESERVATION  
APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

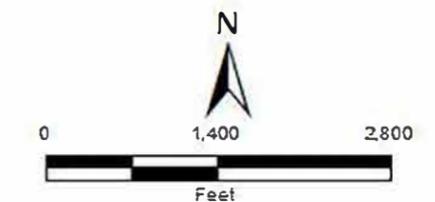
Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

Parcel Coordinates: 18.288217, -66.511882



Source: National Park Service  
<https://www.nps.gov/>

Author: TG Date: 6/1/2023





**Legend**

-  Project Parcel
-  Parcels
- WETLAND TYPE**
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Riverine
-  Area of Potential Effect

**PUERTO RICO**



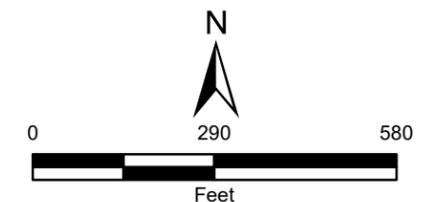
**Figure 14: WETLANDS**  
**APPLICANT ID: PR-RGRW-01189**

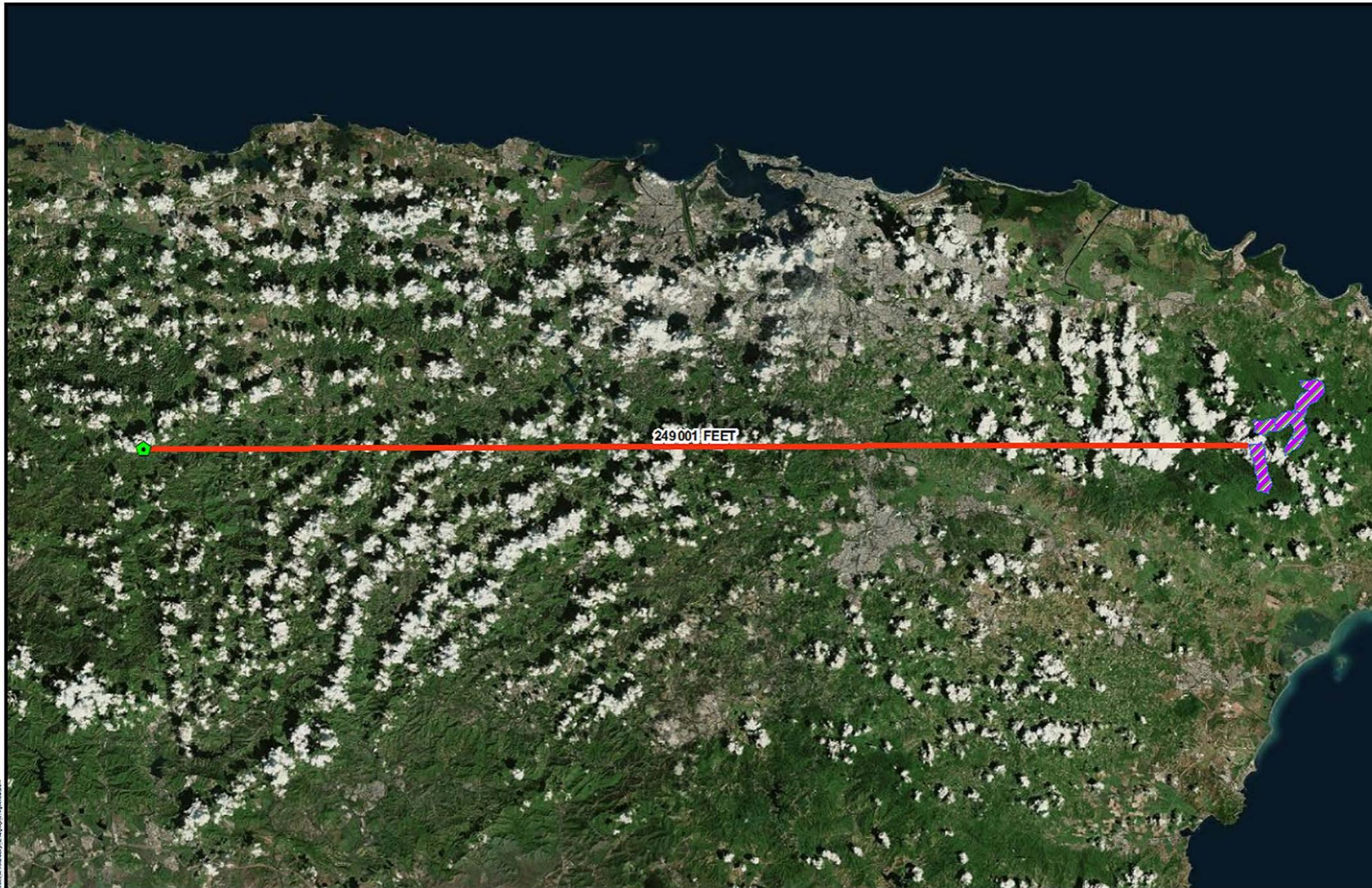
**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
**Name of Development:** Hector M Otero Montes DBA Hector A. Otero Montes  
**Parcel Coordinates:** 18.288217, -66.511682



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

Author: TG Date: 3/22/2024





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

Distance to Nearest Wild and Scenic River in Feet: 249001 Feet

**PUERTO RICO**



**Figure 15: WILD AND SCENIC RIVERS ACT  
APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

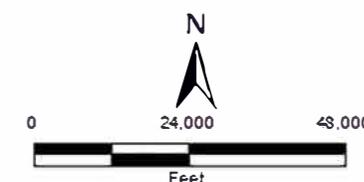
Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

Parcel Coordinates: 18.288217, -66.511682



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

Author: TG



The data, maps, graphics, illustrations, photographs and information contained herein were prepared by Tetra Tech, Inc. for the U.S. Forest Service. Tetra Tech, Inc. is not responsible for any errors or omissions in this document.



- Legend**
- Project Parcel
  - Parcels
- Landslide Susceptibility**
- Extremely High
  - Very High
  - High
  - Moderate
  - Low
- Area of Potential Effect

**PUERTO RICO**



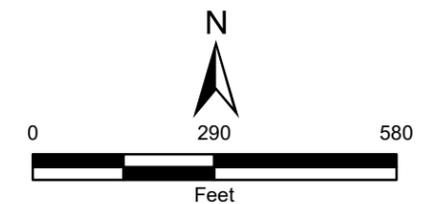
**Figure 16: SLOPE AND EROSION  
APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
 Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes  
 Parcel Coordinates: 18.288217, -86.511882



Source: PRDOH  
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=10506ecc7f15491daee17647f19248ee>

Author: TG Date: 3/22/2024



File Path: Z:\data\USRT\Facilities\Secondary\_Images\26\_Region.mxd



- Legend**
- ◆ Project Parcel
  - Streamflow and Recharge Source Zones
  - Sole Source Aquifer
  - Biscayne Aquifer SSA

Distance to Nearest Aquifer:  
5,334,578 FT

**PUERTO RICO**



**Figure 17: SOLE SOURCE AQUIFERS**  
**APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638

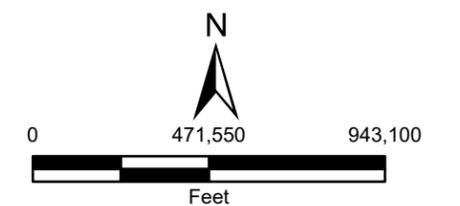
Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

Parcel Coordinates: 18.288217, -86.511682



Source: USGS  
<https://catalog.data.gov/dataset/epa-sole-source-aquifers>

Author: TG Date: 2/27/2024



File Path: Z:\data\US\PR\Tier2\Regrow\pr\SSA\QUIFER\_Sec\Secondary\_Imagery\_Regrow\QUIFER\_Regrow\_L1.aprx

# APPENDIX C

## Additional Information



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

Data is current as of July 31, 2024

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

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

Change the State:

PUERTO RICO

Important Notes

Download National Dataset: dbf | xls | Data dictionary (PDF)

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)	State/County FIPS Codes
<b>PUERTO RICO</b>								
Arecibo Municipio	Lead (2008)	Arecibo, PR	1112131415161718192021222324	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	18192021222324	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	18192021222324	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	18192021222324	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	18192021222324	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	18192021222324	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	18192021222324	//		Part	52,441	72/137

Important Notes

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2024-07-31



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-7000

OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

Special attention of:  
Regional Directors  
Field Office Directors  
CPD Directors and field office staff  
OEE Directors and field office staff  
PIH Directors and field office staff  
Office of Housing Directors and division  
staff  
ONAP Administrators and field office staff  
OLHCHH Directors and Healthy Homes  
Representatives  
Program Environmental Clearance Officers  
Responsible Entities  
Public Housing Authorities  
Tribes  
Tribally Designated Housing Entities

Notice: CPD-23-103

Issued: January 11, 2024

**This notice will be effective 90 days after the date issued. For Tribes, Tribally Designated Housing Entities, and Department of Hawaiian Homelands Recipients, however, it will be effective two years after the date issued.**

Expires: This Notice is effective until amended, superseded, or rescinded

**SUBJECT:** Departmental Policy for Addressing Radon in the Environmental Review Process

## I. Purpose

The purpose of this Notice is to clarify that radon must be considered in the contamination analysis for 24 CFR Parts 50 or 58, as applicable; to provide guidance on recommended best practices for considering radon; and to identify the U.S. Department of Housing and Urban Development (HUD) programs that have established specific radon guidance. This Notice does not impose radon testing requirements; however, it does include guidance on strategies for considering radon in the site contamination analysis.

This notice applies *only* to projects that are subject to HUD's contamination regulations at 24 CFR 50.3(i) or 24 CFR 58.5(i). It does not apply to the purchase of single family homes with an FHA-backed mortgage nor Section 184 and Section 184A loan guarantees. This notice also does *not* preempt any existing, federal state, or local requirements regarding radon. It also does not preempt the radon requirements found in HUD's Office of Housing programs following the Multifamily Accelerated Processing (MAP) Guide, Healthcare Mortgage Insurance Program Handbook, Rental Assistance Demonstration Program Notice and supplemental guidance, or other current or future radon guidance that is more prescriptive. See section IV of this notice for links to Housing radon guidance documents.

Compliance with this notice is required 90 days after the date issued for all HUD programs subject to 24 CFR Parts 50 and 58, with the exception of Tribe, Tribally Designated Housing Entity (TDHE), and Department of Hawaiian Homeland (DHHL) recipients. In

recognition of the need to provide additional support for radon programs, compliance with this notice is required starting January 11, 2026 for Tribe, TDHE, and DHHL recipients.

## II. Radon and its health effects

Radon is a radioactive gas that forms when radium and certain other radioactive metals break down in rocks, soil, and water.<sup>1</sup> It is found in nearly all soils and moves through the soil to the air and into structures through cracks and other areas of permeability. Building materials and groundwater may also be a source of indoor radon. Once inside, radon concentrations can build to high levels, regardless of the age, condition, or design of the building.

The most common pathway for human exposure to radon is inhalation indoors. Radon is the number one cause of lung cancer in non-smokers and the second leading cause of lung cancer overall.<sup>2</sup> The risk of adverse health effects from radon in indoor air depends largely on two main variables: the level of radon exposure and the length of time exposed. Many radon-induced lung cancers can be prevented by testing and reducing radon levels in existing buildings and by using radon resistant construction techniques for all new construction.<sup>3</sup>

The goal for mitigating radon in buildings is to reduce radon concentrations in indoor air as low as reasonably achievable and practicable considering the efficacy of current industry-standard radon reduction systems and environmental conditions (e.g., geology and climate). The most effective strategy to protect the health and safety of occupants is to prevent radon from entering the building by using radon resistant construction techniques; another effective strategy is to reduce the level of radon inside existing buildings by installing and operating a radon reduction system. An effective radon reduction system achieves two main goals: it reduces the concentration of radon gas in the home by venting it safely outside the structure and removes the radon gas from under the foundation before it can come into the home.

## III. Considering radon in the environmental review

HUD's environmental regulations at 24 CFR 58.5(i)(2)(i) and (ii)<sup>4</sup> state that,

[i]t is HUD's policy that all properties that are being proposed for use in HUD programs **be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances**, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.

The environmental review of multifamily housing . . . , **must include the evaluation of** . . . other evidence of contamination on or near the site, to ensure that occupants of proposed sites are not

---

<sup>1</sup> National Institute of Health, Periodic Table, Element Summary, "Radon", <https://pubchem.ncbi.nlm.nih.gov/element/Radon>.

<sup>2</sup> U.S. Environmental Protection Agency, "Health Risk of Radon", <https://www.epa.gov/radon/health-risk-radon>.

<sup>3</sup> <https://www.epa.gov/radon/health-risk-radon>.

<sup>4</sup> HUD's contamination policy at 24 CFR 50.3(i)(1) and (2) implements the same substantive policy with slightly different text, <https://www.ecfr.gov/current/title-24/subtitle-A/part-50/subpart-A/section-50.3>.

adversely affected by any of the hazards listed in paragraph (i)(2)(i) of this section.

As radon is a radioactive substance, HUD or the responsible entity (RE) must consider it as part of the site contamination analysis for projects that:

- Require an environmental review at the level of *Categorically Excluded Subject to 50.4 or 58.5* (“CEST”), *Environmental Assessment*, or *Environmental Impact Statement*; and
- Involve structures that are occupied or are intended to be occupied at least four (4) hours a day.

Note: HUD’s contamination policy does not apply to projects that are Exempt or Categorically Excluded Not Subject to 50.4 or 58.5 (“CENST”).

HUD encourages environmental review preparers to follow the most recent U.S. Environmental Protection Agency (EPA) recommendations about assessing the health risk from radon exposure and when to reduce radon levels in indoor air. Because more people are exposed to moderate levels of radon, most radon-induced lung cancer results from long-term exposure to low or moderate radon levels in the home, as opposed to short term exposure to very high levels of radon.<sup>5</sup> The EPA recommends homes be fixed if the radon level is 4 pCi/L or more. Because there is no known safe level of exposure to radon, EPA also recommends that Americans consider fixing their home for radon levels between 2 pCi/L and 4 pCi/L<sup>6</sup>. Indoor air radon levels vary across the U.S. and from parcel to parcel due to differences in geology, climate, seasonal variation, building construction, and other conditions. Additionally, because radon cannot be seen, tasted, or smelled, the only method for determining the precise radon level in a specific building is to test the indoor air.

Exemptions from having to consider radon in the contamination analysis<sup>7</sup>:

- Buildings with no enclosed areas having ground contact.
  - Buildings containing crawlspaces, utility tunnels, or parking garages would *not* be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L<sup>8</sup> with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within

---

<sup>5</sup> World Health Organization, *Handbook on Indoor Radon; A Public Health Perspective* (January 1, 2009). p. x, 2, <https://www.who.int/publications/i/item/9789241547673>.

<sup>6</sup> <https://www.epa.gov/radon/what-epas-action-level-radon-and-what-does-it-mean>

<sup>7</sup> These exemptions are specific to this notice and do not all comport with the requirements in the MAP Guide, Healthcare Mortgage Insurance Program Handbook, RAD Program Notice and supplemental guidance or other program guidance.

<sup>8</sup> Or the EPA’s current recommended level for reducing radon levels in indoor air, <https://www.epa.gov/radon/health-risk-radon>.

two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.

- Buildings tested within five years<sup>9</sup> of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA’s recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

#### **A. How to consider radon in the HUD Environmental Review**

This section details how environmental review preparers may consider radon in the HUD environmental review in order to satisfy 24 CFR 50.3(i) or 24 CFR 58.5(i)<sup>10</sup>. This section provides a recommended “best practice” method; however, preparers may utilize one of the alternate options if they choose not to implement the best practice.

##### **i. Recommended Best Practice**

When considering radon in the contamination analysis, HUD strongly recommends using the American National Standards Institute/American Association of Radon Scientists and Technologists (ANSI/AARST) radon testing standards for single- and multi- family buildings, schools, and large buildings, including those constructed using radon-resistant construction techniques.<sup>11</sup> The ANSI/AARST standard describes how to conduct testing, interpret test results, and draft a Radon Test Report to document the process for the building owner (and to use as documentation for the ERR).

The ANSI/AARST standards can be viewed online for free and are intended to be implemented by licensed radon professionals. To find a licensed radon professional in your area contact the State/Tribe’s radon program office,<sup>12</sup> National Radon Proficiency Program (NRPP),<sup>13</sup> or the National Radon Safety Board (NRSB).<sup>14</sup>

There may also be state and/or local radon requirements, depending on the jurisdiction. Contact the relevant State/Tribal radon control program to ensure the project complies with State/Tribal requirements.<sup>15</sup>

Note: Although testing is not required under this notice, *testing is the only way to determine the radon level within a building.*

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<sup>9</sup> Note that the allowance for the use of test results within the previous five years is specific to this notice and does not comport with the ANSI/AARST standards.

<sup>10</sup> This section does not apply to projects that are subject to the MAP Guide, Healthcare Mortgage Insurance Program Handbook or RAD Program Notice and supplemental guidance or other current or future HUD radon guidance that is more prescriptive.

<sup>11</sup> ANSI/AARST Standards (In lieu of developing a federal radon testing standard, the EPA references the ANSI/AARST Standards), <https://standards.aarst.org/> (<https://www.epa.gov/radon/radon-standards-practice>).

<sup>12</sup> The National Radon Program Services, “State Radon Programs Information”, <https://sosradon.org/state>.

<sup>13</sup> NRPP, <https://nrpp.info>.

<sup>14</sup> NRSB, <https://www.nrsb.org>.

<sup>15</sup> <https://sosradon.org/state>.

