

# Environmental Assessment

## Determinations and Compliance Findings for HUD-assisted Projects

### 24 CFR Part 58

#### **Project Information**

**Project ID:** PR-RGRW-03924

**Project Name:** Núcleo de Apicultores de Puerto Rico Inc.

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

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

**State/Local Identifier:** Puerto Rico / Toa Alta, PR

**Preparer:** Patricia Carmenatty

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

**Consultant:** Behar Ybarra & Associates LLC

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

#### **Project Location:**

Carr. 823 Km 1.2 Interior, Bo. Quebrada Arenas Sector Jalda Arriba, Toa Alta, PR 00953

Fence location: latitude 18.369429 longitude -66.273407

Parcel cadastral #: 111-000-004-77-000

Parcel size: 8,262.00 m<sup>2</sup>

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

The proposed activities for PR-RGRW-03924 consist of the purchase of fencing materials to install a new fence. The fence materials include cyclone 9- ½ x 6' x 50' galvanized, galvanized posts 2" x 20', galvanized posts 1 ¼" x 20', tension wire galvanized 7, vareta 6' – 5/8", clamps s/t 2 ½", galvanized terminals 1 5/8", simple cup 2 ½ "galvanized cast

iron, fence screws HDG 5/16" x 1 1/4", passing cup 2 1/2" x 5/8" and aluminum tie wire 9 x 8 1/4. The installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long, using 48 galvanized posts in total. The project area is located at PR-823 km. 1.2 within the Municipality of Toa Alta. Based on a review of historical aerial imagery, the general area has been used for beekeeping purposes for over the past 20 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the new fence. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the fence plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

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

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]: The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. This agricultural project associated with the purchase of fencing materials to install a new fence are in keeping with the overall objectives of the Economic Development Program.

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

The new fence will be installed in a flat area covered with grass, shrubs and vines. Currently the area has not been worked on due to the wait for funds, so the removal of grass, shrubs and bushes are necessary to access the project area. Cutting or removing trees will not be necessary for the proposed work. For more than 20 years it has been used for beekeeping. Therefore, there is little to no change in land use associated with these placements.

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
B-18-DP-72-0001 B-17-DP-72-0001 B-19-DP-78-0002 B-18-DE-72-0001	Community Planning and Development (CPD) / Community Development Block Grant - Disaster Recovery (CDBG-DR)	\$11,938,162,230.00

**Estimated Total HUD Funded Amount:** \$5,177.86

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$5,177.86.

**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"/>	This project is the purchase of fencing materials to install a new fence will have no impact on any Airports. The site is located 65,834 feet from the nearest major civil airport (Fernando Luis Ribas Domunicci in San Juan) and 92,700 feet from the nearest military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
<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"/>	This project is not located in a CBRS Unit. The project is located 44,408 feet southwest of the nearest Coastal Barrier Resource System, PR-86P. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.

<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in Zone X, Panel 72000C0685H, 4/19/2005 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4. The project is in compliance with the Flood Insurance without further evaluation.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b></p>		
<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>This project consists of the purchase of fencing materials to install a new fence for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each county by year for all criteria pollutants in Appendix 2.</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 34,118 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.</p>
<p><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>This project consists of the purchase of fencing materials to install a new fence for an agricultural project. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There are no sites of environmental concern identified</p>

		<p>within 3,000 feet near the new fence location.</p> <p>The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6.</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>After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the Puerto Rican boa (<i>Chilabothrus inornatus</i>) could be found in the project area. The scope of work includes continued agricultural use of the property, however in order to access the area where the fence will be installed it will be necessary to remove vegetation such as bushes and tall grass. No tree removal is expected.</p> <p>The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit on February 12, 2024, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have a "May affect but is not likely to adversely affect" (NLAA) determination on the Puerto Rican Boa. PRDOH together with USFWS concurred with the NLAA determination via email on April 24, 2024. However, the initial consultation did not contemplate the removal of vegetation to be able to access the fence area. Consequently, a re-consultation was requested to USFWS on May 14, 2024. USFWS subsequently</p>

		<p>concurred with PRDOH in a letter dated May 20, 2024, reaffirming their determination of NLAA for the Puerto Rican Boa. The closest Critical Habitat is 26,195 feet from the project location.</p> <p>Conservation measures will be implemented prior to and during the fence installation 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. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline.</p> <p><a href="https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf">https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf</a></p> <p>This project is in compliance with the Endangered Species Act. See attached USFWS Concurrence letter and supporting documents in Appendix 4. See attached Endangered Species map, Figure 7.</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>This project consists of the purchase of fencing materials to install a new fence and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with Explosive and Flammable hazards without further evaluation.</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The project activities will occur in an area designated as Not prime farmland. The scope of work includes the purchase of fencing materials to install a new fence,</p>

		<p>and this is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8.</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project is not located in the 100-year floodplain or ABFE special flood hazard area; therefore, no further action is required.</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 Toa Alta; therefore, PFIRM information was not available for the area and therefore not considered in the review.</p> <p>The Department of Housing and Urban Development (HUD) introduced new floodplain regulations under 89 FR 30850, effective June 24, 2024, establishing the Federal Flood Risk Management Standard (FFRMS). The current project involves non-critical actions that are located outside the 0.2-percent-annual-chance floodplain (500-year flood elevation). This approach ensures compliance with the FFRMS, meaning no mitigation is required, and the project adheres to the regulations set forth in 24 CFR Part 55.</p> <p>The project is in compliance with Executive Order 11988, as amended by Executive Order 13690. See attached ABFE Map (Figure 9).</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966,</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The site was visited on February 17, 2024, by SOI-qualified archaeologist. Based on the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing</p>

<p>particularly sections 106 and 110; 36 CFR Part 800</p>		<p>activities related to installation of the fence. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated March 18 2024, SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with National Historic Preservation Act.</p>
<p><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  <input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>This project consists of the purchase of fencing materials to install a new fence for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise abatement and Control without further evaluation.</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No  <input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>There are no EPA Sole Source Aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation. See attached Sole Source Aquifers maps, Figure 11.</p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No  <input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>There are no wetlands in or near the proposed project area, therefore, no wetland will be affected by the project undertaking. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 12.</p>
<p><b>Wild and Scenic Rivers</b></p>	<p>Yes    No  <input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>This project is not within proximity of the NWSRS river. The project is located 170,090 feet from the nearest Wild and Scenic River. The project is in compliance</p>



Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)		with the Wild and Scenic Rivers Act. See Map, Figure 13.
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.

**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	2	The proposed action is continued agricultural use of property which is compatible with a zoning code of A-

Land Use and Zoning / Scale and Urban Design		G (General Agriculture) and existing land use of SRC (Common Rustic Land). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>The soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. Soils in the project area are predominantly Colinas clay loam, with slopes of 20% to 40% (CrE2). This is a steep well drained soil on ridgetops and side slopes of low hills.</p> <p>The landslide data indicates low landslide susceptibility; therefore, no erosion is expected to occur from this project. The project will not affect the drainage in the area. There will be no additional runoff associated with the project. See Landslide Susceptibility Map, Figure 14.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>The project consists of the purchase of fencing materials to install a new fence. There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area. While construction is underway, there will be a temporary rise in noise levels. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by restricting construction activities to daylight hours.</p> <p>Additionally, the project does not include housing or such to where inhabitants would be affected.</p>
Energy Consumption	2	The project consists of the purchase of fencing materials to install a new fence on an existing agricultural farm. Electricity connection will not be necessary for the proposed project.
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	The project consists of the purchase of fencing materials to install a new fence and will result in short-term benefit to employment when contractors are hired for the construction of the fence. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for

		economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The project consists of the purchase of fencing materials to install a new fence and will not alter the demographic characteristics of Toa Alta, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	<p>In the project area within a one-mile radius:</p> <ul style="list-style-type: none"> <li>• The people of color are 99% compared to PR average of 96%.</li> <li>• 75 % of the people are low income compared to PR average of 70%.</li> <li>• 10% of the people are unemployed compared to PR average of 15%.</li> </ul> <p>The proposed activities of the installation of the fence will have a positive impact on creating jobs for local people. Therefore, the proposed activity complies with this section. See EJ Screen Report in Appendix 3.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The project consists of the purchase of fencing materials to install a new fence for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The project consists of the purchase of fencing materials to install a new fence and may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities.