## ii. Alternative Options

Using the ANSI/AARST radon testing standards is not the only option available for considering the risk that occupants may be exposed to high radon levels.<sup>16</sup> If the environmental review preparer chooses not to conduct radon testing per the ANSI/AARST standards, one of the following alternative strategies<sup>17</sup> must be used to consider radon in the contamination analysis. Review the HUD program office guidance in Section IV to ensure the strategy used to consider radon in the contamination analysis complies with specific program office requirements for the project.<sup>18</sup>

1. Do-it-yourself (DIY) radon test kits may be used to measure radon levels in single-family dwelling units. In HUD single-family buildings<sup>19</sup> with multiple units, one DIY test kit must be used for each dwelling unit. DIY radon test kits may be available for low or no cost through State/Tribal radon program offices and are available to purchase through the National Radon Program Services website and some state radon control program websites.<sup>20</sup>

When using a DIY test kit, there can be quality control issues that affect the quality of the test results. To ensure the DIY test results are as accurate as possible, it is important to read the entire test kit instructions before activating the test device and to follow them fully. The EPA's *Citizen's Guide to Radon*<sup>21</sup> and the ANSI/AARST standard for testing single-family housing are excellent resources for detailed instructions about conducting the radon test, including where to place the test device(s), how to prepare the home (whether to close the windows, turn off fans, the length of time to test), how to document the test process, and interpret the results. HUD encourages that test devices be approved by either the NRPP or NRSB. Contact the National Radon Program Services helpline, the State/Tribal radon program office, or the local health department for assistance.<sup>22</sup>

2. In remote or other areas where there are no licensed/certified radon professionals and/or DIY test kits cannot be shipped to a lab in sufficient time, the local government, such as a local health department or environmental department, may decide to purchase radon monitoring equipment and train staff to use it. Monitoring equipment, such as continuous radon monitors, should be used in accordance with the manufacturer's instructions and intended use and staff should ensure proper quality control and quality assurance practices are adhered to.

---

<sup>16</sup> High levels of radon are those that are at or above 4 pCi/L.

<sup>17</sup> Alternative to measuring radon levels in indoor air using the ANSI/AARST standards.

<sup>18</sup> Note: REs and HUD must also ensure that the strategy used complies with any state or local laws and regulations regarding radon.

<sup>19</sup> HUD defines "single family building" as a residential building with one to four dwelling units.

<sup>20</sup> National Radon Program Services, <https://sosradon.org/purchase-kits>.

<sup>21</sup> EPA, *A Citizen's Guide to Radon: The Guide to Protecting Yourself and Your Family from Radon* (EPA 402/K-12/002, December 2016), <https://www.epa.gov/radon/publications-about-radon>.

<sup>22</sup> The National Radon Program Services, which has phone, email, and mail connections, is operated by Kansas State University for the US EPA, <https://sosradon.org/Contact>. (The phone numbers may also be reached by persons with hearing or speech difficulties by dialing 711 via teletype (TTY) or telecommunications device for the deaf (TDD)).

3. Scientific data review. Available science-based information may be used to determine whether the project site is located in an area that has average documented radon levels at or above 4 pCi/L. Contact the State/Tribal radon program office (or health department), as needed, for assistance with obtaining and interpreting available science-based information about radon levels in the area. Science-based information includes, but is not limited to:

- State/Tribe-generated radon information, such as surveys of radon levels from collecting radon measurement data or geological studies that identify high risk areas.
- Department of Health and Human Services, Centers for Disease Control and Prevention (CDC), National Environmental Public Health Tracking, Radon Testing map.<sup>23</sup> This map provides radon test data from national radon testing laboratories and states that can be viewed by state or county. Radon test data ranges from 1988 to the present.

Environmental review preparers may *not* use the EPA Map of Radon Zones nor EPA State Maps of Radon Zones for considering radon levels at a project site for compliance with 24 CFR 50.3(i) or 24 CFR 58.5(i) because it is not appropriate for a site-specific analysis of radon risk, which is required for a HUD environmental review.

Note: Although science-based, a document review *does not* determine the radon level in a specific building; where feasible, HUD recommends using one of the radon testing strategies.

When conducting a scientific data review in lieu of testing, there must be a minimum of 10 (ten) documented test results over the previous 10 years for which data is available in a given county for the scientific data review approach to be utilized. If there are less than 10 documented results over this period, then there is a lack of scientific data for the purposes of this notice and no further consideration of radon is needed if testing is infeasible or impracticable.

Additionally, testing data utilized should cover the smallest geographic area for which the minimum amount of documented test results exist, up in size to the county in which the project is located. The best available data must be used. Best available data refers to the most current data that best indicates the level of radon concentration at a project site. Whenever possible, utilize the average of the previous 10 years of data.

There may be certain scenarios in which use of the Recommended Best Practice or Alternative Options identified above may not be feasible or practicable due to limited access to testing (e.g., lack of licensed radon professionals in the project area) and lack of scientific data (e.g., there are less than 10 documented test results over the previous 10 years). Refer to section **C. Documenting the environmental review record** below for documentation requirements in these scenarios.

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<sup>23</sup> CDC, “National Environmental Public Health Tracking, Radon Testing”, <https://www.cdc.gov/nceh/tracking/topics/RadonTesting.htm>.

## **B. Mitigating Radon**

When radon testing determines indoor air radon levels are at or above 4 pCi/L or the scientific data review determines the project site is located in an area that has documented radon levels at or above 4 pCi/L, the Environmental Review Record (ERR) must include a mitigation plan. When the determination is based on a scientific data review, if feasible, HUD recommends conducting radon testing (using one of the testing strategies described in the previous sections) to confirm radon levels in the building(s) proposed for HUD funding. If testing then demonstrates that radon levels within the building are below 4 pCi/L, mitigation would *not* be required; environmental review preparers can simply document the test results in the ERR.

The mitigation plan<sup>24</sup> must identify the radon level; consider the risk to occupants' health; describe the radon reduction system that will be installed; whenever possible, establish an ongoing maintenance plan to ensure the system is operating as intended; establish a reasonable timeframe for implementation (i.e., integrate radon mitigation activities into an annual plan or a 5-year plan that is already completed for HUD funded activities); and require post-installation testing. Where feasible, post-installation testing should be conducted by a licensed radon professional. In an area where there are no licensed radon professionals, there may be other personnel, such as trained staff, other professionals (i.e., engineers, geologist, scientists, public health staff) who have experience conducting radon testing or have the relevant skills and knowledge to follow the device instructions or ANSI/AARST test protocols and mitigation standards. For assistance Contact the EPA's local radon program office, state/Tribe radon program office, the National Radon Program Services,<sup>25</sup> or refer to the applicable ANSI/AARST standard for guidance.

If using the ANSI/AARST mitigation standard to install the radon reduction system, follow the guidance in the standard to draft the mitigation and the operation, maintenance, and monitoring plans.

## **C. Documenting the environmental review record**

Under HUD's regulations, 24 CFR 58.38(a)(3) or 50.11, HUD, or the RE, is required to document the radon evaluation as part of the contamination analysis in the ERR. For ERRs documented using the HUD Environmental Review Online System (HEROS), document the radon evaluation in the Contamination and Toxic Substances factor Compliance Determination screen and upload supporting documentation. For Office of Housing projects, document the radon evaluation in the HEROS Housing Requirements Screen.

If testing is not conducted and not otherwise required by program guidance, the documentation will need to provide evidence of average documented radon test results covering the project site or its county, other science-based information suggesting radon levels at the project site, or evidence of a lack thereof.

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<sup>24</sup> Example of an areawide radon testing plan: Home Forward, Multnomah County, Oregon at: <http://homeforward.org/content/radon-information>.

<sup>25</sup> EPA Regional, State, and Tribal Radon contacts, <https://www.epa.gov/radon/epa-map-radon-zones-and-supplemental-information#datainfo>; National Radon Program Services, <https://sosradon.org/main> or 800 644-6999.

In instances where radon testing will be conducted but cannot be conducted until after the environmental review record is certified -such as with new construction or certain rehabilitation projects- then the initial documentation would not include a radon evaluation but must include a condition for post-construction radon testing followed by mitigation if needed. The environmental preparer must update the environmental review record with the radon evaluation and proof of any required mitigation when complete.

Acceptable methods to document radon consideration in the ERR include:

- ANSI/AARST standard: Include a copy of the test report and mitigation plan (if applicable) as described in the standard in the ERR. For Office of Housing programs, follow program guidance requirements on timing and documentation.
- DIY and other radon test strategies: Document the test device, time period of test, test conditions (HVAC system off windows closed, outside temperature), test results, and other conditions relevant to test conditions. Refer to the applicable ANSI/AARST standard as guidance.
- Review of CDC radon testing data, geologic studies/maps, other scientific data: Describe and cite the maps and data used to determine the area wide radon levels and include copies of all supporting documentation (maps/studies) in the ERR.
- In instances where HUD grantees, applicants, and recipients are unable to obtain science-based data, environmental review preparers must consider the feasibility of radon testing if they have not already. If the grantee, applicant, or recipient determines that testing is infeasible or impracticable, the environmental review must document the basis for this determination.<sup>26</sup> Acceptable documentation in these scenarios where testing is infeasible and science-based data is not available includes but is not limited to: correspondence with state and local radon control agencies indicating a lack of scientific data evidencing radon levels at the project site, a copy of CDC Environmental Health Tracking Network information showing the project site is located in a county with a lack of scientific data, and a basis for the conclusion that testing would be infeasible or impracticable. The RE, grantee, applicant, or recipient is not required to submit additional documentation substantiating their decision that testing is infeasible or impracticable.
- When all this is documented in the ERR, *no* further consideration of radon is needed and no further action with respect to radon is needed for the environmental review. .

Examples of acceptable documentation of radon consideration in the ERR:

- A project site is located in a county in which the CDC Radon Testing data shows that more than 10 tests have been conducted over the last 10 years. The average of the 200 tests completed in the county over the last 10 years is 4.5 pCi/L. Since scientific data

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<sup>26</sup> Common instances where this determination may occur include a lack of funding for testing or the cost of testing is prohibitively high when compared with the cost of a particular low-dollar project.

indicates that average radon levels in the county in which the project is located are greater than 4.0 pCi/L, the grantee must either test for radon or formulate a mitigation plan they will implement.

- Radon testing data from the CDC Environmental Public Health Tracking Network map shows data for the county in which the project site is located, which is the smallest area for which data is available. The data shows the annual mean pre-mitigation radon measurement in tested buildings for the most recent 10-year period as 1.8 pCi/L. There is no other available evidence of radon levels in the area. The local government chooses to establish a radon testing plan to confirm radon levels in specific buildings are below 4 pCi/L. The test plan timeframe aligns with the RE's housing rehabilitation plan.
- A project site is located in a county in which the CDC Radon data shows that more than 10 tests have been conducted over the last 10 years. The average of the 220 tests completed in the county over the last 10 years is 3.2 pCi/L. The responsible entity or HUD reviewer documents the results in the environmental review records and therefore satisfies this notice's requirement that radon be considered as part of the environmental review process.
- A project site is located in a county in which the CDC data shows that fewer than 10 tests have been conducted over the last 10 years. The RE or HUD reviewer documents the lack of scientific data in the environmental review records. The RE has reviewed the cost of radon testing for the project and determined that testing is infeasible because the cost to test for this project would cut too much into the project's small budget. They note this determination in the environmental review record.

The local EPA radon contact person and the National Radon Program Services may be able to assist with developing a testing plan. The EPA's *A Citizen's Guide to Radon* (for single family homes) and the ANSI/AARST standards (single family and multifamily buildings) are a good source for guidance on the information that is included in a test plan.

Note: HUD or a Responsible Entity must reject projects in areas that have sufficient documented radon levels at or above 4 pCi/L if no mitigation has been proposed or performed.

#### **IV. HUD program office documents addressing radon**

Current HUD program office guidance regarding radon testing and mitigation is listed below. Each HUD program office is responsible for issuing program-specific radon guidance. Program guidance may be updated as Departmental policies develop; be sure to use the most current guidance. Additionally, this notice does not preempt or modify existing HUD program-specific radon requirements, such as those found in the Multifamily Accelerated Processing (MAP) Guide, the Healthcare Mortgage Insurance Program Handbook 4232.1 Rev-1, the RAD Program Notice and Supplemental Notice 4B, or other current or future radon guidance that is more prescriptive. For questions concerning program office guidance, contact your program office representative.

- Office of Housing, *Multifamily Housing, Multifamily Accelerated Processing Guide* (4430.G), Section 9.6.3, [https://www.hud.gov/program\\_offices/administration/hudclips/guidebooks/hsg-gb4430](https://www.hud.gov/program_offices/administration/hudclips/guidebooks/hsg-gb4430)
- Office of Housing, Office of Residential Care Facilities, *Healthcare Mortgage Insurance Program Handbook* (4232.1), Section 7.8, Rev-1), or most recent edition, <https://www.hud.gov/sites/documents/42321S2C7HSGH.PDF>
- Office of Housing, Office of Recapitalization, Rental Assistance Demonstration (RAD) Program (Notice H-2019-09 PIH-2019-23 (HA)) and Supplemental Notice 4B (Notice H-2023-08 PIH-2023-19 (HA)), <https://www.hud.gov/RAD/library/notices>
  - Quick Reference Guide, Environmental Review Requirements for RAD Conversions (2020), <https://www.hudexchange.info/resource/4216/environmental-review-requirements-for-rad-transactions/>. Check RAD Resource Desk for future guidance, <https://www.radresource.net/index.cfm>
- Office of Public and Indian Housing (PIH), Radon Information for PIH Programs (Notice 2013-06 (HA)), <https://www.hud.gov/sites/documents/PIH2013-06.PDF> and <https://www.hudexchange.info/programs/radon/>

## V. Resources

### A. HUD resources for implementation of this notice

Costs for radon testing and mitigation are considered eligible program costs for many HUD grant programs. As such, costs for radon testing and mitigation could be included in the total project costs funded or insured by HUD. **Note:** Costs for ongoing operation and/or maintenance of installed mitigation systems may not be eligible under certain HUD programs. For questions about the eligibility of the ongoing maintenance of radon mitigation systems, as well as other funding-specific questions, contact your HUD program office contact.

*Table A* on the following page, notes the major HUD programs for which radon testing and/or mitigation under 24 CFR 50.3(i) or 24 CFR 58.5(i) is an eligible program expense. This list is non-exhaustive; for other HUD programs please contact the appropriate program office contact.

Table A: HUD programs and radon testing and mitigation as an eligible expense

<b>Program or grant name</b>	<b>Is radon testing an eligible expense?</b>	<b>Is radon mitigation an eligible expense?<sup>27</sup></b>
Community Development Block Grant (CDBG)	Yes	Yes
Community Development Block Grant CARES Act (CDBG-CV)	Yes	Yes
Community Development Block Grant Disaster Recovery (CDBG-DR)	Yes	Yes
Community Development Block Grant Mitigation (CDBG-MIT)	Yes	Yes
Community Project Funding (CPF) Grants	Yes	Yes
Continuum of Care Program (CoC)	Yes	Yes
Emergency Solutions Grants Program	Yes	Yes
FHA-Insured Healthcare Loans	Yes	Yes
FHA-Insured Multifamily Loans	Yes	Yes
Green and Resilient Retrofit Program (GRRP)	Yes	Yes
HOME Investment Partnerships American Rescue Plan Program (HOME-ARP)	Yes	Yes
HOME Investment Partnerships Program (HOME)	Yes	Yes
Housing Opportunities for Persons With AIDS (HOPWA)	Yes	Yes
Housing Trust Fund (HTF)	Yes	Yes
HUD Section 8 renewals with capital repairs	Yes	Yes
HUD Section 8(bb) Transfer of Budget Authority.	Yes	Yes
Indian Community Development Block Grant (ICDBG)	Yes	Yes
Indian Housing Block Grant Program (IHBG)	Yes	Yes
Public Housing Capital and Operating Funds	Yes	Yes
Rental Assistance Demonstration (RAD)	Yes	Yes
Section 108 Loan Guarantee Program	Yes	Yes
Section 202 Supportive Housing for the Elderly Program	Yes	Yes
Section 811 Supportive Housing for Persons with Disabilities Program	Yes	Yes
Self-Help Homeownership Opportunity Program (SHOP)	Yes	Yes
Transfers of Rental Assistance with HUD Held or Insured Debt and/or Use Restrictions ("Section 209 Transfers.")	Yes	Yes

<sup>27</sup> Note: The term “radon mitigation” refers only to initial installation of a radon mitigation system and does *not* encompass ongoing maintenance.

## **B. Other radon resources**

- EPA radon website, <https://www.epa.gov/radon> National Radon Program Services, <https://sosradon.org/>
  - Helpline: 1-800-557-2366
  - Comprehensive radon information, links to state radon programs and radon testing and mitigation information, and access to radon helplines
- CDC, National Center for Environmental Health, “Radon”, <https://www.cdc.gov/radon/>
  - National Environmental Public Health Tracking Network testing data map: <https://www.cdc.gov/nceh/tracking/topics/RadonTesting.htm>
- ANSI/AARST radon testing protocols and mitigation standards, <https://standards.aarst.org/>
- HUD 3-part radon webinar series sponsored by the Office of Lead Hazard Control and Healthy Homes and Public and Indian Housing, <https://www.hudexchange.info/programs/radon/>
- Office of Lead Hazard Control and Healthy Homes, *About Radon*, [https://www.hud.gov/program\\_offices/healthy\\_homes/healthyhomes/radon](https://www.hud.gov/program_offices/healthy_homes/healthyhomes/radon)
- OEE, *Radon Fact Sheet*, <https://www.hudexchange.info/resource/4955/oe-radon-fact-sheet/>
- OEE Radon and HUD-Assisted Projects Webinar Series, <https://www.hudexchange.info/news/radon-and-hud-assisted-projects-webinar-series/>

For questions concerning this Notice, contact your local OEE field environmental office staff, <https://www.hudexchange.info/programs/environmental-review/hud-environmental-staff-contacts/>

# EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

## Ciales Municipio, PR

1 mile Ring around the Area  
 Population: 1,605  
 Area in square miles: 3.58

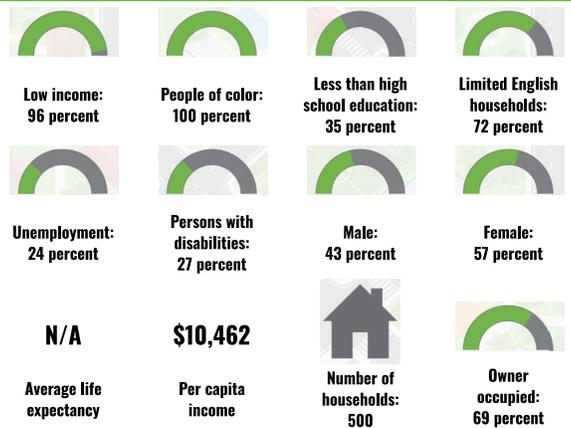
A3 Landscape



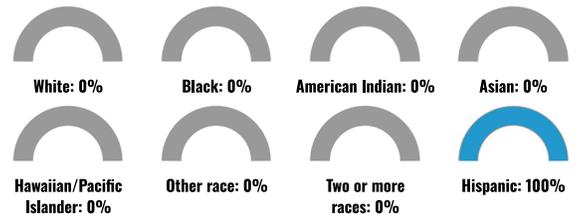
### LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	10%
Spanish	90%
Total Non-English	90%

### COMMUNITY INFORMATION



### BREAKDOWN BY RACE



### BREAKDOWN BY AGE



### LIMITED ENGLISH SPEAKING BREAKDOWN



Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

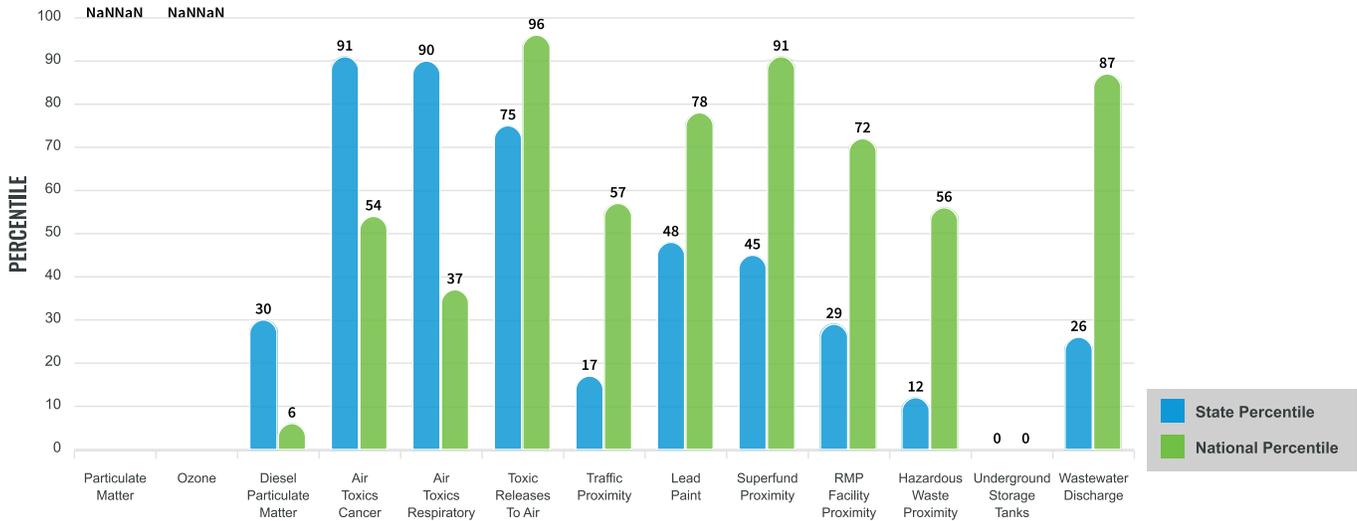
# Environmental Justice & Supplemental Indexes

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

## EJ INDEXES

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

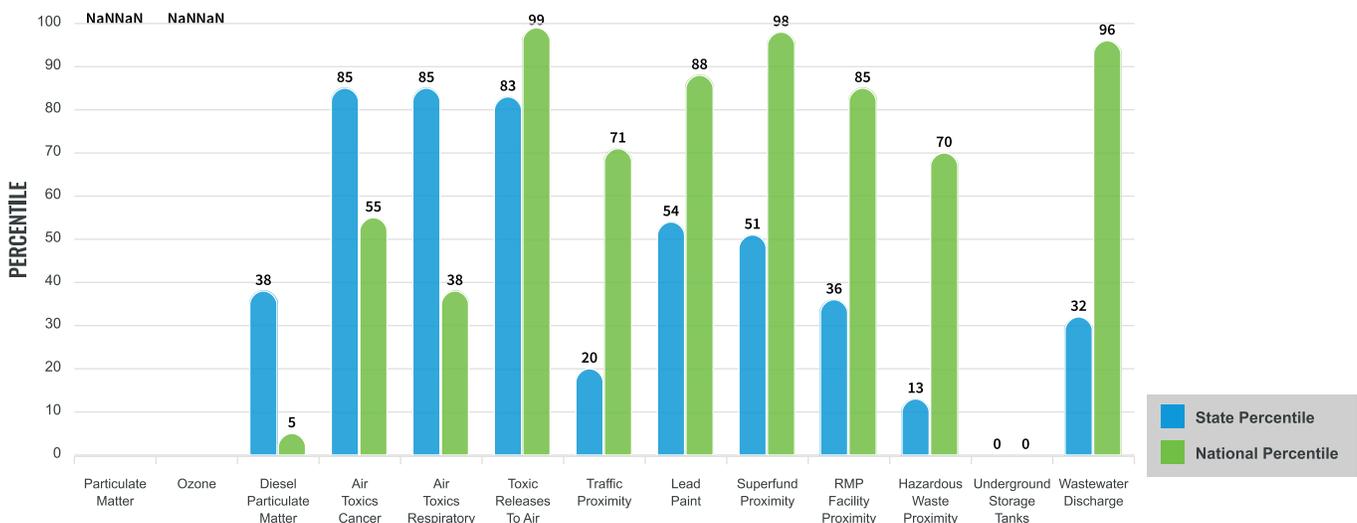
### EJ INDEXES FOR THE SELECTED LOCATION



## SUPPLEMENTAL INDEXES

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

### SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for 1 mile Ring around the Area

# EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
<b>POLLUTION AND SOURCES</b>					
Particulate Matter ( $\mu\text{g}/\text{m}^3$ )	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter ( $\mu\text{g}/\text{m}^3$ )	0.0214	0.0667	27	0.261	1
Air Toxics Cancer Risk* (lifetime risk per million)	20	20	15	25	5
Air Toxics Respiratory HI*	0.2	0.19	17	0.31	4
Toxic Releases to Air	1,300	4,300	66	4,600	65
Traffic Proximity (daily traffic count/distance to road)	11	180	14	210	17
Lead Paint (% Pre-1960 Housing)	0.068	0.16	41	0.3	29
Superfund Proximity (site count/km distance)	0.063	0.15	38	0.13	51
RMP Facility Proximity (facility count/km distance)	0.091	0.47	25	0.43	26
Hazardous Waste Proximity (facility count/km distance)	0.082	0.76	10	1.9	16
Underground Storage Tanks (count/km <sup>2</sup> )	0	1.7	0	3.9	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.0004	2.3	22	22	41
<b>SOCIOECONOMIC INDICATORS</b>					
Demographic Index	98%	83%	92	35%	99
Supplemental Demographic Index	57%	43%	85	14%	99
People of Color	100%	96%	29	39%	97
Low Income	96%	70%	92	31%	99
Unemployment Rate	24%	15%	79	6%	97
Limited English Speaking Households	72%	67%	53	5%	99
Less Than High School Education	35%	21%	84	12%	94
Under Age 5	3%	4%	49	6%	29
Over Age 64	17%	22%	31	17%	56
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

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

## Sites reporting to EPA within defined area:

Superfund .....	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities .....	0
Water Dischargers .....	1
Air Pollution .....	0
Brownfields .....	0
Toxic Release Inventory .....	0

## Other community features within defined area:

Schools .....	0
Hospitals .....	0
Places of Worship .....	0

## Other environmental data:

Air Non-attainment .....	No
Impaired Waters .....	Yes

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

Report for 1 mile Ring around the Area

# EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	N/A	N/A	N/A	20%	N/A
Heart Disease	N/A	N/A	N/A	6.1	N/A
Asthma	N/A	N/A	N/A	10	N/A
Cancer	N/A	N/A	N/A	6.1	N/A
Persons with Disabilities	30.6%	21.6%	88	13.4%	98

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

CRITICAL SERVICE GAPS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	30%	32%	51	14%	89
Lack of Health Insurance	5%	7%	36	9%	37
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	No	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Report for 1 mile Ring around the Area

Search EPA.gov



[<https://echo.epa.gov/>](https://echo.epa.gov/)

[Search Options <https://epa.gov/>](https://epa.gov/)

[Analyze Trends <https://epa.gov/>](https://epa.gov/)

[Find EPA Cases <https://epa.gov/>](https://epa.gov/)

[Data Services <https://epa.gov/>](https://epa.gov/)

[Help <https://epa.gov/>](https://epa.gov/)

# Detailed Facility Report



# Detailed Facility Report

## Facility Summary

**METZGERMEITZER AND RESEARCH CORP.**

**STATE ROAD 149, KM 15.5, JAGUAS WARD,  
CIALES, PR 00638** 

**FRS (Facility Registry Service) ID:** 110035858355

**EPA Region:** 02

**Latitude:** 18.290081

**Longitude:** -66.510484

**Locational Data Source:** NPDES

**Industries:** --

**Indian Country:** N

## Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	--
Date of Last Compliance Monitoring Activity	04/01/2008
Compliance Status	Not Applicable
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):** No Information

**Clean Water Act (CWA):** Major, (PRU202506)

**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	Statu	Identifier	Universe	Statu	Are	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110035858355					N	18.290081	-66.510484
ICIS-NPDES	CWA	PRU202506	Non-Major: Unpermitted Facility				N	18.2900813	-66.5104844

## Facility Address

System	Statu	Identifier	Facility Name	Facility Address	Facility County
FRS		110035858355	METZGERMEITZER AND RESEARCH CORP.	STATE ROAD 149, KM 15.5, JAGUAS WARD, CIALES, PR 00638	
ICIS-NPDES	CWA	PRU202506	METZGERMEITZER AND RESEARCH CORP.	STATE ROAD 149, KM 15.5, JAGUAS WARD, CIALES, PR 00638	Ciales Municipio

## Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

## Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description
------------	----------------------------------	--------------------------------

## Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

## Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
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No data records returned

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 included in ECHO's Compliance Monitoring Activity counts because they are not compliance monitoring strategy <<https://www.epa.gov/compliance/compliance-monitoring-programs>> activities or because they are not counted as inspections within EPA's Annual Results <<https://www.epa.gov/enforcement/enforcement-data-and-results>>.

## Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	PRU202506	No	09/30/2023	0	12/15/2023

## 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	QTR 13+
CWA (Source ID: PRU202506)		10/01-12/31/20	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	10/01-12/15/23
	Facility-Level Status	Not Applicable												
	Quarterly Noncompliance Report History													

## Informal Enforcement Actions Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
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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 (RA) (Reach Address Database)	WBD (Watershed Boundary Dataset) Subwatershed Name (RA) (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?
210100020209	Rio Cialitos	--	No	No	--	Yes

## 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
PR	2020	PRNR8B	RIO CIALITO	Impaired - 303(d) Listed - With Restoration Plan	METALS (OTHER THAN MERCURY)   PATHOGENS   PH/ACIDITY/CAUSTIC CONDITIONS   TURBIDITY	Not Supporting	Not Supporting	--	Not Supporting	--

## Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area	Maintenance Status Applicable Standard(s)
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

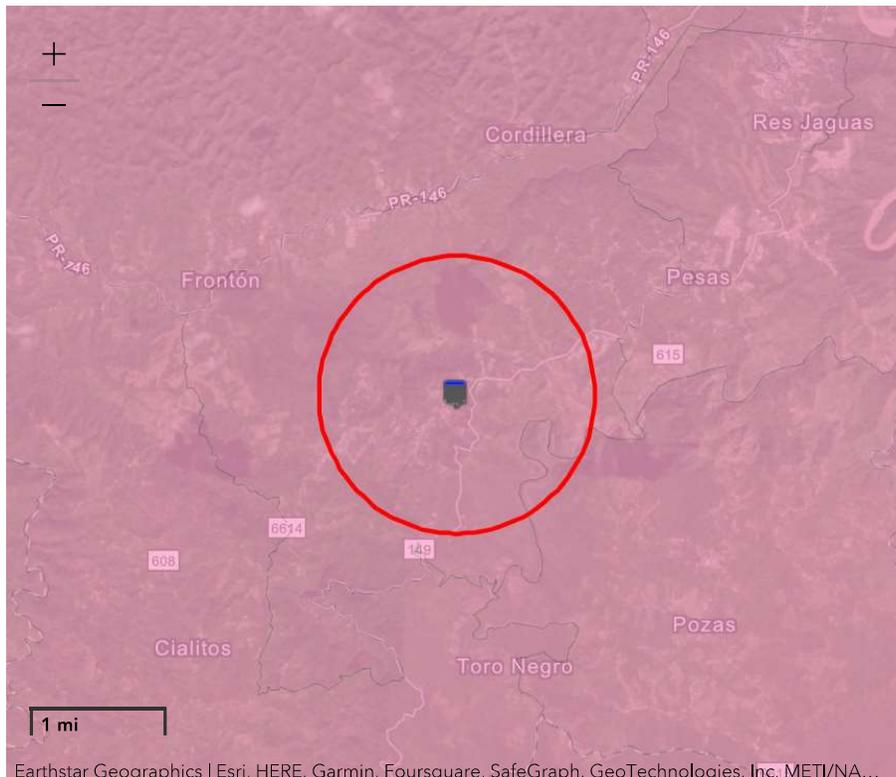
EJScreen Community Report

#### Download Data

Census Block Group ID: 720399559002	US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	5	6
Particulate Matter 2.5	0	--
Ozone	0	--
Diesel Particulate Matter	6	10

Census Block Group ID: 720399559002		US (Percentile)	
Supplemental Indexes	Facility Census Block Group	1-mile Max	
Air Toxics Cancer Risk	37		37
Air Toxics Respiratory Hazard Index	39	1	92
Toxic Releases to Air	99	1	99
Traffic Proximity	71		71
Lead Paint	88	1	88
Risk Management Plan (RMP) Facility Proximity	85	1	89
Hazardous Waste Proximity	70		70
Superfund Proximity	98	1	98
Underground Storage Tanks (UST)	0		--
Wastewater Discharge	96	1	98

Facility 1-mile Radius  Facility Census Block Group



Earthstar Geographics | Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NA... Powered by Esri <<http://www.esri.com/>>

## 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	1,295
Population Density	418/sq.mi.
Housing Units in Area	501

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	96 (7%)
Minors 17 years and younger	345 (27%)
Adults 18 years and older	950 (73%)
Seniors 65 years and older	155 (12%)

General Statistics (ACS (American Community Survey))	
Total Persons	1,218

#### General Statistics (ACS (American Community Survey))

Percent People of Color	100%
Households in Area	380
Households on Public Assistance	113
Persons With Low Income	1,157
Percent With Low Income	95%

#### Geography

Radius of Selected Area	1 mi.
Center Latitude	18.290081
Center Longitude	-66.510484
Land Area	100%
Water Area	0%

#### Income Breakdown (ACS (American Community Survey)) - Households (%)

Less than \$15,000	169 (44.47%)
\$15,000 - \$25,000	72 (18.95%)
\$25,000 - \$50,000	122 (32.11%)
\$50,000 - \$75,000	12 (3.16%)
Greater than \$75,000	5 (1.32%)

#### Race Breakdown (U.S. Census) - Persons (%)

White	1,131 (87%)
African-American	71 (5%)
Hispanic-Origin	1,288 (99%)
Asian/Pacific Islander	0 (0%)
American Indian	2 (0%)
Other/Multiracial	92 (7%)

#### Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)

Less than 9th Grade	190 (21.23%)
9th through 12th Grade	120 (13.41%)
High School Diploma	285 (31.84%)
Some College/2-year	99 (11.06%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	129 (14.41%)

^ Top of Page



## Discover.

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<<https://www.epa.gov/contracts>>

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<<https://www.epa.gov/home/www-epagov-snapshots>>

### Grants

<<https://www.epa.gov/grants>>

### No FEAR Act Data

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Last updated on September  
21, 2022

## **Data Refresh Information**

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

**APPENDIX D**  
Endangered Species



## United States Department of the Interior

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



In Reply Refer to:  
FWS/R4/CESFO/72039-Gen

Submitted Via Electronic Mail: [jcperez@vivienda.pr.gov](mailto:jcperez@vivienda.pr.gov)

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

Re: CDBG-DR PR-RGRW-01189 Héctor M.  
Otero Montes DBA, Ciales, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated August 20, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the construction of a metal (galvalum) warehouse (18°17'17.6"N 66°30'42.1"W) with a concrete pad of approximately (70 feet (ft) by 30 ft). Also, the repair and construction of approximately 600 linear feet (lf) fence on the north side of the parcel (start: 18°17'18.7"N 66°30'43.9"W; end: 18°17'19.2"N 66°30'38.1"W). The proposed structure will be located on State Road PR-149, Km. 23.3, Cialitos Ward, Las Cañas Sector in the municipality of Ciales. No tree clearing or vegetation removal will be required. There will be ground disturbance for the concrete pad construction.

Using the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican parrot (*Amazona vittata*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0043911). Based on the answers provided, a concurrence letter was obtained for the Puerto Rican boa and Puerto Rican broad-winged hawk, which determined that the proposed actions for this project may affect, but is not likely to adversely affect (NLAA) these species.

Based on the nature of the project, scope of work, information available, and analysis of the existing habitat which is a maintained grass lawn, and the land is currently used for coffee and banana plantation, PRDOH has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican parrot and Puerto Rican harlequin butterfly with the implementation of conservation measures.

We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican harlequin butterfly and Puerto Rican parrot with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA concurrence letter for the Puerto Rican broad-winged hawk and Puerto Rican boa.