Health Care and Social Services	2	The project consists of the purchase of fencing materials to install a new fence for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The project consists of the purchase of fencing materials to install a new fence and will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The project consists of the purchase of fencing materials to install a new fence and this activity will not produce any wastewater. Based on the scope of work is not expected to result in any changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	No water connection is needed for the fence. No new connection for water is necessary, therefore, the proposed project will have no impact on the water supply.
Public Safety - Police, Fire and Emergency Medical	2	The project consists of the purchase of fencing materials to install a new fence for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The project consists of the purchase of fencing materials to install a new fence and will have no impact on Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the purchase of fencing materials to install a new fence for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
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<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The project consists of the purchase of fencing materials to install a new fence and will be situated on previous agriculture property and will have no impact on unique natural features or water resources.
Vegetation, Wildlife	2	The project consists of the purchase of fencing materials to install a new fence and will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the fence but no negative impact on wildlife.
Climate Change	2	The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production.  In terms of the project's susceptibility to climate change, the agricultural components may encounter challenges due to the potential impact of drought conditions.

**Additional Studies Performed:** Not applicable.

**Field Inspection** (Date and completed by): February 17, 2024, Jaqueline Lopez, SOI-Qualified Archaeologist.

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

FAA, National Plan for Integrated Airport Systems:

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

[www.fws.gov/CBRA/Maps/Locator/PR.pdf](http://www.fws.gov/CBRA/Maps/Locator/PR.pdf)

National Park Service, National Registry of Natural Landmarks.

[www.nature.nps.gov/nnl/docs/NNLRegistry.pdf](http://www.nature.nps.gov/nnl/docs/NNLRegistry.pdf)

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

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

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

US Environmental Protection Agency, National Ambient Air Quality Standards, Nonattainment Areas for Criteria Pollutants (Green Book): [www3.epa.gov/airquality/greenbook/anayo\\_pr.html](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/ecp0/reports/species-listed-by-state-report?state=PR&status=listed>

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

NOAA Fisheries / National Marine Fisheries Service, NEPA Coordinator Southeast Regional Office. Communication on October 16, 2018 regarding designated critical habitat. (No response).

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

**List of Permits Obtained:** None.

**Public Outreach** [24 CFR 58.43]: The recovery process has seen significant proactive involvement from the local community. Puerto Rico Department of Agriculture has worked closely with the agricultural community. This project will include a FONSI/NOI-RROF in compliance with NEPA regulations for HUD.

**Cumulative Impact Analysis** [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the purchase of fencing materials to install a new fence for an agricultural site.

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

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

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the purchase of fencing materials to install a new fence for an agricultural site which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for economic development for this applicant.

**Summary of Findings and Conclusions:** The proposed activity has been found to not have any adverse effects on the environment nor is there the requirement for further consultation with any agency. There are no environmental review topics addressed that result in the need for formal compliance steps or the requirement for mitigation.

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

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Soil suitability will be assessed prior to construction. Contractors will be required to use BMPs during construction if erosion impacts occur. The construction manager should investigate if a DNER authorization is required for any land alteration associated with the proposed project activities.
<p><b>Endangered Species</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>The USFWS has developed the following conservation measures for the Boa:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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</li> </ol>



personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.

4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). Do not capture the boa. If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: (787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.

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

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

7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each

	<p>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.</p> <p>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 are left on site, we recommend they be placed in areas that will not be disturbed in the future.</p> <p>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.</p> <p>10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>While construction is underway, there will be a temporary rise in noise levels. Contractors will be required to comply with the applicable local noise ordinances. Noise impacts will be mitigated by</p>

	restricting construction activities to daylight hours.
--	--

**Determination:**

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

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

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 10/4/2024

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

Certifying Officer Signature:  Date: 10/7/2024

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

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





## Figures

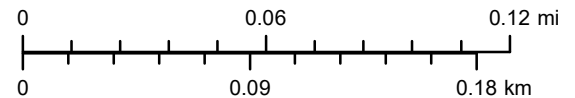
# Figure 1: Location Aerial Map

Puerto Rico Department of Housing ReGrow



**Legend:**

-  PR-RGRW-03924
-  Fence-03924
-  Parcel-03924
-  CRIM\_Parcels\_2018



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



1:3,000

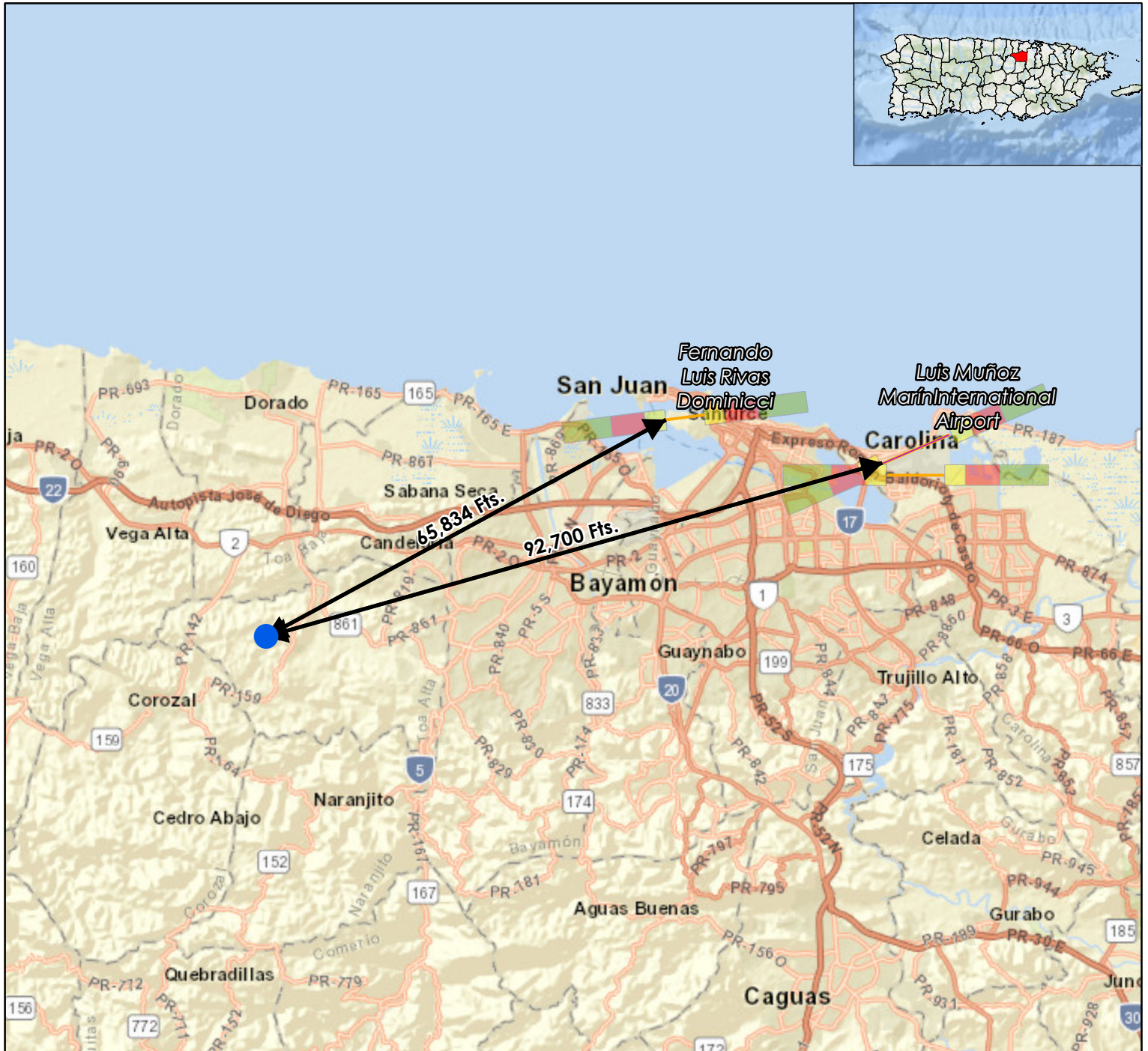
**Source**

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

Núcleo de Apicultores de Puerto Rico Inc.  
 Carr. 823 Km 1.2 Interior,  
 Bo. Quebrada Arenas  
 Sector Jalda Aarriba,  
 Toa Alta, PR 00953  
 Catastro: 111-000-004-77-000  
 Lat: 18.369429, Long:-66.273407