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

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

Sincerely,

LOURDES  
MENA

Digitally signed by  
LOURDES MENA  
Date: 2024.09.20  
14:51:26 -04'00'

Lourdes Mena  
Field Supervisor

drr

cc:  
SWCA  
HUD



August 20, 2024

Lourdes Mena  
Field Supervisor  
Caribbean Ecological Services Field Office  
U.S. Fish and Wildlife Service  
Office Park I, Suite 303  
State Road #2 Km 156.5  
Mayagüez, Puerto Rico 00680  
Email: [Caribbean\\_es@fws.gov](mailto:Caribbean_es@fws.gov); [Lourdes\\_Mena@fws.gov](mailto:Lourdes_Mena@fws.gov)

**RE: Puerto Rico Department of Housing / Re-Grow Program  
PR-RGRW-01189 – Hector M Otero Montes DBA Hector A. Otero Montes  
Endangered Species Concurrence for NLAA Determination**

Dear Lourdes Mena:

The Puerto Rico Department of Housing (PRDOH) is requesting an informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-01189, located at PR-149 Road Km 23.3, Cialitos Ward, Las Cañas Sector, Ciales, PR 00638 (Parcel ID# 164-079-103-07-000).

The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed project, PR-RGRW-01189, consists of two scopes of work (SOW) within the parcel. SOW #1 is for the construction of a metal (galvalum) warehouse with a concrete pad of approximately 70-foot by 30-foot footprint, located at 18.288217, -66.511682. The ground disturbance will be in the concrete pad footprint area, the water connection to the warehouse will come from the service of the applicant's house through an underground 1-foot PVC tube for an estimated distance of 35 linear feet, and the power service connection to the warehouse will come from the applicant's house through 3 feet underground for an estimated distance of 35 linear feet. SOW #2 is for the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel starting from coordinates 18.288521, -66.51220 and ending in coordinates 18.288667, -66.510569. The materials to use for this purpose are barbed wires and 100 treated wood spikes of approximately 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

The property is located in a rural, mountainous terrain with mature vegetation surrounding the property. The land is currently used as a coffee and banana plantation. The applicant's residence is connected to the local utilities and the warehouse will be connected to existing utilities on the property. Site inspection photos indicate that the proposed project area is located on a maintained grass lawn to the immediate southwest of the residence. No trees are located within the proposed project area and therefore there is no sufficient habitat for nesting birds, nor arboreal snakes. There will be no trees removal during this project. The National Wetlands Inventory indicated that no wetlands are located within the proposed project area.

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

Name of the species	Threatened/Endangered/Candidate
Puerto Rican Broad-winged Hawk ( <i>Buteo platypterus brunnescens</i> )	Endangered
Puerto Rican Parrot ( <i>Amazona vittata</i> )	Endangered
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered
Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> )	Threatened
<b>Critical Habitat</b>	
There are no critical habitats at this location.	

Based on site review and site photos, no suitable habitat was found within the proposed project area for the listed species. Upon review of iNaturalist.org, no sightings of the Puerto Rican Broad-winged Hawk nor the Puerto Rican Parrot have been recorded within at least 4 miles of the proposed project area. The closest and most recent sighting of the Puerto Rican Boa recorded on iNaturalist.org was recorded in October 2021, approximately 3.75 miles north of the proposed project area, in an undisturbed, densely forested area.

The Puerto Rican Broad-winged Hawk habitat requirements per the U.S. Fish and Wildlife Service 1997 Recovery plan are as follows: "In the Caribbean National Forest, Puerto Rican Broad-winged Hawks were more often seen on the eastern side, and the *Tabonuco* and *Palo Colorado* forest types were reported as preferred habitats for the species (Wiley and Bauer 1985). Delannoy (1992) reported that Broad-winged Hawks were observed to be clustered in the north-central part of the forest within the subtropical wet forest and subtropical rain forest life zones, where the *tabonuco* is the dominant forest type. In the Carite Commonwealth Forest the species has been reported from the elfin, *caimitillo*, *granadillo*, *tabonuco*, and slope forest types (Hermindez 1980, Delannoy 1992). Delannoy (1992) reported Puerto Rican Broad-winged Hawks sighted in the northeastern corner and west-central parts of the *Río Abajo* forest within the subtropical moist forest and subtropical wet forest life zones (Ewel

and Whitmore 1973). Limestone hillside, sinkholes, and narrow valleys or ravines between haystack hills or “mogotes” are the dominant habitats within these life zones (Department of Natural Resources 1976).”

The Puerto Rican Parrot habitat requirements per the U.S. Fish and Wildlife Service are as follows: “The habitat of the parrot is generally identified as the *Palo Colorado*, *Palma de Sierra*, and *Tabonuco* forests types of the upper zones of the Luquillo Mountains within the El Yunque National Forest. This bird feeds chiefly on wild fruits, particularly the sierra palm (*Prestoria montana*), but may also consume flowers and tender shoots. During October, when other fruits are scarce, the *tabonuco* fruit (*Dacryodes excelsa*) becomes an important food item.”

The Puerto Rican Boa habitat requirements per the U.S. Fish and Wildlife Service are as follows: “The Puerto Rican Boa is considered a habitat generalist and tolerates a wide variety of habitat types (terrestrial and arboreal). These include: rocky areas and haystack hills, trees and branches, rotting stumps, caves (entrances and inside), plantations, various types of forested areas such as karst and mangrove forests, forested urban and rural areas, and along streams and road edges. Cave ecosystems and their surrounding forests are considered particularly important because of the availability of such ecological resources such as prey, shelter, thermal gradients, and mates for reproduction.”

The Puerto Rican Harlequin Butterfly habitat requirements per the IPaC species profile are as follows: “Forested habitat: mosaic of forested habitat with canopy cover between 50 to 85 percent, average canopy height of 20 feet, and plant host cover of more than 30 percent. Water and nectar sources for adult PRHBs may vary according to the life zone and habitat type. All the sites where the PRHB occurs have a close (within a 1 km radius) water source (e.g., creek, river, pond, among others). Caterpillar feeds almost exclusively on *Oplonia spinosa*, but there are a few records of feeding on *Odontonema cuspidatum* and *Justicia mirabiloides*. All these plant species are in the family *Acanthaceae*. Images have been observed feeding on flowers of several native trees.” Based on the nature of the project, scope of work, information available, a careful analysis of the proposed project area, and IPaC species list, we have made the following effects determinations:

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican Broad-winged Hawk ( <i>Buteo platypterus brunnescens</i> )	Not Likely to Adversely Affect	USFWS Puerto Rican Broad-winged Hawk Conservation Measures 2023
Puerto Rican Parrot ( <i>Amazona vittata</i> )	Not Likely to Adversely Affect	USFWS Puerto Rican Parrot Conservation Measures 2023
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Not Likely to Adversely Affect	USFWS Puerto Rican Boa Conservation Measures 2024
Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> )	Not Likely to Adversely Affect	USFWS Puerto Rican Harlequin Butterfly Conservation Measures 2024

Given the current land use and frequent disturbance of growing plantains and coffee, and lack of sightings of the listed species within the vicinity, PRDOH has determined that the project is Not Likely to Adversely Affect the listed species provided the attached Conservation Measures are implemented as part of the proposed project. The automated informal consultation process was completed on August 2nd through USFWS Information for Planning and Consultation website (<https://ipac.ecosphere.fws.gov/>).

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.

For any questions or clarifications, please do not hesitate to contact us at the information below.

Thank you in advance for your consideration of this issue.

Sincerely,



Aldo A. Rivera-Vázquez, PE  
Director for Program Management, CDBG-DR/MIT Program  
[environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov) | 787.274.2527 ext. 4320

**Attachments:**

Appendix A:

- Figure 1 – Project Location Map
- Figure 2 – Area of Potential Effect Map
- Figure 3 – Wetland Map
- Figure 4 – Endangered Species Map
- Figure 5 – Critical Habitats Map
- Figure 6 – Farmland Protection Map

Appendix B: Species List Caribbean Ecological Services and Consistency Letter SOW-1

Appendix C: Species List Caribbean Ecological Services and Consistency Letter SOW-2

Appendix D: Site Photos

Appendix E: USFWS Puerto Rican Broad-winged Hawk Conservation Measures 2023

Appendix F: USFWS Puerto Rican Parrot Conservation Measures 2023

Appendix G: USFWS Puerto Rican Boa Conservation Measures 2024

Appendix H: Puerto Rican Harlequin Butterfly Conservation Measures 2024

Appendix I: Puerto Rican Harlequin Butterfly Identification Package

C: Angel G. López-Guzmán, MSEM  
Deputy Director  
Permits and Environmental Compliance Division

## Appendix A: Figures



**Legend**

-  Project Parcel
-  Parcels
-  Area of Potential Effect
-  Project Parcel Boundaries
-  Power connection
-  Water connection

**PUERTO RICO**



**Figure 1: PROJECT LOCATION**

**APPLICANT ID: PR-RGRW-01189**

**ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638**

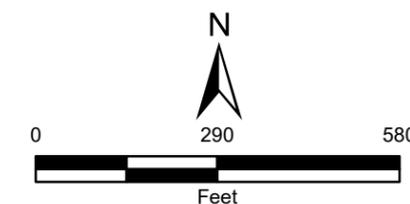
Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes

Parcel Coordinates: 18.288217, -66.511682



Source: CRIM  
<https://catastro.crimpr.net/cdprpc/>

Author: TG Date: 3/22/2024

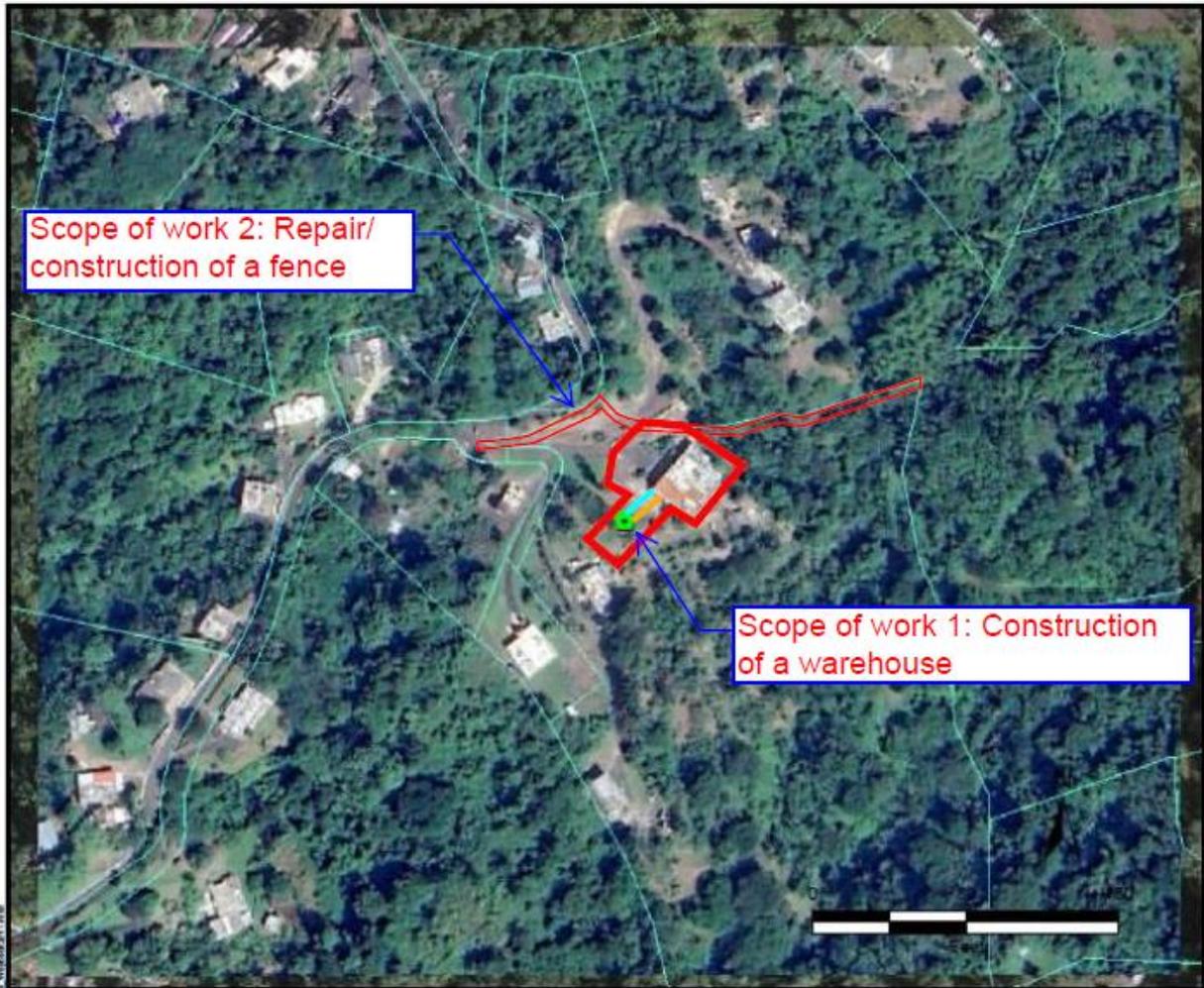


Applicant: Hector M Otero Montes

Case ID: PR-RGRW-01189

City: Ciales

### Project (Parcel) Location – Area of Potential Effect Map (Aerial)



Source: CRIM

Author: TG

Date: 10/7/2022

#### Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario
-  Water connection
-  Electrical connection





- Legend**
- Project Parcel
  - Parcels
- WETLAND TYPE**
- Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Riverine
- Area of Potential Effect

**PUERTO RICO**



File Path: Z:\data\USFWS\PR\WETLANDS\_Secordary\_Imagery\_Regrow.mxd

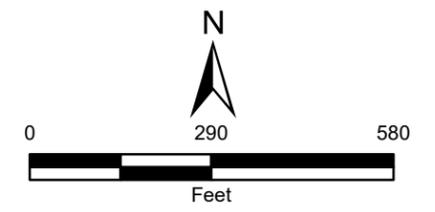


Source: U. S. Fish & Wildlife Service  
<https://www.fws.gov>

Author: TG Date: 3/22/2024

**WETLANDS**  
**APPLICANT ID: PR-RGRW-01189**

**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
 Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes  
 Parcel Coordinates: 18.288217, -66.511682





**PUERTO RICO**



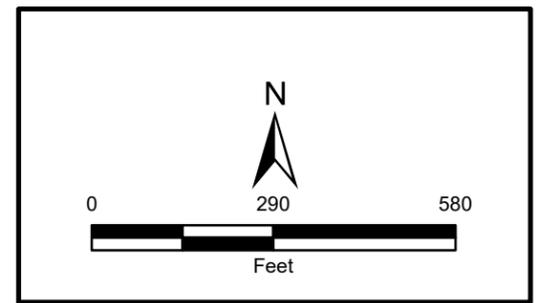
**TETRA TECH**

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

Author: TG      Date: 3/22/2024

**ENDANGERED SPECIES ACT**  
**APPLICANT ID: PR-RGRW-01189**

ADDRESS: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
 Name of Development: Hector M Otero Montes DBA Hector A. Otero Montes  
 Parcel Coordinates: 18.288217, -86.511682



File Path: Z:\data\USFWS\Tetra\ESA\_Secundary\_Imagery\_Regrow.mxd





**Legend**

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

**PUERTO RICO**

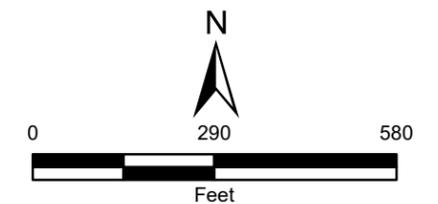


Source: USDA  
<https://websoilsurvey.sc.egov.usda.gov>

Author: TG Date: 3/22/2024

**FARMLAND PROTECTION  
 APPLICANT ID: PR-RGRW-01189**

**ADDRESS:** Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638  
**Name of Development:** Hector M Otero Montes DBA Hector A. Otero Montes  
**Parcel Coordinates:** 18.288217, -66.511682



Appendix B:  
Species List Caribbean Ecological Services and Consistency Letter  
SOW-1



## United States Department of the Interior



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

In Reply Refer To:  
Project Code: 2024-0043911  
Project Name: PR-RGRW-01189

08/02/2024 13:13:31 UTC

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

To Whom It May Concern:

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

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

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

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

to [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov). To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

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

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

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

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

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

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

This species list is provided by:

Caribbean Ecological Services Field Office

[caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov)

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

## OFFICIAL SPECIES LIST

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

This species list is provided by:

**Caribbean Ecological Services Field Office**

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

## PROJECT SUMMARY

Project Code: 2024-0043911

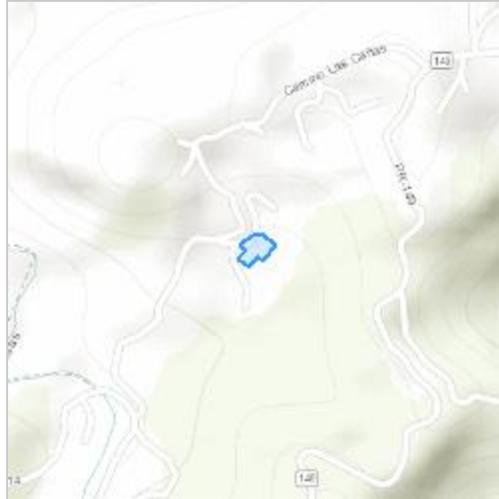
Project Name: PR-RGRW-01189

Project Type: Restoration / Enhancement - Agricultural

Project Description: The proposed project, located at Carr 149 km 23.3 Bo Cialitos Sector Las Cañas, Ciales, Puerto Rico (Parcel ID# 164-079-103-07-000), will be funded under the ReGrow PR Urban-Rural Agricultural Program. The proposed project includes the construction of a new warehouse and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Farm supplies and equipment will be stored at the new proposed warehouse. As per quote " Equipo Agrícola" dated 1/27/2023, the farm equipment includes a 3.8 gallons per minute pump, 6-D amine 2.5 gal, yellow 3/8 weed sleeve, royal files, crocodile machete, rope hoe, four- wheel drive, cutting/mixing shovel, fine barbed wire 820 ft, 1 1/4 staples, 5x8 treated spikes, 3 x 6-1/2 treated spikes. The applicant did not express the need or intended use for the materials proposed for purchase. The Scope of Work for the proposal does not includes the use of purchase materials for activities that include any ground disturbance. The warehouse would be a new metal (galvalume) structure on a 70-foot (ft) by 30 ft poured concrete pad to be constructed and located at 18.288217, -66.511682. The warehouse would be used for storage of the fertilizer and other farm supplies and equipment. Anchoring of the warehouse will require the installation of structural post at to an approximate depth of 3-foot depth. No new water or power connections to the local utility providers will be needed. The applicant plans to connect the new warehouse to utilities running underground from the residence. The water connection would be through approximately 50 linear ft PVC pipes placed 1 ft deep, while the electrical connection would be approximately 75 linear ft and 3 ft deep.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.28827995,-66.51154882866854,14z>



Counties: Ciales County, Puerto Rico

## ENDANGERED SPECIES ACT SPECIES

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

**BIRDS**

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5512">https://ecos.fws.gov/ecp/species/5512</a>	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3067">https://ecos.fws.gov/ecp/species/3067</a>	Endangered

**REPTILES**

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/VB5YTPLGZNE5VFW4ROFE7CNAQU/documents/generated/7159.pdf">https://ipac.ecosphere.fws.gov/project/VB5YTPLGZNE5VFW4ROFE7CNAQU/documents/generated/7159.pdf</a>	Endangered

**INSECTS**

NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/VB5YTPLGZNE5VFW4ROFE7CNAQU/documents/generated/7168.pdf">https://ipac.ecosphere.fws.gov/project/VB5YTPLGZNE5VFW4ROFE7CNAQU/documents/generated/7168.pdf</a>	Threatened

**CRITICAL HABITATS**

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

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

**USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES**

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

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

## BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

---

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

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

## MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

---

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

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

## WETLANDS

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

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

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

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

## **IPAC USER CONTACT INFORMATION**

Agency: Tetra Tech  
Name: Shelby McDowell  
Address: 2301 Lucien Way #120  
City: Maitland  
State: FL  
Zip: 32751  
Email: shelby.mcdowell@tetrattech.com  
Phone: 4096591563

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development



## United States Department of the Interior



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

In Reply Refer To:  
Project code: 2024-0043911  
Project Name: PR-RGRW-01189

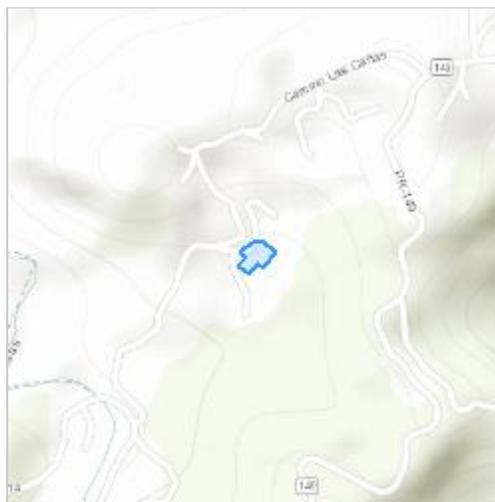
08/02/2024 13:35:02 UTC

Subject: Concurrence letter for the project named 'PR-RGRW-01189' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On August 02, 2024, Shelby McDowell used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01189'. The project is located in Ciales County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.28827995,-66.51154882866854,14z>



The following description was provided for the project 'PR-RGRW-01189':

The proposed project, located at Carr 149 km 23.3 Bo Cialitos Sector Las Cañas, Ciales, Puerto Rico (Parcel ID# 164-079-103-07-000), will be funded under the ReGrow PR Urban-Rural Agricultural Program. The proposed project includes the construction of a new warehouse and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Farm supplies and equipment will be stored at the new proposed warehouse. As per quote "Equipo Agrícola" dated 1/27/2023, the farm equipment includes a 3.8 gallons per minute pump, 6-D amine 2.5 gal, yellow 3/8 weed sleeve, royal files, crocodile machete, rope hoe, four-wheel drive, cutting/mixing shovel, fine barbed wire 820 ft, 1 1/4 staples, 5x8 treated spikes, 3 x 6-1/2 treated spikes. The applicant did not express the need or intended use for the materials proposed for purchase. The Scope of Work for the proposal does not include the use of purchase materials for activities that include any ground disturbance. The warehouse would be a new metal (galvalume) structure on a 70-foot (ft) by 30 ft poured concrete pad to be constructed and located at 18.288217, -66.511682. The warehouse would be used for storage of the fertilizer and other farm supplies and equipment. Anchoring of the warehouse will require the installation of structural post at to an approximate depth of 3-foot depth. No new water or power connections to the local utility providers will be needed. The applicant plans to connect the new warehouse to utilities running underground from the residence. The water connection would be through approximately 50 linear ft PVC pipes placed 1 ft deep, while the electrical connection would be approximately 75 linear ft and 3 ft deep.

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

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

Based on the answers provided in IPaC, the proposed project is consistent with a "may affect but is not likely to adversely affect" (NLAA) for the species listed above because your project impacts to the species will be avoided or minimized using the **Conservation Measures** you agreed to implement. These conservation measures must be implemented during the project development to ensure compliance with Section 7(a)(2) of the ESA.

No further action is required for the species listed above. However, be aware that reinitiation of consultation may be necessary if later modifications are made to the project so that it no longer meets the criteria or outcome described above, or if new information reveals effects of the action that could affect listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed.

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "may affect, not likely to adversely affect" (NLAA) determination for federally listed species in the Caribbean. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This

verification period allows the Caribbean Ecological Services Field Office to apply local knowledge to evaluate the Action, as we may identify a small subset of actions having unanticipated impacts. In such instances, the Caribbean Ecological Services Field Office may request additional information to verify the effects determination reached through the DKey.

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

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

- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened
- Puerto Rican Parrot *Amazona vittata* Endangered

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

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

## Action Description

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

### 1. Name

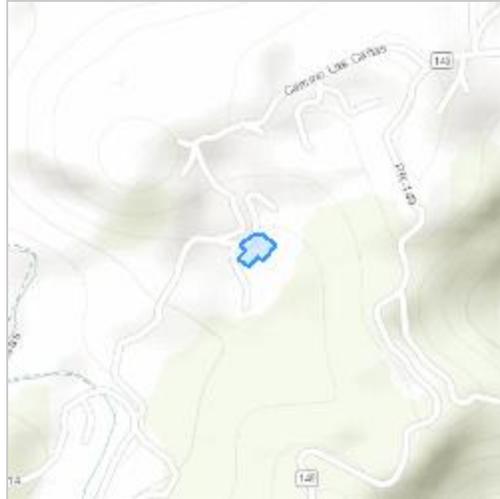
PR-RGRW-01189

### 2. Description

The following description was provided for the project 'PR-RGRW-01189':

The proposed project, located at Carr 149 km 23.3 Bo Cialitos Sector Las Cañas, Ciales, Puerto Rico (Parcel ID# 164-079-103-07-000), will be funded under the ReGrow PR Urban-Rural Agricultural Program. The proposed project includes the construction of a new warehouse and the purchase of fertilizer, farm equipment, glyphosate, utility trailer and a utility task vehicle (UTV). Farm supplies and equipment will be stored at the new proposed warehouse. As per quote " Equipo Agrícola" dated 1/27/2023, the farm equipment includes a 3.8 gallons per minute pump, 6-D amine 2.5 gal, yellow 3/8 weed sleeve, royal files, crocodile machete, rope hoe, four- wheel drive, cutting/mixing shovel, fine barbed wire 820 ft, 1 1/4 staples, 5x8 treated spikes, 3 x 6-1/2 treated spikes. The applicant did not express the need or intended use for the materials proposed for purchase. The Scope of Work for the proposal does not includes the use of purchase materials for activities that include any ground disturbance. The warehouse would be a new metal (galvalume) structure on a 70-foot (ft) by 30 ft poured concrete pad to be constructed and located at 18.288217, -66.511682. The warehouse would be used for storage of the fertilizer and other farm supplies and equipment. Anchoring of the warehouse will require the installation of structural post at to an approximate depth of 3-foot depth. No new water or power connections to the local utility providers will be needed. The applicant plans to connect the new warehouse to utilities running underground from the residence. The water connection would be through approximately 50 linear ft PVC pipes placed 1 ft deep, while the electrical connection would be approximately 75 linear ft and 3 ft deep.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.28827995,-66.51154882866854,14z>



## QUALIFICATION INTERVIEW

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

*No*

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

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

*No*

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

*No*

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

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

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

No

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

Yes

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

**Automatically answered**

Yes

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

Yes

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

No

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

Yes

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

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

Yes

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

Yes

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

**Automatically answered**

Yes

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

Yes

## **IPAC USER CONTACT INFORMATION**

Agency: Tetra Tech  
Name: Shelby McDowell  
Address: 2301 Lucien Way #120  
City: Maitland  
State: FL  
Zip: 32751  
Email: shelby.mcdowell@tetratech.com  
Phone: 4096591563

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development

Appendix C:  
Species List Caribbean Ecological Services and Consistency Letter  
SOW-2



## United States Department of the Interior



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

In Reply Refer To:

08/02/2024 13:44:29 UTC

Project Code: 2024-0074799

Project Name: PR-RGRW-01189 SOW #2

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.

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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.

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

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

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This species list is provided by:

Caribbean Ecological Services Field Office

[caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov)

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

## OFFICIAL SPECIES LIST

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

This species list is provided by:

**Caribbean Ecological Services Field Office**

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

## PROJECT SUMMARY

Project Code: 2024-0074799

Project Name: PR-RGRW-01189 SOW #2

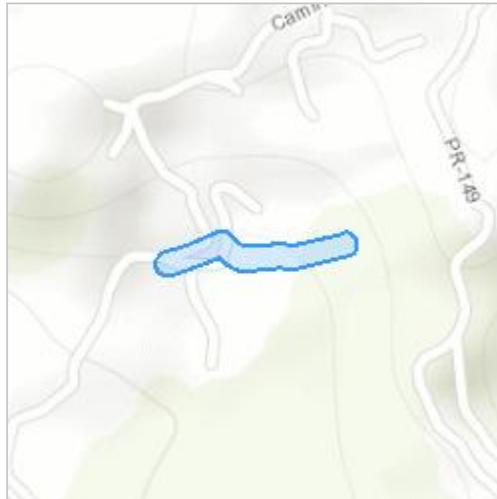
Project Type: Restoration / Enhancement - Agricultural

Project Description: The Scope of Work 2 included the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel with initial coordinates from 18.288521, -66.51220 and ending in the coordinates 18.288667, -

66.510569. The materials to use for this purpose are barber wires and 100 treated wood spikes of approximately of 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.28857915,-66.51117945237999,14z>



Counties: Ciales County, Puerto Rico

## ENDANGERED SPECIES ACT SPECIES

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

**BIRDS**

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5512">https://ecos.fws.gov/ecp/species/5512</a>	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3067">https://ecos.fws.gov/ecp/species/3067</a>	Endangered

**REPTILES**

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/QJSCLXJRJFFC5IISESNOPY2JYE/documents/generated/7159.pdf">https://ipac.ecosphere.fws.gov/project/QJSCLXJRJFFC5IISESNOPY2JYE/documents/generated/7159.pdf</a>	Endangered

**INSECTS**

NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/QJSCLXJRJFFC5IISESNOPY2JYE/documents/generated/7168.pdf">https://ipac.ecosphere.fws.gov/project/QJSCLXJRJFFC5IISESNOPY2JYE/documents/generated/7168.pdf</a>	Threatened

**CRITICAL HABITATS**

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

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

**USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES**

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

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

## BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

---

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

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

## MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

---

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

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

## WETLANDS

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

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

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

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

## **IPAC USER CONTACT INFORMATION**

Agency: Tetra Tech  
Name: Shelby McDowell  
Address: 2301 Lucien Way #120  
City: Maitland  
State: FL  
Zip: 32751  
Email: shelby.mcdowell@tetrattech.com  
Phone: 4096591563

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development



## United States Department of the Interior



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

In Reply Refer To:

08/02/2024 13:48:47 UTC

Project code: 2024-0074799

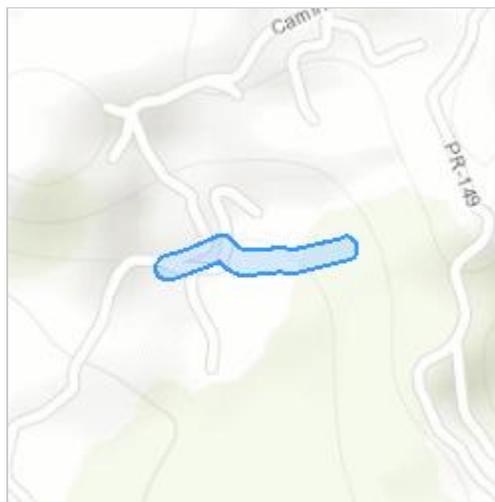
Project Name: PR-RGRW-01189 SOW #2

Subject: Concurrence letter for the project named 'PR-RGRW-01189 SOW #2' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On August 02, 2024, Shelby McDowell used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01189 SOW #2'. The project is located in Ciales County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.28857915,-66.51117945237999,14z>



The following description was provided for the project 'PR-RGRW-01189 SOW #2':

The Scope of Work 2 included the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel with initial coordinates from 18.288521, -66.51220 and ending in the coordinates 18.288667, -66.510569. The materials to use for this purpose are barber wires and 100 treated wood spikes of approximately of 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

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

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

Based on the answers provided in IPaC, the proposed project is consistent with a “may affect but is not likely to adversely affect” (NLAA) for the species listed above because your project impacts to the species will be avoided or minimized using the **Conservation Measures** you agreed to implement. These conservation measures must be implemented during the project development to ensure compliance with Section 7(a)(2) of the ESA.

No further action is required for the species listed above. However, be aware that reinitiation of consultation may be necessary if later modifications are made to the project so that it no longer meets the criteria or outcome described above, or if new information reveals effects of the action that could affect listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed.

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a “may affect, not likely to adversely affect” (NLAA) determination for federally listed species in the Caribbean. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NLAA concurrence provided here. This verification period allows the Caribbean Ecological Services Field Office to apply local knowledge to evaluate the Action, as we may identify a small subset of actions having unanticipated impacts. In such instances, the Caribbean Ecological Services Field Office may request additional information to verify the effects determination reached through the DKey.

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

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

- Puerto Rican Harlequin Butterfly *Atlantea tulita* Threatened
- Puerto Rican Parrot *Amazona vittata* Endangered

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

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

## Action Description

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

### 1. Name

PR-RGRW-01189 SOW #2

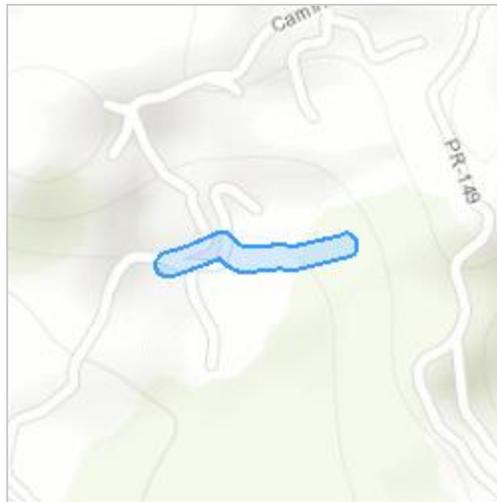
### 2. Description

The following description was provided for the project 'PR-RGRW-01189 SOW #2':

The Scope of Work 2 included the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel with initial coordinates from 18.288521, -66.51220 and ending in the coordinates 18.288667,

- 66.510569. The materials to use for this purpose are barber wires and 100 treated wood spikes of approximately of 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.28857915,-66.51117945237999,14z>



## QUALIFICATION INTERVIEW

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

*No*

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

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

*No*

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

*No*

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

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

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

No

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

Yes

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

**Automatically answered**

Yes

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

Yes

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

No

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

Yes

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

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

Yes

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

Yes

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

**Automatically answered**

Yes

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

Yes

## **IPAC USER CONTACT INFORMATION**

Agency: Tetra Tech  
Name: Shelby McDowell  
Address: 2301 Lucien Way #120  
City: Maitland  
State: FL  
Zip: 32751  
Email: shelby.mcdowell@tetrattech.com  
Phone: 4096591563

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development

## Appendix D: Site Photos

**Front of Structure**

Photo Direction: West



**Facing Away From Front**

Photo Direction: East



**Side #1 of Structure**

Photo Direction: West



**Facing Away From Side #1**

Photo Direction: East



**Back of Structure**

Photo Direction: Southeast



**Facing Away From Back**

Photo Direction: Northwest



**Side #2 of Structure**

Photo Direction: North



**Facing Away From Side #2**

Photo Direction: South



**Streetscape #1**

Photo Direction: East



**Streetscape #2**

Photo Direction: West



**Address**

Photo Direction: Southeast



Outbuildings

Photo Description: Applicant house

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: North



Structural Details

Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: Northwest



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



Structural Details

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: East



Electricity Connected

Photo Description: Power service

Photo Direction: South



Water Connected

Photo Description: Water meter

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: South



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: Southwest



**Scope Of Work**

Photo Description: Scope of work 1: Construction of a warehouse

Photo Direction: East



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 2: Repair and Construction of a fence

Photo Direction: Northeast



Appendix E:  
USFWS Puerto Rican Broad-winged Hawk Conservation Measures 2023

### **Conservation Measures for the Broad-winged hawk (*Buteo platypterus brunnescens*)**

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 broad-winged hawk 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 Puerto Rican broad-winged hawk is a small hawk with dark chocolate-brown upperparts, heavily streaked rufous breast, and a broadly banded black and white tail. Adult male and female are similar in appearance, but the female is slightly larger. This species occurs in elfin woodland, sierra palm, caimitillo-granadillo, and tabonuco forest types of the Río Abajo Commonwealth Forest, Carite Commonwealth Forest, and El Yunque National Forest as well as within hardwood plantations, shade coffee plantations, and mature secondary forests. The Puerto Rican broad-winged hawk population is estimated at about 125 individuals island-wide.