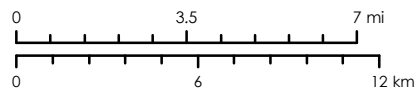
# Figure 2: Airports

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- SJU Military Runway
- Civil Runway
- Accident Potential Zone**
- APZ 1
- APZ 2
- Clear Zone



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

**Source**

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

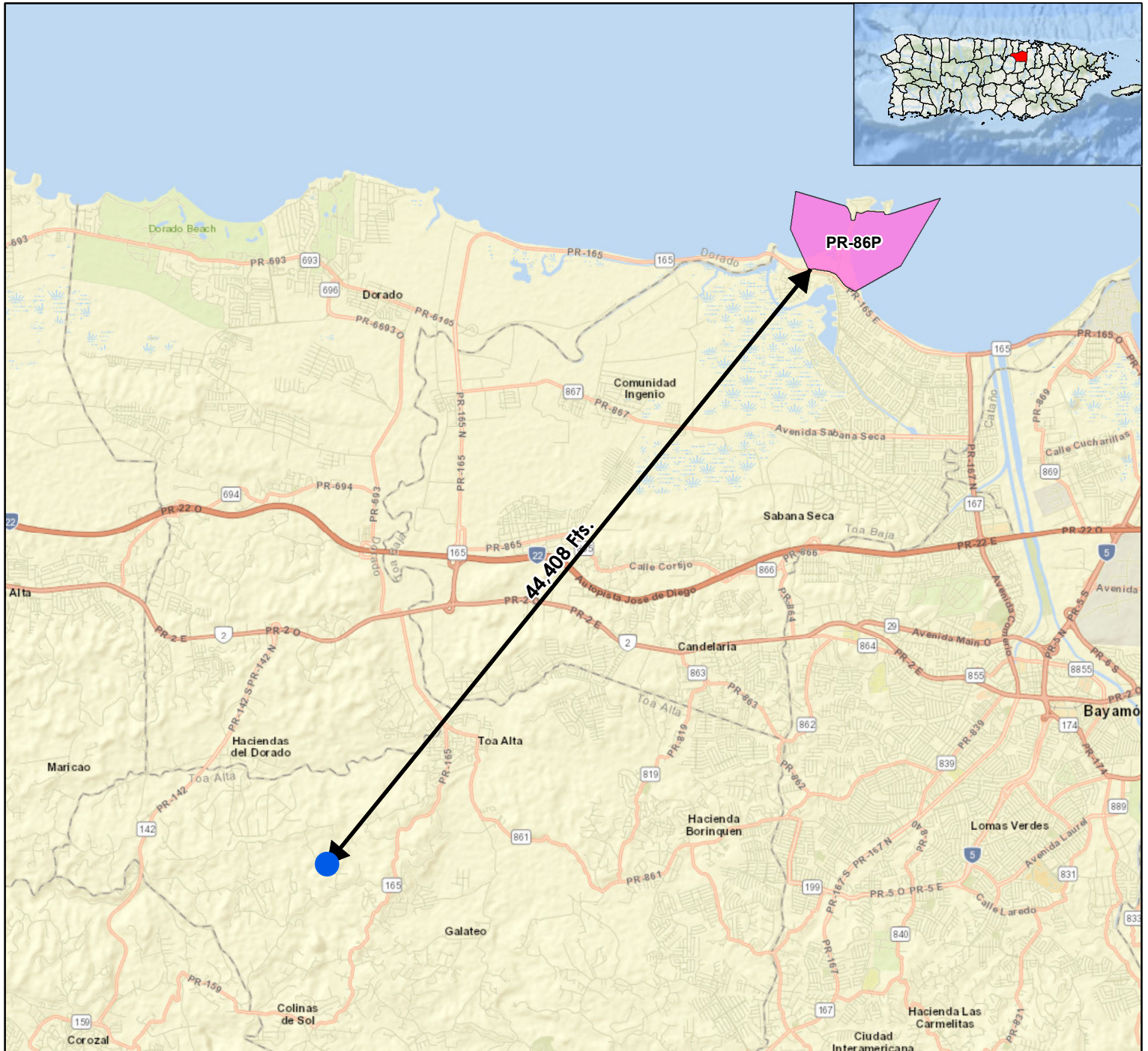


1:250,000

Núcleo de Apicultores de Puerto Rico Inc.  
 Carr. 823 Km 1.2 Interior,  
 Bo. Quebrada Arenas  
 Sector Jalda Aarriba,  
 Toa Alta, PR 00953  
 Catastro: 111-000-004-77-000  
 Lat: 18.369429, Long:-66.273407

# Figure 3: Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow

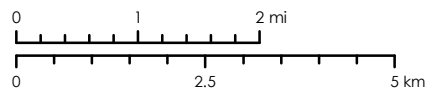


**Legend:**

● PR-RGRW-03924

**Coastal Barrier Resources System (CBRS)**

Otherwise Protected Area



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

**Source**

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

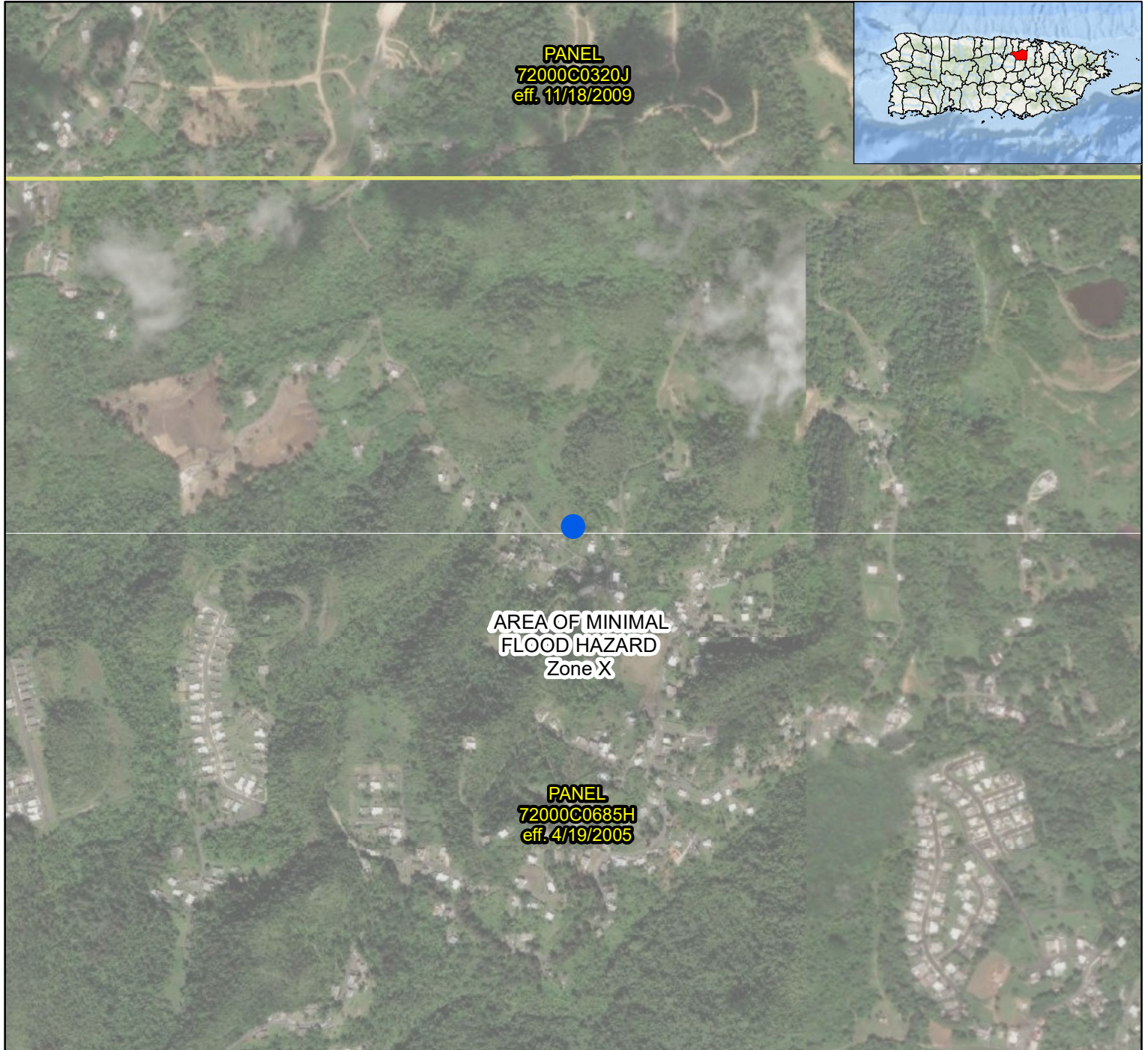


1:100,000



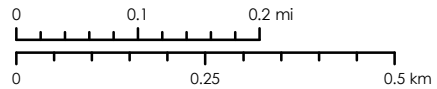
# Figure 4: Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Area of Minimal Flood Hazard Zone X
- FIRM Panel