The broad-winged hawk was federally listed in 1994. The broad-wing prefers to hunt from a perch under the forest canopy for a better view of potential prey in a forest clearing, trail or river below. Each hunting pair requires a range of 40 hectares (98 acres). The Broad-wing builds a nest of sticks in February and March, laying 2 to 4 white/brown-spotted eggs. The female incubates the eggs for almost a month while the male searches for food. The young fledge around April or May about 1 month after hatching and can fly about 6 weeks after hatching. The parents feed the young for a few weeks after they leave the nest. The voice is a high-pitched whistle.

The hawk is an uncommon and local resident in the El Yunque National Forest, the Río Abajo State Forest, and the Toro Negro State Forest.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk 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 here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures

to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.

2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this hawk (February and March), if the hawk is determined to be present.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the USFWS and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a broad-winged hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.
7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.
8. Projects must comply with all state laws and regulations. Please contact 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](mailto: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](mailto:jose_cruz-burgos@fws.gov)  
Office phone (786) 244-0081 or mobile (305) 304-1386

Appendix F:  
USFWS Puerto Rican Parrot Conservation Measures 2023

### **Conservation Measures for the Puerto Rican Amazon (Parrot) (*Amazona vittata*)**

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 Rican Parrot 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 Puerto Rican amazon (*Amazona vittata*), also known as the Puerto Rican parrot (Puerto Rican Spanish: cotorra puertorriqueña) or iguaca, is the only extant parrot endemic to the archipelago of Puerto Rico and belongs to the Neotropical genus *Amazona*. Measuring 28–30 cm (11.0–11.8 in), the bird is a predominantly green parrot with a red forehead and white rings around the eyes.



The parrot was federally listed as endangered in 1967. The parrot reaches sexual maturity at between three and four years of age. It reproduces once a year (between the months of February to June) and is a cavity nester. Once the female lays eggs, she will remain in the nest and continuously incubate them until hatching (about 24 to 28 days). The chicks are fed by both parents and will fledge 60 to 65 days after hatching. This parrot's diet is varied and consists of flowers, fruits, leaves, bark and nectar obtained from the forest canopy.

The species is the only remaining native parrot to Puerto Rico and has been listed as critically endangered by the World Conservation Union since 1994. Once widespread and abundant, the population declined drastically in the 19th and early 20th centuries with the removal of most of its native habitat; the species has completely vanished from Vieques and Mona Island. Conservation efforts commenced in 1968 to save the bird from extinction. The habitat of the parrot is generally identified as

the Palo Colorado, Palma de Sierra, and Tabonuco forests types of the upper zones of the Luquillo Mountains within the El Yunque National Forest.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk 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 here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.
2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this parrot (January to July), if the parrot is determined to be present. The parrot selects a large, deep tree cavity, usually in a Palo Colorado tree. The parrot normally does not build its own nest but, many times, parrot biologists do build artificial cavities that are accepted by the parrot. A check with DNER should occur if large Palo Colorado trees are in the general construction area.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the DNER and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a parrot is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these

areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.

7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.
8. Projects must comply with all state laws and regulations. Please contact 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](mailto: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](mailto:jose_cruz-burgos@fws.gov)  
Office phone (786) 244-0081 or mobile (305) 304-1386

Appendix G:  
USFWS Puerto Rican Boa Conservation Measures 2024

# Caribbean ES Puerto Rican Boa

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## *Puerto Rican Boa*

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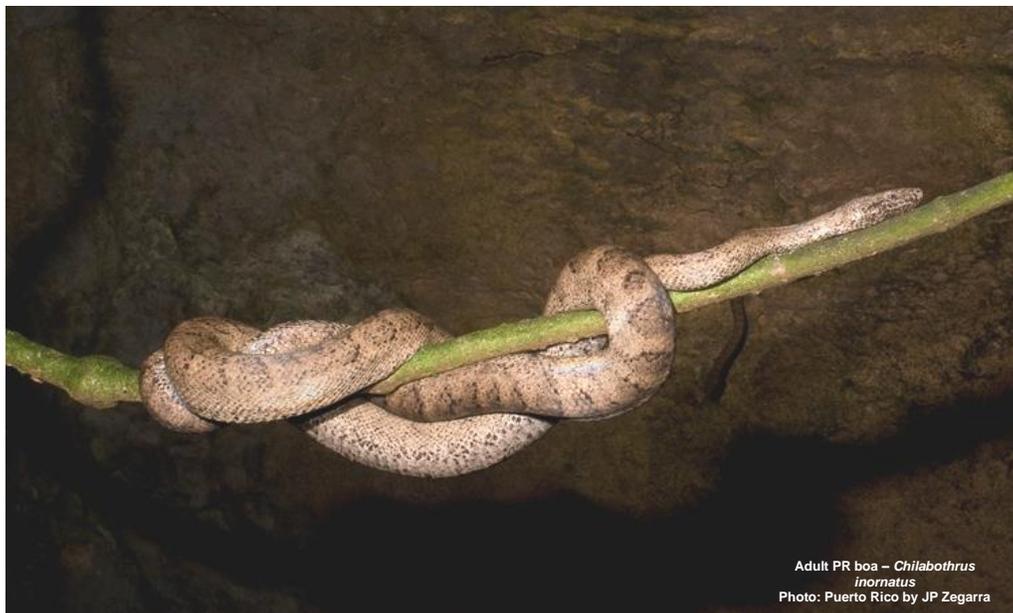


## U.S. FISH AND WILDLIFE SERVICE CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE

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

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

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



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

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

#### Conservation Measures:

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

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

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

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

Appendix H:  
Puerto Rican Harlequin Butterfly Conservation Measures 2024



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

**Conservation Measures for the Puerto Rican harlequin butterfly (*Atlantea tulita*)**

Section 7 (a)(1) of the Endangered Species Act (ESA) mandates Federal agencies to aid in the conservation of federally listed species. Section 7 (a)(2) requires the Federal 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 federally 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 approval of private activities through the issuance of Federal funding, permits, licenses, or any other actions. Any person that injures, captures, or kills a Puerto Rican harlequin butterfly, or destroy it eggs or any other of its life stage (caterpillars, chrysalis) is subject to penalties under the ESA. Thus, Federal Actions agencies must initiate consultation with the Service under Section 7 of the ESA for any action that could affect the Puerto Rican harlequin butterfly. To initiate a consultation under the Section 7 of the ESA, the Federal Action agency must submit a project package to the Service with the established minimum requirements (see below). The conservation measures included below should be incorporated into the project plans to minimize possible impacts to the Puerto Rican harlequin butterfly. Download the [project evaluations fact sheet](#) to learn more about the requirements or visit our [project evaluations webpage](#).



The Puerto Rican (PR) harlequin butterfly (*Atlantea tulita*), is a threatened species endemic to Puerto Rico, whose currently known range is limited to the Northern Karst

physiographic region and the West-central Volcanic-serpentine physiographic region of the Island. Through this range, we have identified six areas occupied by the PR harlequin butterfly that we refer to as a populations: (1) along the coastal cliff in the municipalities of Isabela, Quebradillas, and Camuy; (2) Guajataca in the municipality of Isabela; (3) Río Abajo Commonwealth Forest between the municipalities of Arecibo and Utuado; (4) Río Encantado area along the municipalities of Arecibo, Florida and Ciales; (5) Maricao Commonwealth Forest in the municipality of Maricao; and (6) Susúa Commonwealth Forest between the municipalities of Sabana Grande and Yauco. In addition, adult PR harlequin butterflies have been anecdotally reported in other areas of Puerto Rico, including the municipalities of Aguadilla, Barceloneta, Ciales, Florida, Luquillo, Ceiba, Guánica, San Germán, Las Marias and Lares.

The PR harlequin butterfly is a medium sized butterfly with a life cycle includes four distinct anatomical stages: imago (adult), egg, larva (caterpillar, with several size phases called instars), and chrysalis. The species has a wingspan of about 5.1 to 6 centimeters (cm) (2 to 2.5 inches (in)) wide and is characterized by its orange, brownish-black and beige coloration patterns. The caterpillar (larva) is dark orange with a brownish black to black, thin sub-lateral line, over a thin line of white intermittent dots crossing the body from the head to the anal plate, and has spines with hairs on each body segment. The caterpillar is less than .476 centimeters (cm) (0.19 in) in the first instar (growth stage between molts) and about 3.3 cm (1.29 in) in the fifth instar. Both eggs and caterpillars have been found almost exclusively on the host plant prickly bush (*Oplonia spinosa*). The chrysalis (pupa from which the butterfly (adult, or imago) emerges) of the PR harlequin butterfly is black, with orange and white dashes, and yellow pimples. The size of chrysalis is around 3 cm (1.2 in). In the wild, the chrysalis is more often found attached to branches of plants located close to the host plant, but it has been observed attached to dried twigs of the host plant.

The PR harlequin butterfly is difficult to detect, and the species is easily misidentified with other common butterflies such as the monarch butterfly (*Danaus plexippus portoricensis*), Antillean crescent (*Antillea pelops*), and Gulf fritillary (*Agraulis vanilla insularis*). The PR harlequin butterfly adults seem to be more active in the morning, from 9:00 am to 12:00 pm, when they are often observed flying searching for food or patrolling their territory for mating or laying eggs. The species flies slowly and is weak and fragile; thus, it is considered a poor disperser. There is information that this butterfly can disperse up to 1,026 meters (m) (3366.1 feet (ft)), approximately 1 kilometer (km) (0.6 mile (mi)) from one breeding site to another. The species seems to have specific ecological requirements for reproduction and its dispersion.

The PR harlequin butterfly was federally listed as threatened on January 3, 2023 (87 FR 73655), due to threats related to habitat modification and loss, its small populations size, and because of analyses of projected effects on the species resulting from relevant factors like increment of urban development rate and climate changes, which may negatively influence the continued existence of the species in the foreseeable future.

The Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PR harlequin butterfly and its

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

1. All project construction personnel must be informed about the potential presence of the PR harlequin butterfly or its occupied host plant, prickly bush (*Oplonia spinosa*), in the project areas and the need to avoid harming the species and its occupied host plant. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act. Educational material (e.g., posters, flyers, or signs with photos or illustrations of all the life stages of the PR harlequin butterfly (i.e., eggs, caterpillar, chrysalis, and adult) as well as its host plant, should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the boundaries of the work area in the field clearly delineate to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the PR harlequin butterfly (all life stages) and the prickly bush must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the PR harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the prickly bush is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalis are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the PR harlequin butterfly is observed flying in that same area where the plant is located. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the PR harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov) after the 36-hour search is concluded.
7. If, after the initial search or after the 24 to 36-hour search, any life stage of the PR harlequin butterfly is found in the prickly bush, take the following actions:
  - Clearly mark the host plant with flagging tape.

- Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
- Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the plant. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
- Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.

8. For all PR harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All PR harlequin butterfly sighting reports should be sent to the U.S. Fish and Wildlife Service, Caribbean Ecological Service Field Office at [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov).

9. For questions regarding the PR harlequin butterfly, the Point of Contact is:

- José Cruz-Burgos, Threatened and Endangered Species Program Coordinator:
  - Mobile: 305-304-1386
  - Office phone: 786-244-0081
  - Office Direct Line: 939-320-3120
  - Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)

Appendix I:  
Puerto Rican Harlequin Butterfly Identification Package

first discovered in the municipality of Quebradillas. For the purpose of this SSA, we refer to the common name as the Puerto Rican harlequin butterfly (hereafter, PRHB).



Figure 2-1. Map showing the distribution of the genus *Atlantea* through the Caribbean Region.

## 2.2 Species Description

The PRHB is a medium size butterfly. The species has a wingspan of about 5.1 to 6 centimeters (cm) (2 to 2.5 inches (in)) wide and is characterized by its orange, brownish-black and beige coloration patterns (Figures 2-2 and 2-3). The butterfly is brownish-black at the thorax area with deep orange markings. The male's abdomen is brownish-black on the dorsal side and has orange and brown bands on the ventral side. The female's abdomen is brownish-black with white bands. Wings are largely brownish-black with sub-marginal rows of deep orange spots and beige cells. The dorsal view of the forewings and the hind-wings, the outer margins are brownish-black. The coastal margin is deep orange with brownish-black markings. The inner margin is brownish-black with some deep orange markings at the half basal wing. The hind wing has a wide black border enclosing a set of reddish-bronze sub-marginal points. As a member of the checker-spot butterfly group, rows of deep orange dots (or cells) is a typical pattern on the species' brownish-black wings. The ventral sides of the forewings are similar to the dorsal sides of the forewings, and ventrally the hindwings are brownish-black with orange basal spots, a complete postdiscal beige band with a band of reddish spots distally, and sub-marginal white half-moons.

The chrysalis (pupa from which the butterfly (adult, or imago) emerges) of the PRHB is black, with orange and white dashes, and yellow pimples (Biaggi-Caballero 2009, p. 4) (Figure 2-4). Chrysalis size is around 3 cm (1.2 in).

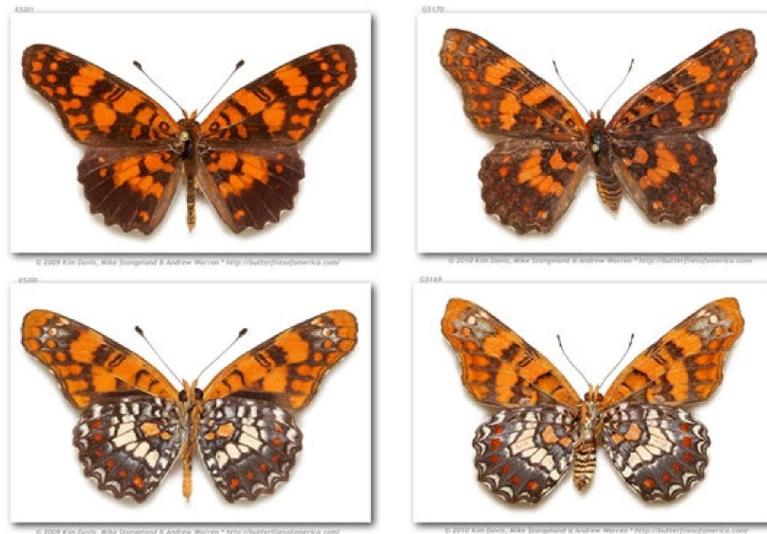


Figure 2-2. Photos showing the dorsal (top) and ventral (bottom) coloration patterns observed in *Atlantea tulita* (Dewitz 1877). Male (left) and female (right). Photo downloaded from <https://www.butterfliesofamerica.com>.



Figure 2-3. Male (left) and female (right) *A. tulita*. The abdomen of the male is a deep orange color with bands, and the abdomen of the female is white with black bands. Source: Carlos Pacheco, Service.

The PRHB caterpillar (larva) is dark orange with a brownish-black to black, thin sub-lateral line, over a thin line of white intermittent dots crossing the body from the head to anal plate (Figure 2-5). The larva is less than 4.76 millimeter (mm)(0.19 in) in first instar (growth stage

between molts) and about 55.8 mm (2 in) in the fifth instar (C. Pacheco, Service, 2018, personal observation). The body of the larva has spines with hairs in each body segment (Figure 2-5).



Figure 2-4. Chrysalis of *Atlantea tulita*. Photos by C. Pacheco, Service.



Figure 2-5. *Atlantea tulita* caterpillar. Photo by C. Pacheco, Service.

The eggs of the PRHB are greenish oily spheres, with a yellowish incipient crown (Figure 2-6).

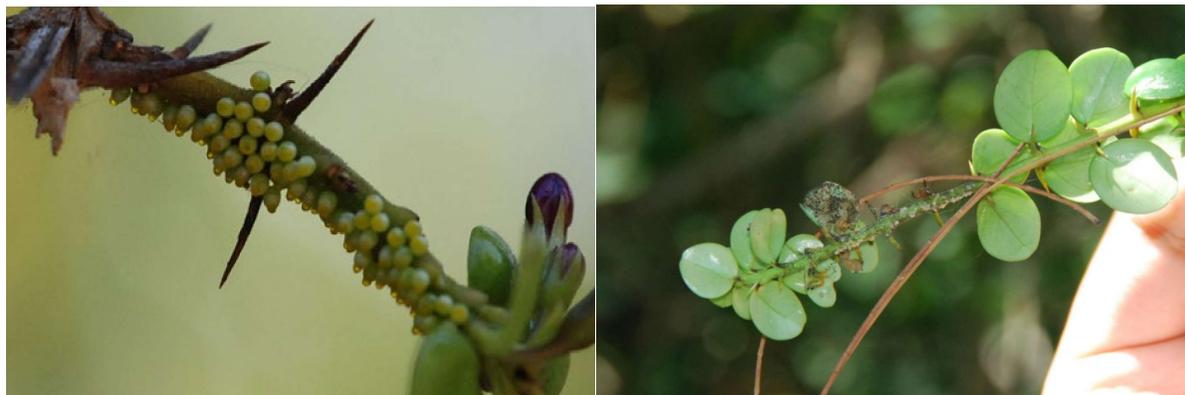


Figure 2-6. Photo (left) showing the yellowish crown on the eggs laid by *Atlantea tulita* on *Oplonia spinosa*. Photo (right) showing the first instars of the *Atlantea tulita*. Photo by C. Pacheco, Service, 2011.

### 2.3. Life History

Most of what is known about PRHB life history, demography and behavior comes from field observations, information gathered from other species from the same family, and expert opinions.