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



**Source**

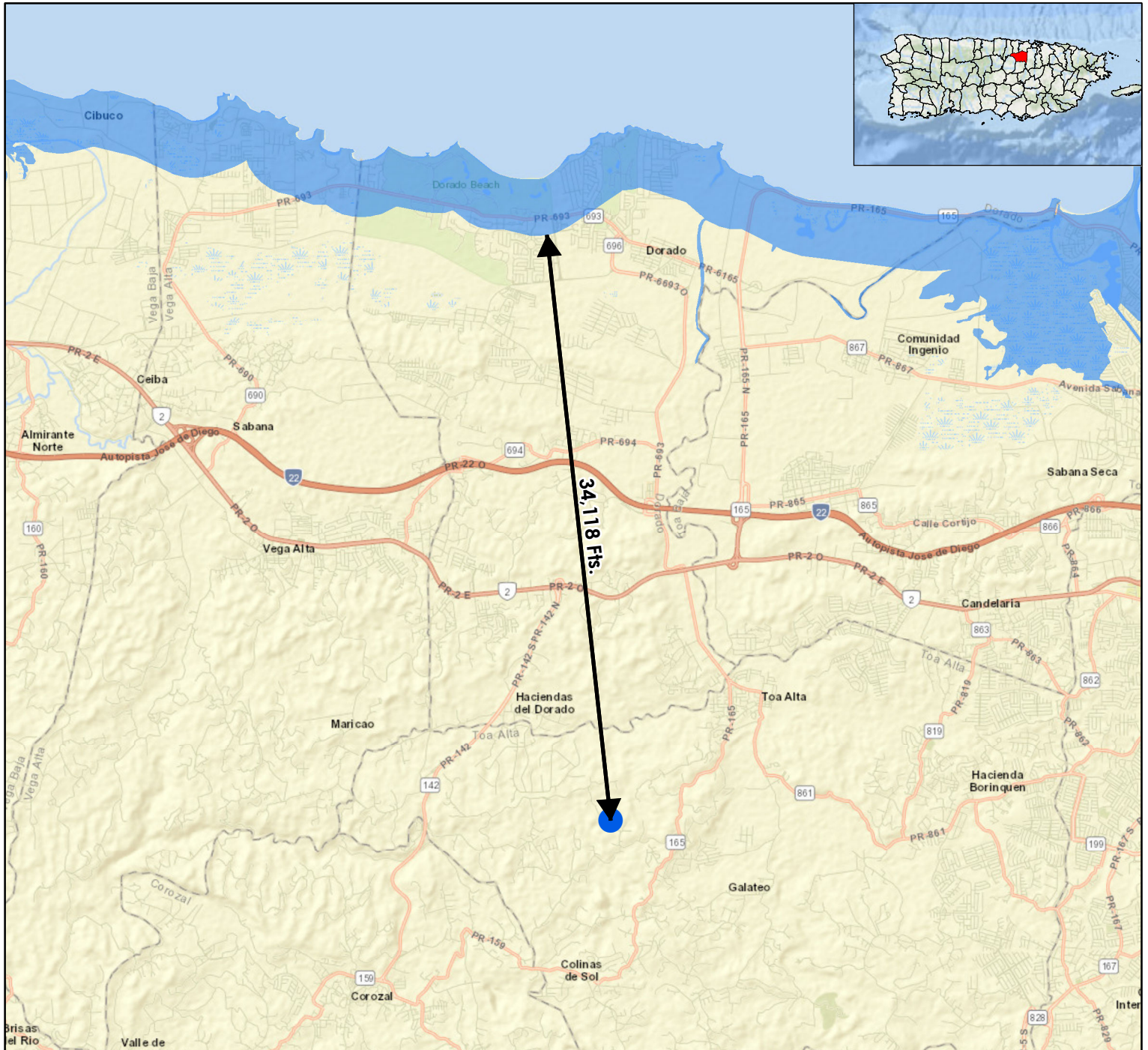
Federal Emergency Management Agency (FEMA)  
<https://msc.fema.gov/portal/home>

1:10,000

Núcleo de Apicultores de Puerto Rico Inc.  
 Carr. 823 Km 1.2 Interior,  
 Bo. Quebrada Arenas  
 Sector Jalda Aarriba,  
 Toa Alta, PR 00953  
 Catastro: 111-000-004-77-000  
 Lat: 18.369429, Long:-66.273407

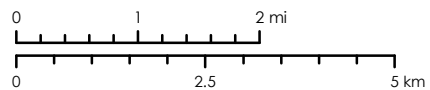
# Figure 5: Coastal Zone Management

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Coastal Zone Management Act Boundary



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

**Source**

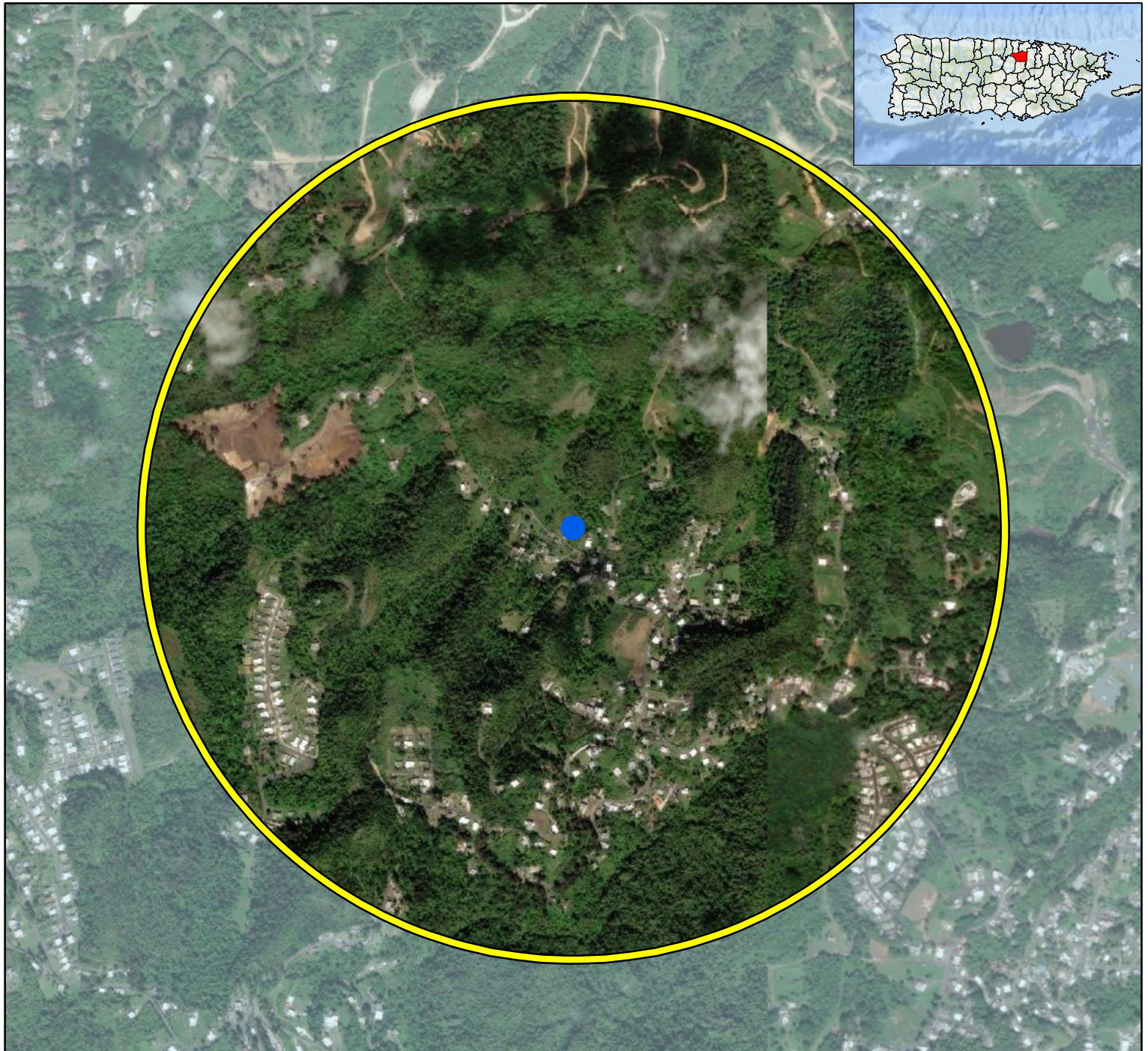
NOAA Office for Coastal Management (NOAA/OCM)  
<https://www.fisheries.noaa.gov/inport/item/53132>



1:100,000

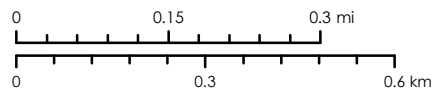
# Figure 6: Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- 3,000 Ft. Buffer
- FACILITY INTERESTS
- ICIS
- NCDB
- NPDES
- NPDES MAJOR
- ▲ RCRA
- ▲ RCRA ACTIVE
- ▲ RCRA INACTIVE
- ▲ RCRA LQG



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

**Source**

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



1:12,000

Núcleo de Apicultores de Puerto Rico Inc.  
 Carr. 823 Km 1.2 Interior,  
 Bo. Quebrada Arenas  
 Sector Jalda Aarriba,  
 Toa Alta, PR 00953  
 Catastro: 111-000-004-77-000  
 Lat: 18.369429, Long:-66.273407

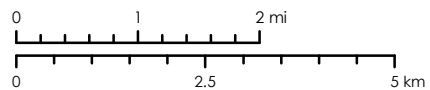
# Figure 7:Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Critical Habitat



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

**Source**

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



1:100,000

# Figure 8: Farmland Protection

Puerto Rico Department of Housing ReGrow

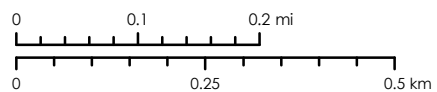


**Legend:**

● PR-RGRW-03924

**Farm Class**

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



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



**Source**

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

1:10,000

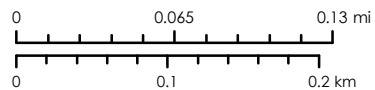
# Figure 9: Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Area of Minimal Flood Hazard Zone X



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

**Source**

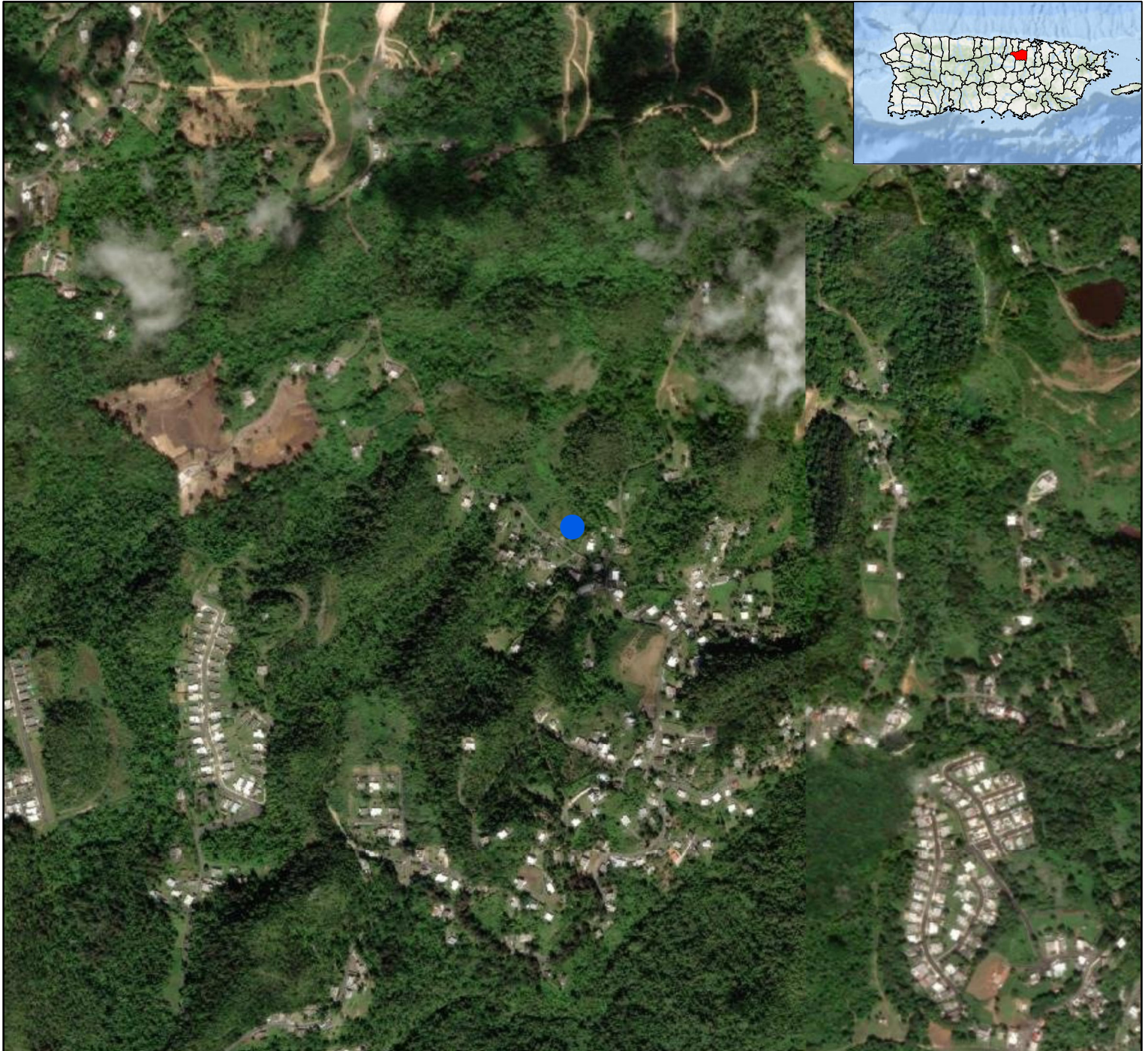
Federal Emergency Management Agency (FEMA),  
 Junta de Planificacion de Puerto Rico (JP),  
 Mapas de Niveles de Inundacion Base Recomendados,  
<https://maps.jp.pr.gov/>



1:5,000

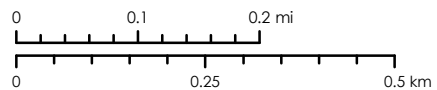
# Figure 10: Historic Preservation Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Archaeological Resource Zones
- Traditional Urban Center
- Historic Communities
- P Cultural\_Resources - Public Plaza
- Cultural\_Resources - Registry ICP
- Cultural\_Resources - Historic Places JP
- ▲ Cultural\_Resources - Scenic Places
- Cultural\_Resources - Cultural Value Places
- Cultural\_Resources - Railway Vestiges



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



**Source**

National Park Service (NPS) - National Register of Historic Places(NRHP)  
<https://www.nps.gov/subjects/nationalregister/index.htm>  
 State Historic Preservation Office (SHPO)  
<https://oeh.pr.gov/Pages/default.aspx>



1:10,000

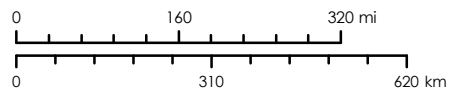
# Figure 11: EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



**Legend:**

-  PR-RGRW-03924
-  EPA Sole Source Aquifers



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



**Source**

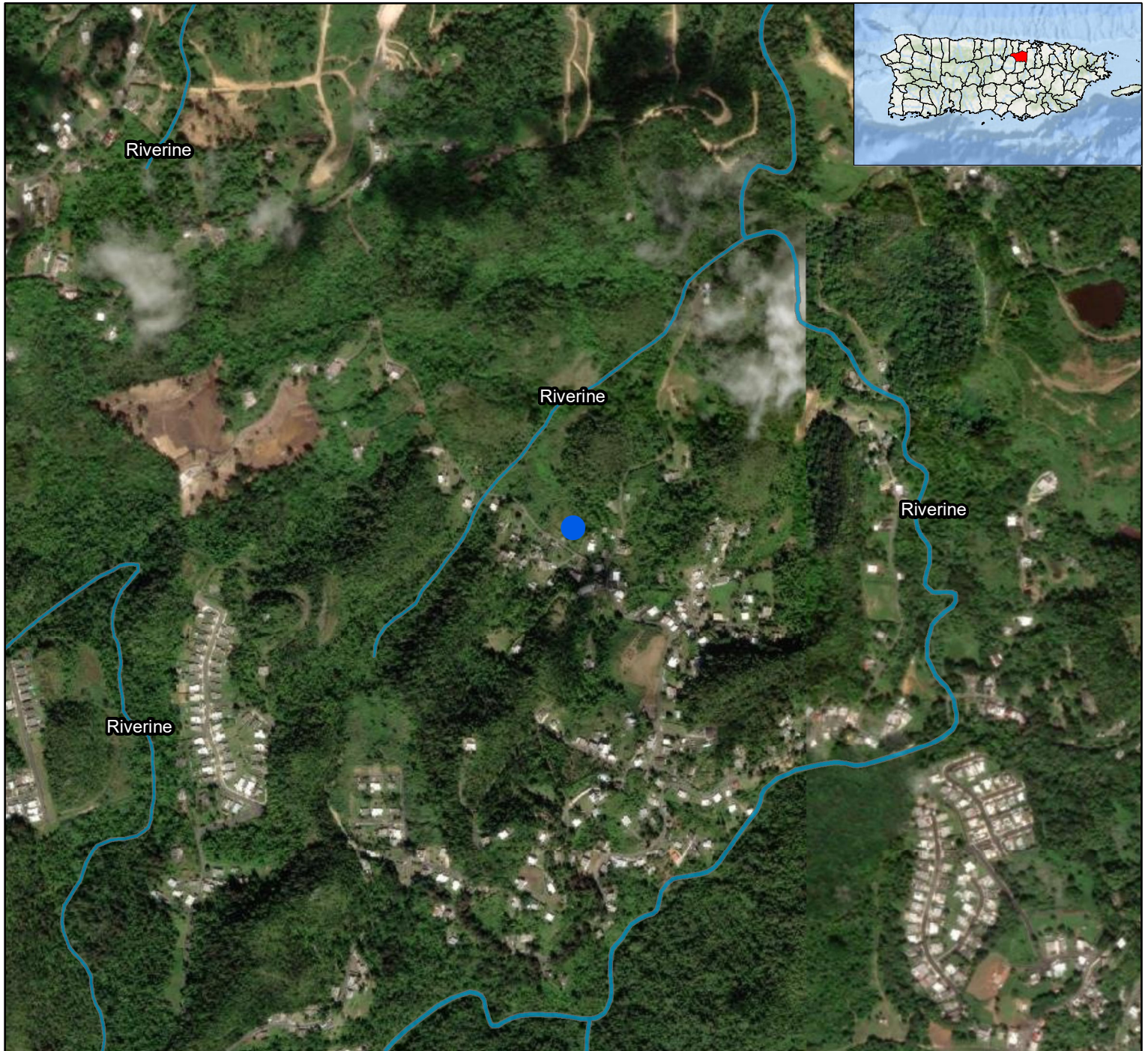
U.S. Environmental Protection Agency  
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

1:12,000,000



# Figure 12: Wetlands Map

Puerto Rico Department of Housing ReGrow

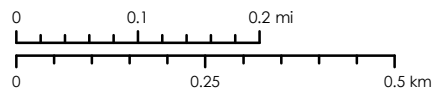


**Legend:**

● PR-RGRW-03924

**National Wetlands Inventory**

Riverine



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

**Source**

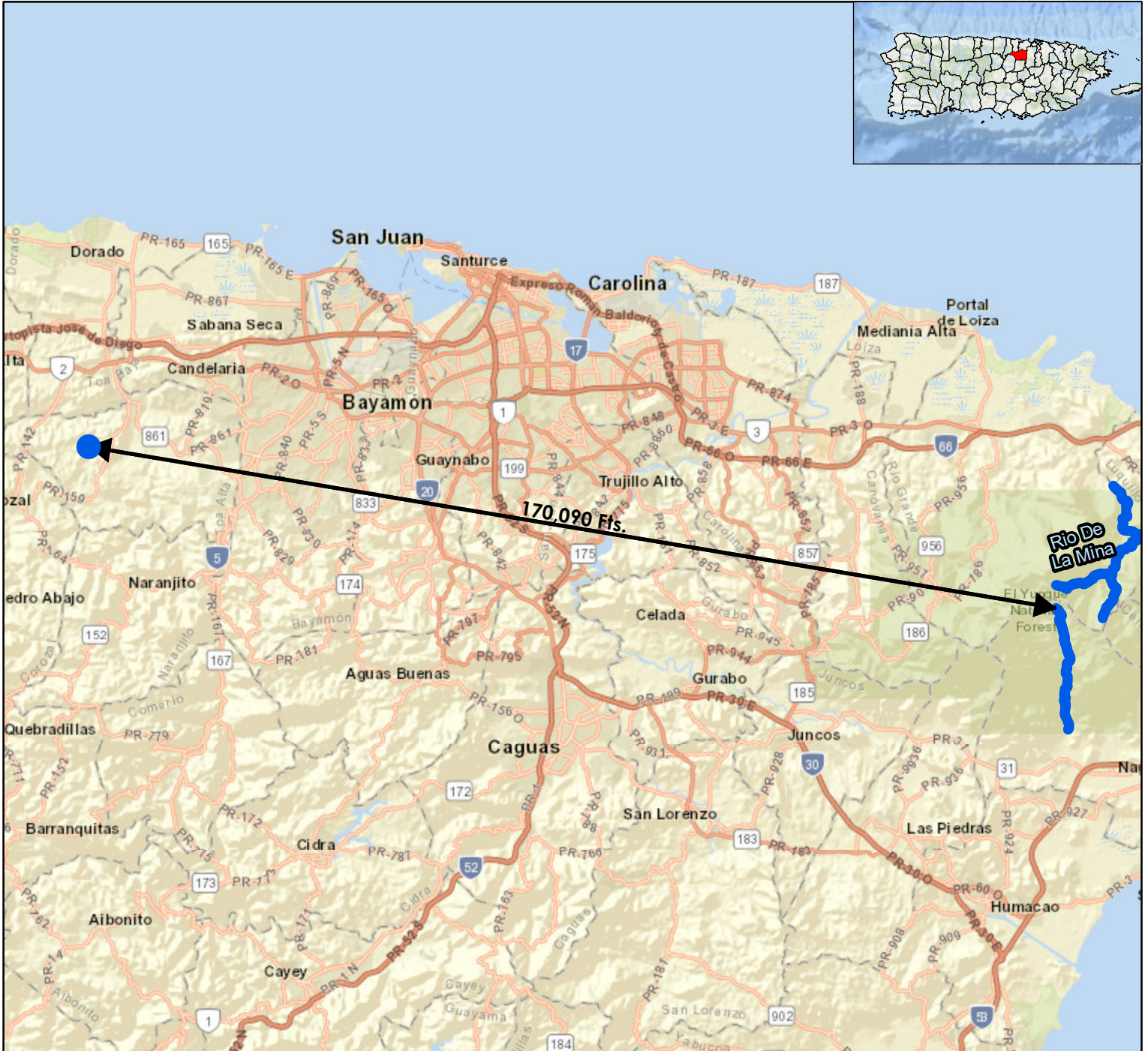
U.S. Fish and Wildlife Service - National Wetlands Inventory  
<https://www.fws.gov/program/national-wetlands-inventory>



1:10,000

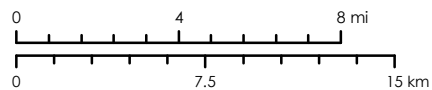
# Figure 13: Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- ▬ Wild and Scenic Rivers