#### 2.3.1 Life Cycle

The life cycle of the PRHB includes four distinct anatomical stages: egg, larva (caterpillar, with several size phases called instars), chrysalis, and imago (adult). It is a general consensus among the species' experts (A. Morales and E. Estremera, Liga Ecológica Quebradillana; H. Torres, former Assistant Professor from the University of Puerto Rico, Mayagüez Campus; and C. Asencio, former professor Universidad Católica de Ponce) that the life cycle of the PRHB (Figure 2-7) from egg to imago in the wild may take around 125 days (Second Technical Meeting Puerto Rican Harlequin Butterfly Working Group, November 3, 2018). These experts also agree that the length of the life cycle can be affected by factors such as temperature and humidity, particularly at the caterpillar stage.

#### 2.3.2 Dispersal, Mating, and Food Sources

PRHB dispersal and mating behavior has not been thoroughly studied. The butterfly flies slowly and is weak and fragile; thus, the species is considered a poor disperser (Carrión-Cabrera 2003, p. 51). However, Monzón (2007, p. 42) found that the butterfly can disperse up to 1,026 meters (m) (3366.1 feet (ft)), approximately 1 kilometer (km) (0.6 mile (mi)) from one breeding site to another. Additionally, the species has specific ecological requirements for reproduction and its dispersion is apparently limited by the monophagous habit of the first instar of the larvae, which feeds only on prickly bush (*Oplonia spinosa*) (Carrión-Cabrera 2003, p. 40; Biaggi-Caballero 2009, p. 4). Mating behavior has been rarely documented. For other species in the family Nymphalidae, the male grasps the female in flight and brings her to a surface, such as a leaf (Figure 2-8) or the ground, where mating occurs. Carrion-Cabrera (2003, p. 60) estimated the sex ratio of the PRHB as 2.67 males per female. It is not well known if the PRHB mates during a

particular month of the year or year-round. However, all life stages of the PRHB are observed year-round, suggesting that mating and oviposition may occur at any time during the year (Figure2-9).

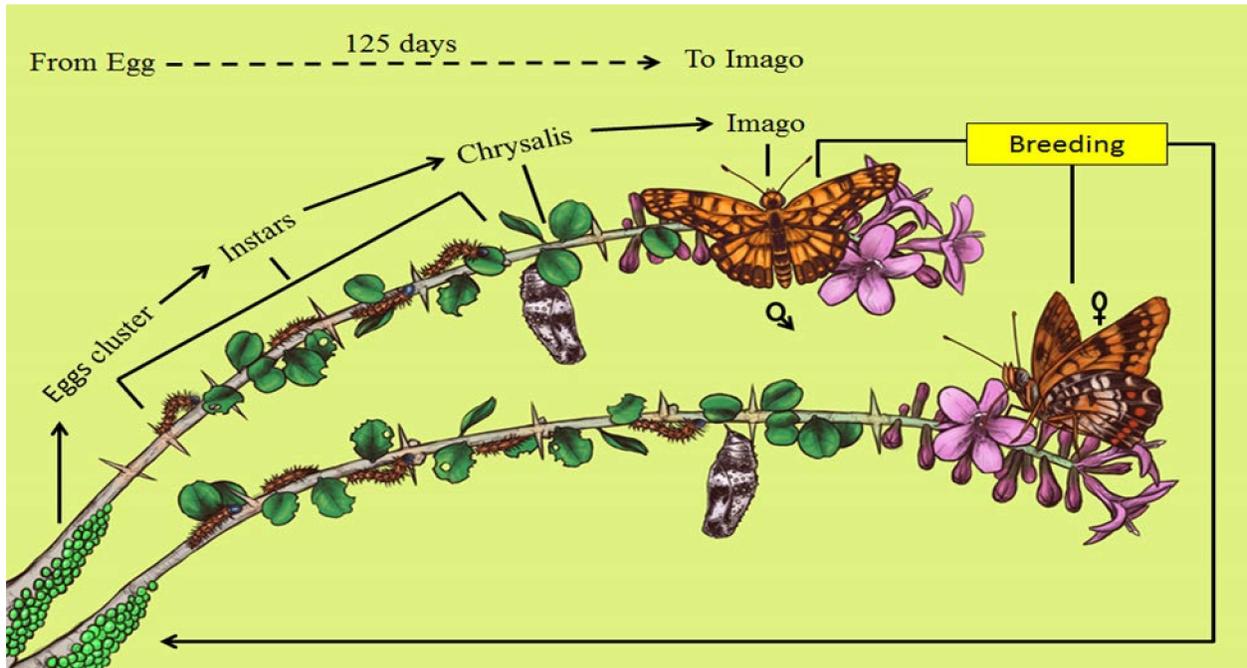


Figure 2-7. Conceptual diagram of the Puerto Rican harlequin life cycle.

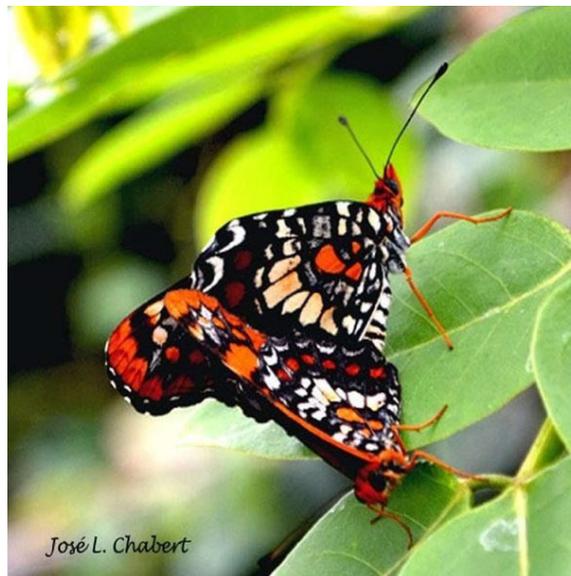


Figure 2-8. Photo of Puerto Rican Harlequin butterfly mating. Photo by José Chabert (President of “Fundación EL Pastillo”) at El Pastillo in the municipality Isabela.

Females are multivoltine ovipositors (they produce several broods in a single season) (Biaggi-Caballero 2009, p. 2; 76 FR 31282, May 31, 2011, p. 31283). Eggs and larvae have been found

almost exclusively on prickly bush (*Oplonia spinosa*) (Figures 2-10 and 2-11). The female lays the eggs in rows singly or in pairs, on the underside of tender twigs of the host plant. The species uses the tender vegetative branches of new growth of the host plant for bearing its eggs and feeding during the larval stages (Carrion-Cabrera 2003, p. 40; Biaggi-Caballero and Lopez 2010, p. 2). New growth of *O. spinosa* is observed a few days after rain events, being more abundant during the wet season (from April to November). The female of the PRHB can lay between 50 to 140 eggs in about 45 minutes (Carrion-Cabrera 2003, p.38; Biaggi-Caballero 2009, p. 4). During this process the female appears to be undisturbed by the presence of humans or any other threats (Barber 2018, p. 2).

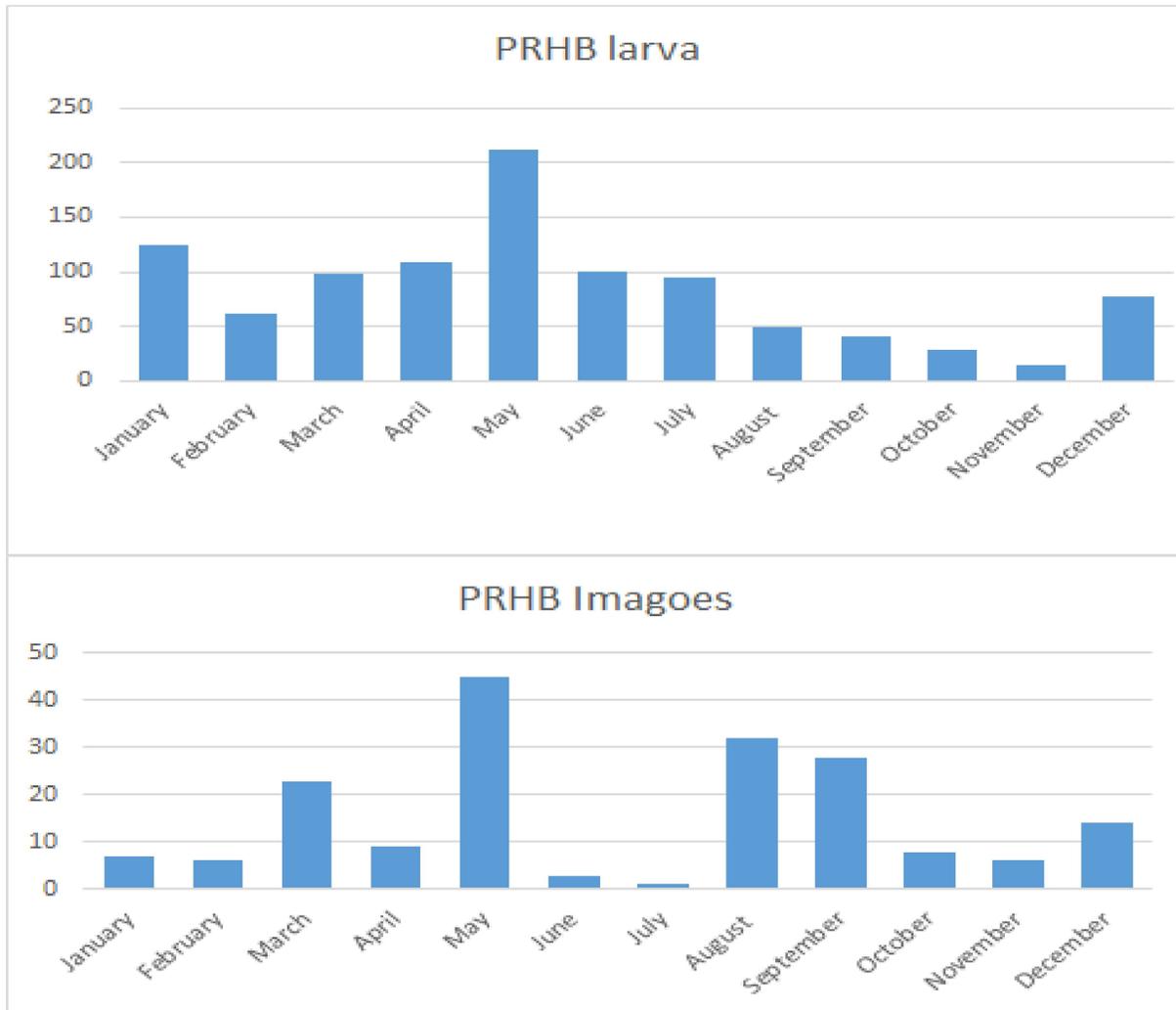


Figure 2-9. Number of observed PRHB larvae (top) and imagoes (bottom) per month throughout the year. Based on information provided by Carrion-Cabreear 2003, Monzon 2007, Biaggi-Caballero 2010, and Barber 2018.

Broods of the PRHB generally contain 50 to 150 eggs, with an average of 102 eggs per brood (Carrion-Cabrera 2003, p.38). The time to egg eclosion and viability (hatching success) rate have not been determined. After egg eclosion, the first instars devour the egg shells and then begin feeding from the most tender parts of the host plant (Biaggi-Caballero and López 2010, p.2). As

the first instar matures, PRHB larvae crawl to the older and woody part of the host plant eating any new growth, including leaves and stems.

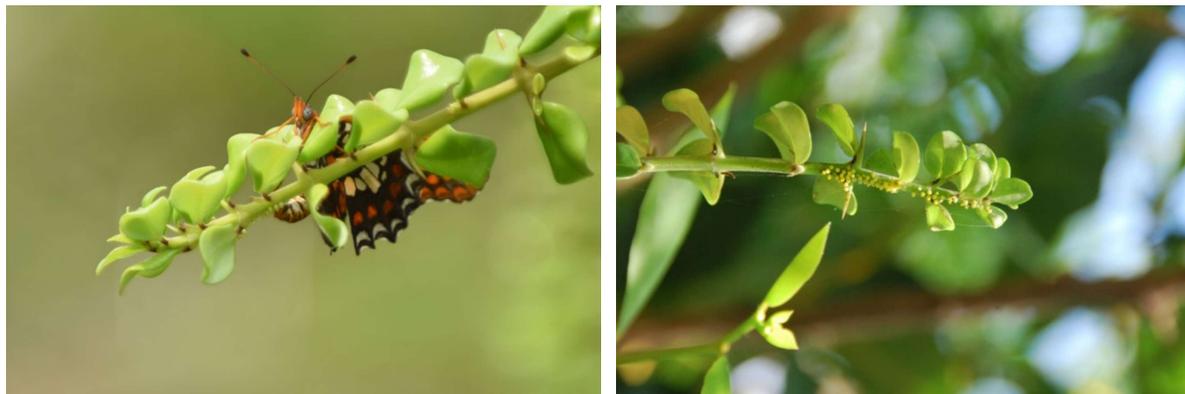


Figure 2-10. Left: female *Atlantea tulita* laying eggs on the host plant, prickly bush (*Oplonia spinosa*). Right: eggs of *Atlantea tulita* laid on the new growth (tender part) of *O. spinosa* branches. Photo by José Vargas, 2018.



Figure 2-11. Prickly bush (*Oplonia spinosa*) (left), Family Acanthaceae; endemic to several Caribbean islands and widely distributed in Puerto Rico. Eggs (right) found on prickly bush Source: Willie Hernandez, Liga Ecológica Quebradillana, 2009.

Although the PRHB is believed to be a specialist because of its monophagous habit of feeding only on *O. spinosa*, recently Barber (2016, p. 9) documented a PRHB larva feeding on *Odontonema cuspidatum* (commonly known in Puerto Rico as “coral de jardín”) in Quebradillas (Figure 2-12). Like *O. spinosa*, *O. cuspidatum* is in the family Acanthaceae, but it is native to Mexico and has been introduced to the West Indies as an ornamental shrub (Axelrod 2011, p. 50). In addition, Morales and Estremera (2018, unpublished data) found that the PRHB caterpillar also feeds on *Justicia mirabiloides* (commonly known as West Indian water-willow; or in Spanish as papayo montuno). *Justicia mirabiloides*, which is also in the family Acanthaceae, is a perennial herb native to Puerto Rico and the Virgin Islands. These rare observations of the PRHB caterpillar feeding on plants other than *O. spinosa* were of later instars (possibly 4th or 5th instar). Therefore, it is not known whether the first instar can use other plant species as a food source. Regardless, given the paucity of observations of feeding on other plant species, *O. spinosa* is an essential PRHB food source.

# **APPENDIX E**

## **Section 106 Consultation**

## ENVIRONMENTAL MEMORANDUM

**Date:** 4/5/2024

**To:** Environmental Review Record (ERR) File

**Subject:** Explanation of Conflicting Information within the ERR

**Applicant Name:** Hector M Otero Montes DBA Hector A Otero Montes

**Application Number:** PR-RGRW-01189

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This memorandum serves to provide an explanation as to the presence of conflicting pieces of information within the Environmental Review Record (ERR) file.

Confliction Information:  Coordinates  Address  Municipio  Parcel ID/Cadaster Number  
 Construction Date  Applicant Name  Other: Click or tap here to enter text.

Location(s) of Conflicting Information: Section 106 NHPA Effect Determination

Explanation: The Applicant name in the Section 106 NHPA Effect Determination is: Hector M Otero Montes.  
The correct Applicant Name is: Hector M Otero Montes DBA Hector A Otero Montes.  
The Project Location Address in the Section 106 NHPA Effect Determination is: Carr 149 km 23.3 Bo Cialitos Sector Las Cañas, Ciales, PR 00638.  
The correct Project Location Address is: Carr. 149 KM 23.3 Barrio Cialitos Sector Las Cañas, Ciales PR 00638.



# GOVERNMENT OF PUERTO RICO

## STATE HISTORIC PRESERVATION OFFICE

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

Tuesday, April 2, 2024

### Lauren B Poche

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

SHPO-CF-03-26-24-10 PR-RGRW-01189 (Ciales), Hector M Otero Montes

Ms. Poche,

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

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

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

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/OJR



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

March 26, 2024

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

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

**Section 106 NHPA Effect Determination Submittal - SHPO ID: 08-11-23-05 - PR-RGRW-01189 –Hector M. Otero Montes DBA Hector A. Montes – Carr. 149 Km. 23.3 Bo. Cialitos Sector Las Cañas, Ciales, Puerto Rico – No Historic Properties Affected**

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is re-initiating consultation for activities proposed by Hector M Otero Montes DBA Hector A. Otero Montes at the property located at Carr 149 km 23.3 in Bo. Cialitos Sector Las Cañas in the municipality of Ciales due to a change in the project scope. Consultation for the proposed project was initiated in August 2023. In a letter dated August 17, 2023, your office concurred with a finding of no historic properties affected for the proposed construction of a warehouse and installation of below-ground water and electric lines. The applicant proposes additional activities on the property consisting of the addition of 600 linear feet of new and repaired fence on the north side of the parcel; the proposed barbed wire fence will require the installation of approximately 100 posts to a depth of 2 feet. This submission also serves to correct a typographic error in the warehouse coordinates on the original submission to bring the coordinates in alignment with the mapped location of the proposed activities.

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

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

Kindest regards,

A handwritten signature in blue ink that reads 'Lauren B. Poche'.

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

Architectural Historian, EHP Senior Manager  
LBP/JLE

Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant:</b> Hector M Otero Montes		
<b>Case ID:</b> PR-RGRW-01189	<b>City:</b> Ciales	

<b>Project Location:</b> Carr 149 km 23.3 Bo Cialitos Sector Las Cañas, Ciales, PR 00638	
<b>Project Coordinates:</b> 18.288217, -66.511682	
<b>TPID (Número de Catastro):</b> 164-079-103-07-000	
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b>	<b>Property Size (acres):</b> 3.54

<b>SOI-Qualified Architect/Architectural Historian:</b> Maria Schmid
<b>Date Reviewed:</b> 06/16/2023
<b>SOI-Qualified Archaeologist:</b> Roberto G. Muñoz-Pando, PhD.
<b>Date Reviewed:</b> 06/20/2023

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)

SHPO consultation for case PR-RGRW-01189 was initiated in August of 2023 with a finding of No Historic Properties received in a letter dated August 17, 2023 (SHPO ID: 08-11-23-05). Consultation is being reinitiated due to a change in the proposed project scope of work to include the addition of 600 linear feet of new and repaired fence on the north side of the parcel.