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

**Source**

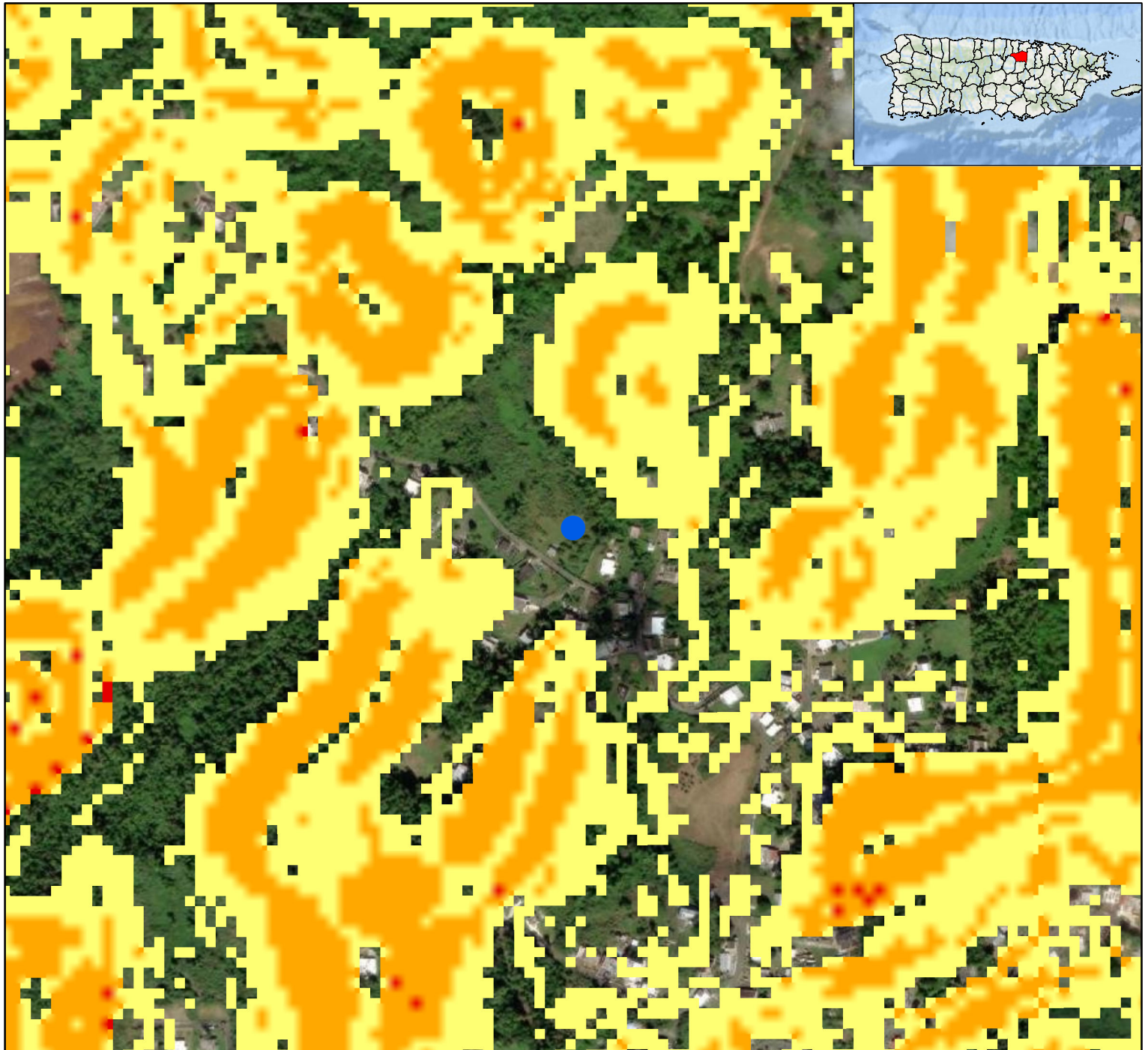
FWS National Wild and Scenic Rivers System  
<https://www.rivers.gov/mapping-gis.php>







1:300,000

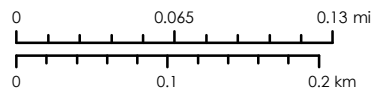
# Figure 14: Landslide Susceptibility

Puerto Rico Department of Housing ReGrow



**Legend:**

-  PR-RGRW-03924
-  Low
-  Moderate
-  High
-  Very High
-  Extremely High



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

**Source**

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



## **Appendix 1: SHPO Consultation Package**



# GOVERNMENT OF PUERTO RICO

## STATE HISTORIC PRESERVATION OFFICE

Executive Director | Carlos A. Rubio Cancela | [carubio@prshpo.pr.gov](mailto:carubio@prshpo.pr.gov)

Monday, March 18, 2024

### Lauren B Poche

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

SHPO-CF-03-17-24-04 PR-RGRW-03924 (Toa Alta), Núcleo de Apicultores de Puerto Rico Inc.

Dear Ms. Poche,

Our Office has received and reviewed the above referenced project in accordance with 54 U.S.C. 306108 (commonly known as Section 106 of the National Historic Preservation Act) and 36 CFR Part 800: Protection of Historic Properties. Our records support your finding of no historic properties affected for this undertaking. Please note that should you discover other historic properties at any point during project implementation, you should notify the SHPO immediately. If you have any questions regarding our comments, please do not hesitate to contact our Office.

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer  
CARC/GMO/ MB



March 11, 2024

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

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

**Section 106 NHPA Effect Determination Submittal: PR-RGRW-03924 – Núcleo de Apicultores de Puerto Rico Inc. - Carr. 823 Km 1.2 Interior, Bo. Quebrada Arenas Sector Jalda Arriba, Toa Alta, Puerto Rico – No Historic Properties Affected**

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by: Núcleo de Apicultores de Puerto Rico Inc. at Carr. 823 Km 1.2 Interior, Bo. Quebrada Arenas Sector Jalda Arriba, in the municipality of Toa Alta. The undertaking for this project includes the purchase of fencing materials to install a new cyclone fence. The installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post will be driven approximately 2 feet below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long.

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

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

Kindest regards,




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

Architectural Historian, EHP Senior Manager

LBP/JLE

Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGRW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant: Núcleo de Apicultores de Puerto Rico Inc.</b>		
<b>Case ID: PR-RGRW-03924</b>	<b>City: Toa Alta</b>	

<b>Project Location:</b> Carr. 823 Km 1.2 Interior, Bo. Quebrada Arenas Sector Jalda Arriba, Toa Alta, PR 00953	
<b>Project Coordinates:</b> 18.369429 -66.273407	
<b>TPID (Número de Catastro):</b> 111-000-004-77-000	
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b> n/a	<b>Property Size (acres):</b> 2.04

<b>SOI-Qualified Archaeologist:</b> Jaqueline López Meléndez
<b>Date Reviewed:</b> February 17, 2024

In compliance with Section 106 of the National Historic Preservation Act (NHPA), the Program is responsible for identifying historic properties listed in the NRHP and any properties not listed that would be considered eligible for listing that are located within the geographic area of potential effects (APE) of the proposed project and assessing the potential effects of its undertakings on these historic properties.


### Project Description (Undertaking)

The proposed activities for PR-RGRW-03924 consist of the purchase of fencing materials to install a new fence. The fence materials include cyclone 9- ½ x 6' x 50' galvanized, galvanized posts 2" x 20', galvanized posts 1 ¼" x 20', tension wire galvanized 7, vareta 6' – 5/8", clamps s/t 2 ½", galvanized terminals 1 5/8", simple cup 2 ½ "galvanized cast iron, fence screws HDG 5/16" x 1 ¼", passing cup 2 ½" x 5/8" and aluminum tie wire 9 x 8 ¼. The installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long. The project area is located at PR-823 km. 1.2 within the Municipality of Toa Alta. Based on a review of historical aerial imagery, the general area has been used for beekeeping purposes for over the past 20 years.

### Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the fence plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.



<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
<b>Applicant: Núcleo de Apicultores de Puerto Rico Inc.</b>	
<b>Case ID: PR-RGRW-03924</b>	<b>City: Toa Alta</b>

**Identification of Historic Properties - Archaeology**

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no reported archaeological sites within a half-mile (0.50 miles) radius of the project location. The nearest cultural resource is the Pre-Columbian site Aranamá, El Cacique (ICP: TA-4), located 1.21 miles east. The proposed project is located in the mountainous area of Toa Alta at an elevation of 328 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Colinas clay. The project area APE is in CrE2. The closest freshwater sources are an unnamed creek located 0.11 miles northwest and Arena creek, located 0.32 miles northeast of the project area. The north coast is approximately 7.09 miles (11.41 km) from the project area.

Within the 0.50 miles radius we have eight archaeological studies, all with negative results.


Soils in the project area are predominantly Colinas clay loam, with slopes of 20% to 40% (CrE2). This is a steep well drained soil on ridgetops and side slopes of low hills. Permeability is moderate, and the available water capacity is low. Runoff is rapid, and erosion is a hazard. This soil is limited for most urban uses because it is steep and subject to landslides.

Visual inspection of the APE and its surroundings found no evidence of cultural materials.

**Determination**

No historic properties were identified within the APE.

Based on the results of our historic property identification efforts, the Program has determined that no previously identified historic properties are located within the Area of Potential Effect. The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-03924 is located. The closest freshwater body is approximately 0.11 miles northwest of the project area. The construction of public roads and residential structures/agricultural infrastructure has minimally disturbed the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

<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: Núcleo de Apicultores de Puerto Rico Inc.</b>	
<b>Case ID: PR-RGRW-03924</b>	<b>City: Toa Alta</b>


**Recommendation (Please keep on same page as SHPO Staff Section)**

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

- No Historic Properties Affected
- No Adverse Effect  
     Condition (if applicable):
- Adverse Effect  
     Proposed Resolution (if applicable)

**This Section is to be Completed by SHPO Staff Only**

The Puerto Rico State Historic Preservation Office has reviewed the above information and:	
<input type="checkbox"/> <b>Concurs</b> with the information provided. <input type="checkbox"/> <b>Does not concur</b> with the information provided.	
<b>Comments:</b>    	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:

<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: Núcleo de Apicultores de Puerto Rico Inc.</b>		
<b>Case ID: PR-RGRW-03924</b>	<b>City: Toa Alta</b>	

**Case ID:** PR-RGRW-03924

**Project Coordinates:** 18.369429 -66.273407

**Table of archaeological sites, historic properties and historic districts located within the project area or within a 0.50-miles radius**

Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non-eligible, no data)
None	-	-	-	-	-

**Table of cultural resources surveys conducted within the project area or within a 0.50-miles radius.**

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/Direction
Juan González	IA-IB/ Depósito de Desperdicios Sólidos	1990	ICP/CAT-TA-90-02-02	Negative	0.46 mi NE
Jaqueline López Meléndez	IA/ Mejoras al Sistema de Acueductos	2000	ICP/CAT-TA-00-06-07	Negative	0.23 mi SE
Juan González	IA-IB/ Veredas del Río II	2001	ICP/CAT-TA-01-07-09	Negative	0.41 mi SE
Juan González	IA-IB/ Veredas del Río	2000	ICP/CAT-TA-00-06-08	Negative	0.41 mi SE
Marisol Martínez	IB/ Hacienda Lydia Marie	2002	ICP/CAT-TA-02-07-11	Negative	0.12 mi SW
Marisol Martínez	IA/ Hacienda Lydia Marie	2002	ICP/CAT-TA-02-07-10	Negative	0.12 mi SW
Juan González	IA-IB/ Desarrollo de Solares Residenciales	1998	ICP/CAT-TA-98-05-05	Negative	0.34 mi SW
Juan González	IA-IB/ Paseos del Toa	2003	ICP/CAT-TA-03-08-02	Negative	0.46 mi SW

Applicant: Núcleo de Apicultores de Puerto Rico Inc.

Case ID: PR-RGRW-03924

City: Toa Alta

### Project (PR-RGRW-03924) Location – Area of Potential Effect Map (Aerial)

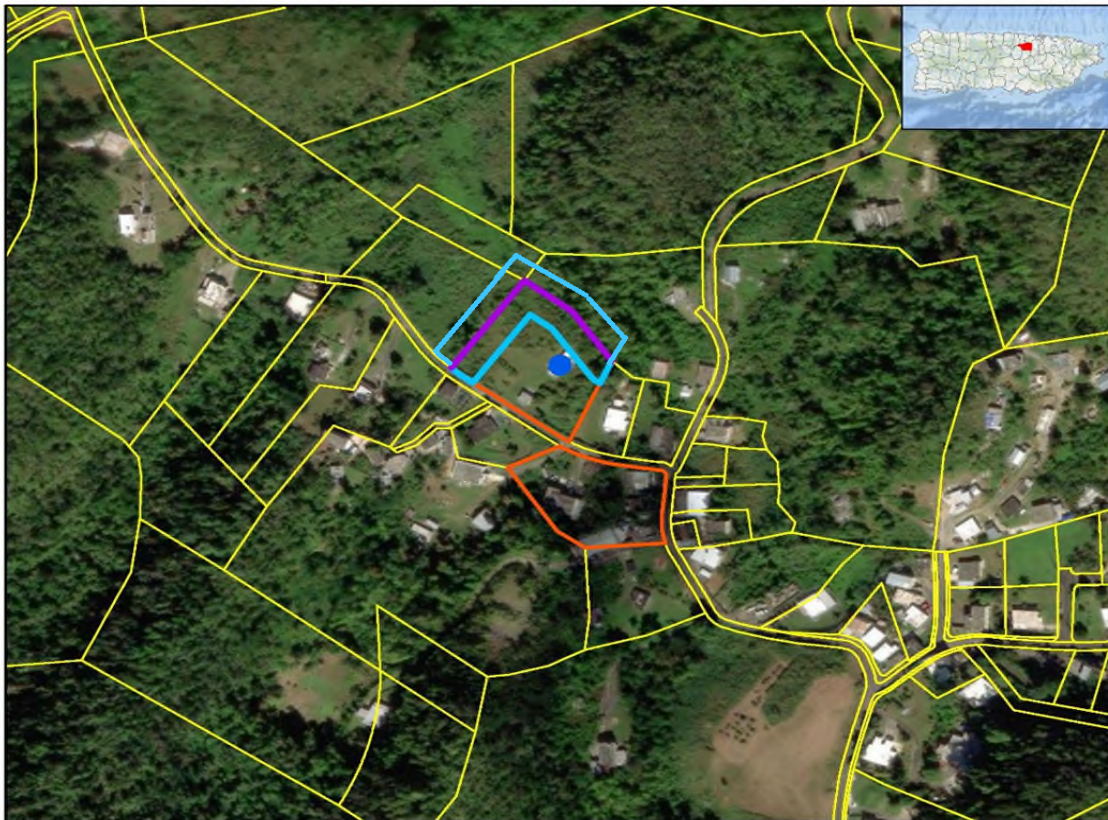
**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Carretera 1 Sur de J-3, Calle Teresa 554, Arroyo, San Juan, PR 00920 Tel: (787) 733-0292

Application ID: PR-RGRW-03924

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Ba. Quebrada Arenas  
Sector Jaldá Arriba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long: -66.273407

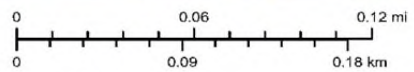
## Area of Potential Effect

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Fence-03924
- Area of Potential Effect (15 mts.)
- Parcel-03924
- CRIM\_Parcels\_2018



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community  
Esri, Garmin, GEBCO, NOAA N.GDC, and other contributors and Google Earth



1:3,000

**Source**

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

Applicant: Núcleo de Apicultores de Puerto Rico Inc.

Case ID: PR-RGRW-03924

City: Toa Alta

### Project (PR-RGRW-03924) Location - Aerial Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Carretera 1 Surto #3, Casita Pineda 554, Arroyo, San Juan, P.R. 00903 Tel: 787-763-0290

Application ID: PR-RGRW-03924

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Arriba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long: -66.273407

### Location: Aerial Map

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Fence-03924
- Parcel-03924
- CRIM\_Parcels\_2018

0 0.06 0.12 mi  
0 0.09 0.18 km

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



1:3,000

**Source**

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

Applicant: Núcleo de Apicultores de Puerto Rico Inc.

Case ID: PR-RGRW-03924

City: Toa Alta

### Project (PR-RGRW-03924) Location - USGS Topographic Map