The Scope of Work 1, in the coordinates 18.288217, -66.511682, requires the construction of a metal (galvalum) warehouse with a concrete pad of approximately 70 feet by 30 feet footprint. The ground disturbance will be in the concrete pad footprint area, the water connection to the warehouse will be from the service of the applicant house with an underground 1 foot with PVC tubes for an estimate distance of 35 linear feet, and the power service connection to the warehouse will be from the applicant house, underground 3 feet for an estimated distance of 35 linear feet. The Scope of Work 2 included the repairs and construction of a fence of approximately 600 linear feet on the north side of the parcel with initial coordinates from 18.288521, -66.51220 and ending in the coordinates 18.288667, -66.510569. The materials to use for this purpose are barbed wires and 100 treated wood spikes of approximately 6.5 feet tall. This wood spikes will be installed every 10 feet at an approximate depth of 2 feet.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant:</b> Hector M Otero Montes	
<b>Case ID:</b> PR-RGRW-01189	<b>City:</b> Ciales

**Area of Potential Effects**

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the area described in the Project Description (Undertaking) of this form and the visual APE is the viewshed of the proposed project. The activities related to the construction of a warehouse, including the below-ground utility connections from the applicant's house and the repair and construction of a fence involve clearing activities and ground disturbances from up to 3 feet depth. The project site will require clearing, grading, and vegetation removal. However, the proposal does not contemplate cutting, pruning, or transplanting of trees. The reconstruction Area of Potential Effect includes a 15-meter buffer of the proposed activities.

**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 has only one previously identified archaeological site and the potential for finding intact deposits on or near the project area is low to moderate. The Hacienda del Alba (CL-40) is a Coffee Hacienda Located 0.37 miles southwest of the project area. The construction should have no impact on this cultural resource. There are no previously reported cultural resources surveys performed within a 0.5-mile radius of the APE. The closest freshwater body (Rio Cialitos) is approximately 0.25 mi (0.42 km) west of the project area. The slope in the APE is elevated, making the probability of finding intact deposits low. The information gathered in the State Historic Preservation Office (SHPO) and the Institute of Puerto Rican Culture (IPRC) supports the idea that the area is not archaeologically sensitive.

**Identification of Historic Properties - Architecture**

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is **not** within the boundaries of a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center or Historic District. Additionally, there are **no** NRHP-listed historic properties within the quarter mile buffer zone from the APE.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant:</b> Hector M Otero Montes	
<b>Case ID:</b> PR-RGRW-01189	<b>City:</b> Ciales

The proposed project is located in a rural, mountainous terrain with mature vegetation surrounding the property. The property lies west of Route 149, that runs north to south in this area of Ciales. A building circa 1985 is located immediately to the east of geocoordinates from the APE. The building appears on a 1993 aerial image, but not a 1977 one. The building is a two-story single-family concrete house with full front porches on both levels. The house has slab on grade and wall foundation, flat concrete roof, and is supported by concrete columns and walls. An added corrugated metal roof covers the right side second level terrace of the house. This building shown below is modern and **does not** meet the requirements to be eligible for listing on the National Register of Historic Places.



**Figures 1 & 2.** Detail of the 1993 aerial photograph indicating location of the house; and the front elevation, view to the south.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant:</b> Hector M Otero Montes	
<b>Case ID:</b> PR-RGRW-01189	<b>City:</b> Ciales

## Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the Program has determined that the project area is not within the boundaries of a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center or Historic District. Additionally, there are no NRHP-listed historic properties or previously identified archaeological sites within or adjacent to the parcel containing the proposed project Area of Potential Effect. The evidence gathered by the SOI qualified archaeologist and architectural historian in both Identification of Historic Properties sections of this form support the conclusion that the probability for finding new significant cultural deposits in the APE is considered low to moderate. The buildings located on the parcel do not meet the requirements to be eligible for listing on the National Register of Historic Places. The proposed project activities will have no effect on the Hacienda del Alba (CL-40) located 0.37 miles southwest of the project area. The closest freshwater body (Rio Cialitos) is approximately 0.25 mi (0.42 km) west of the project area. The slope in the APE is elevated, making the probability of finding intact deposits low. Therefore, no historic properties will be affected by the proposed project activities.

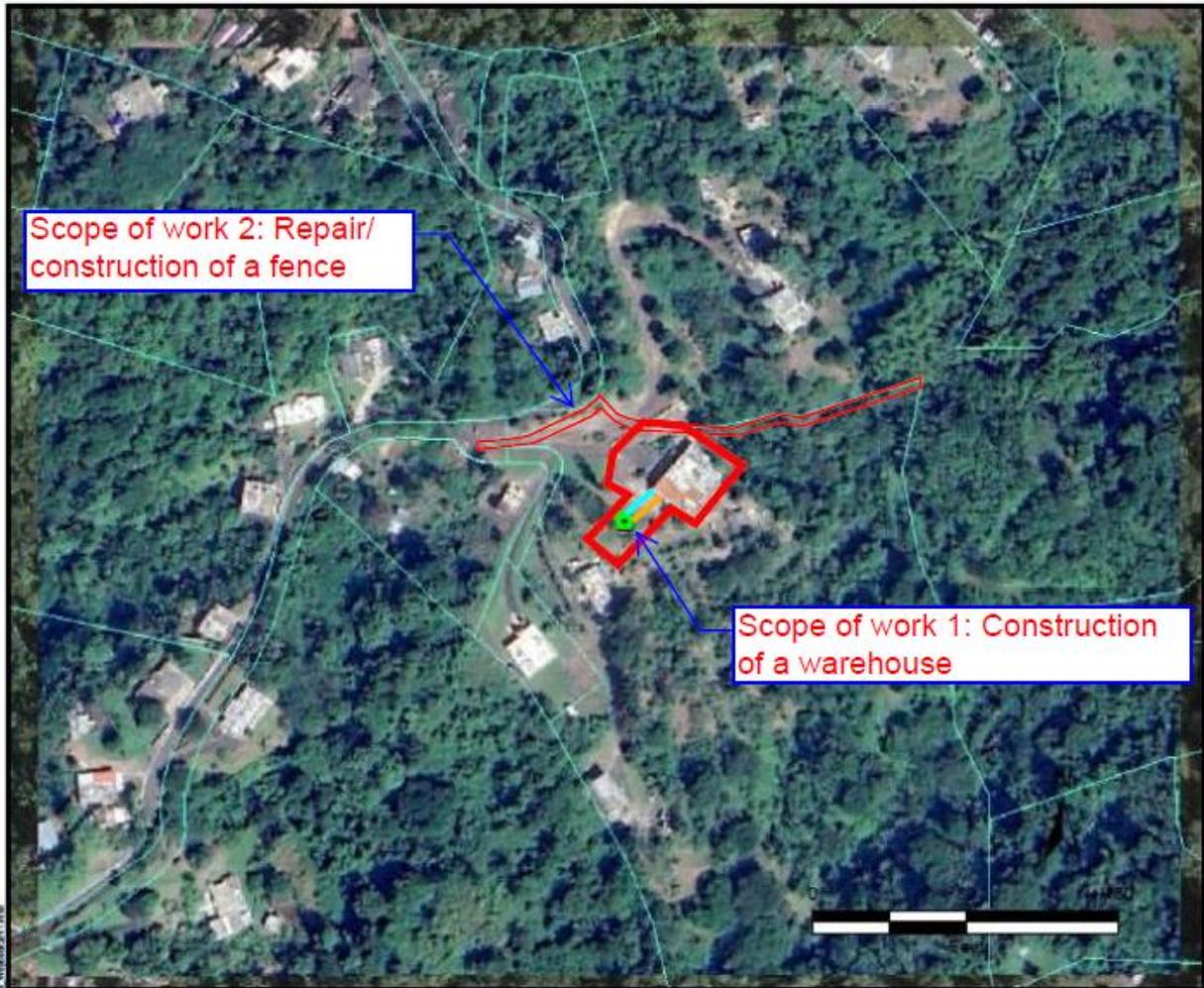


Applicant: Hector M Otero Montes

Case ID: PR-RGRW-01189

City: Ciales

### Project (Parcel) Location – Area of Potential Effect Map (Aerial)



Source: CRIM

Author: TG

Date: 10/7/2022

#### Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario
-  Water connection
-  Electrical connection



Applicant: Hector M Otero Montes

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### Project (Parcel) Location - Aerial Map



TETRA TECH

Source: CRIM

Author: TG

Date: 9/22/2022

#### Legend

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







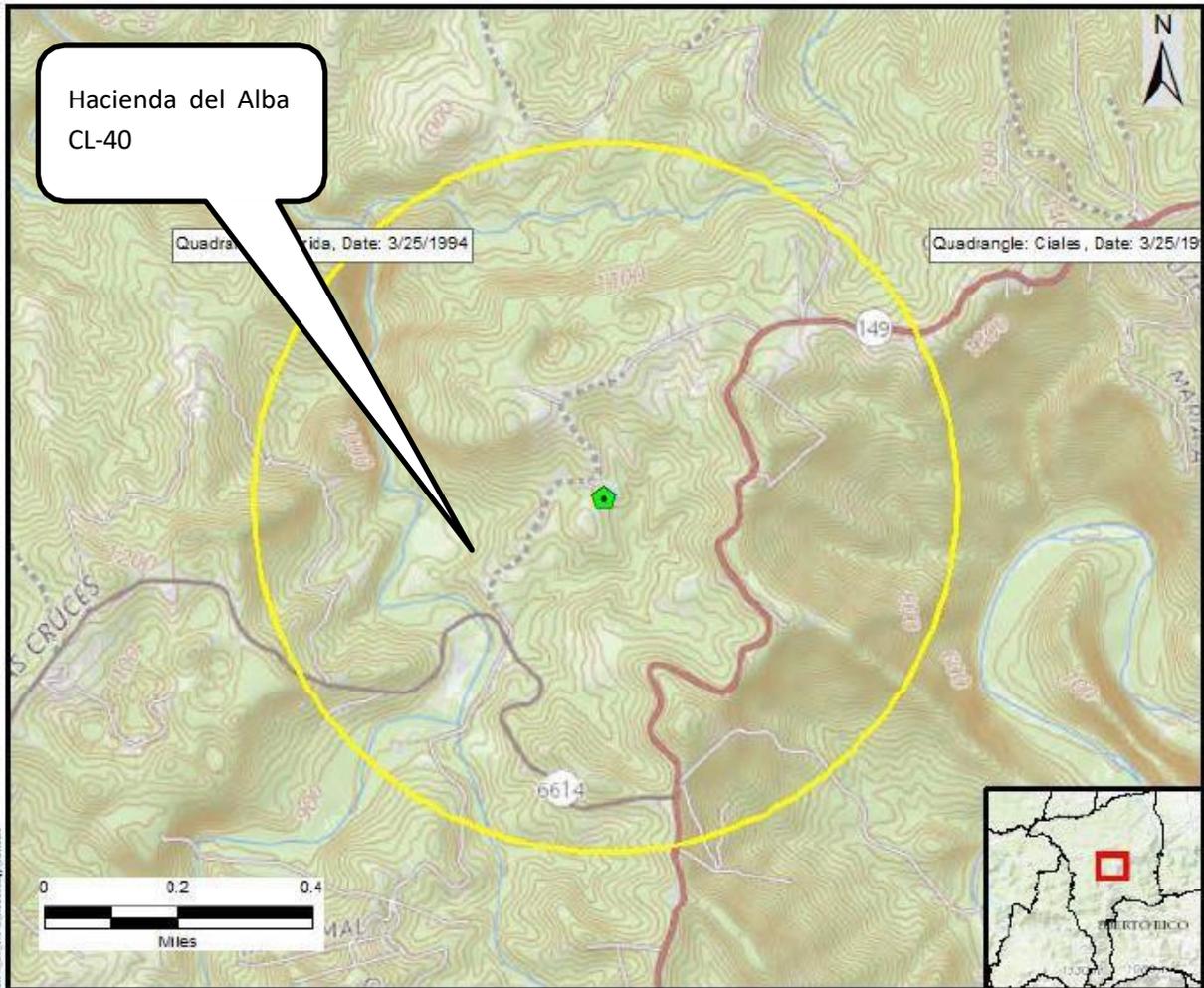


Applicant: Hector M Otero Montes

Case ID: PR-RGRW-01189

City: Ciales

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



Source: National Park Service

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

AUTHOR: TG

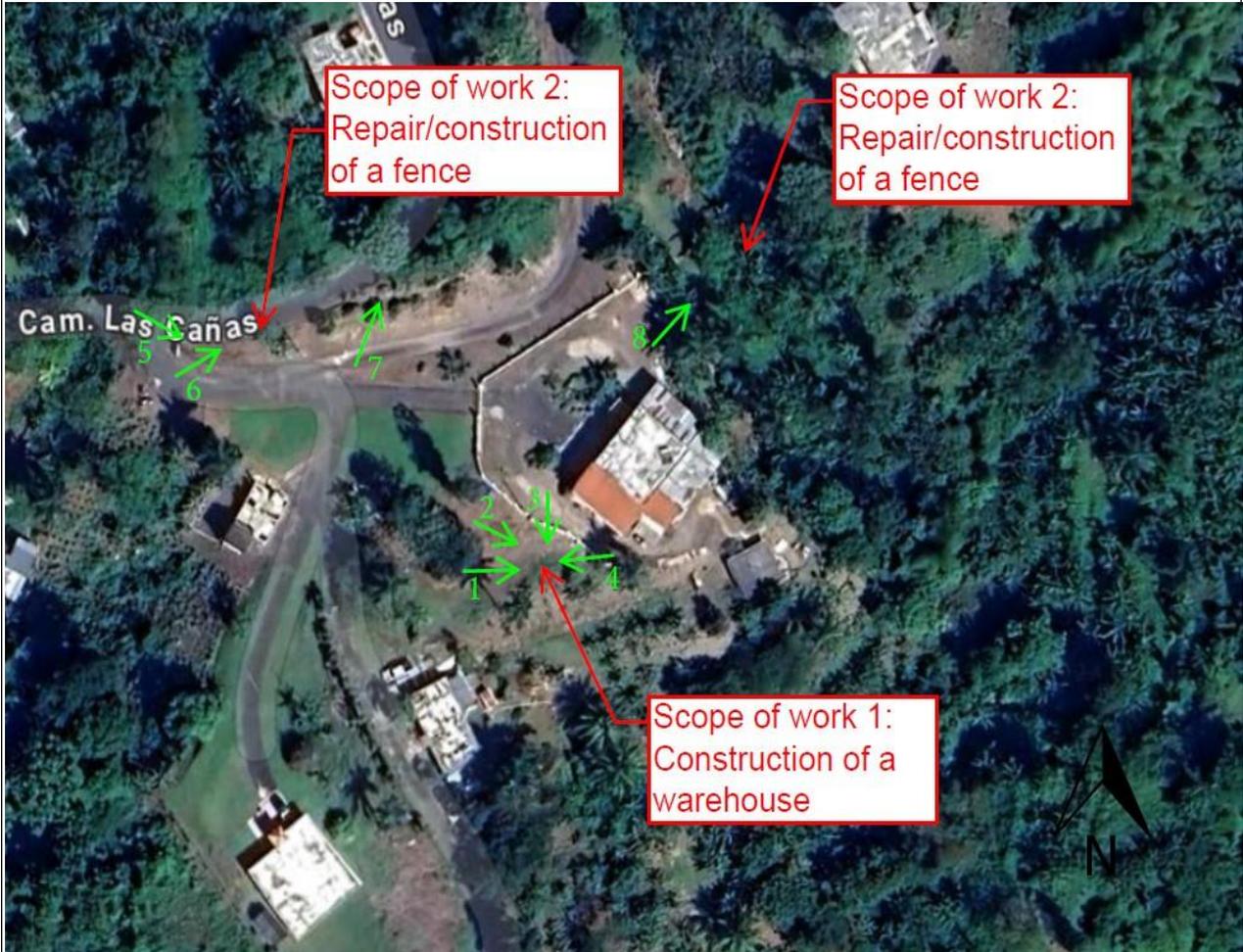
DATE: 9/29/2022

Applicant: Hector M Otero Montes

Case ID: PR-RGRW-01189

City: Ciales

### Photograph Key



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

REGROW PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination



**Applicant:** Hector M Otero Montes

**Case ID:** PR-RGRW-01189

**City:** Ciales



**Photo #: 1**

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

**Date:** 5/12/2023

Scope Of Work 1: Construction of a warehouse



**Photo #: 2**

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

**Date:** 5/12/2023

Scope Of Work 1: Construction of a warehouse

**Applicant:** Hector M Otero Montes

**Case ID:** PR-RGRW-01189

**City:** Ciales



**Photo #:** 3

**Description (include direction):** View to the south.

**Date:** 5/12/2023

Scope Of Work 1: Construction of a warehouse



**Photo #:** 4

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

**Date:** 5/12/2023

Scope Of Work 1: Construction of a warehouse

**Applicant:** Hector M Otero Montes

**Case ID:** PR-RGRW-01189

**City:** Ciales



**Photo #:** 5

**Description (include direction):** View to the southeast.

**Date:** 2/2/2024

Scope Of Work 2: Repair/construction of a fence



**Photo #:** 6

**Description (include direction):** View to the northeast.

**Date:** 2/2/2024

Scope Of Work 2: Repair/construction of a fence

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

REGROW PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination



Applicant: Hector M Otero Montes

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City: Ciales



Photo #: 7

Description (include direction): View to the northeast.

Date: 2/2/2024

Scope Of Work 2: Repair/construction of a fence



Photo #: 8

Description (include direction): View to the northeast.

Date: 2/2/2024

Scope Of Work 2: Repair/construction of a fence



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT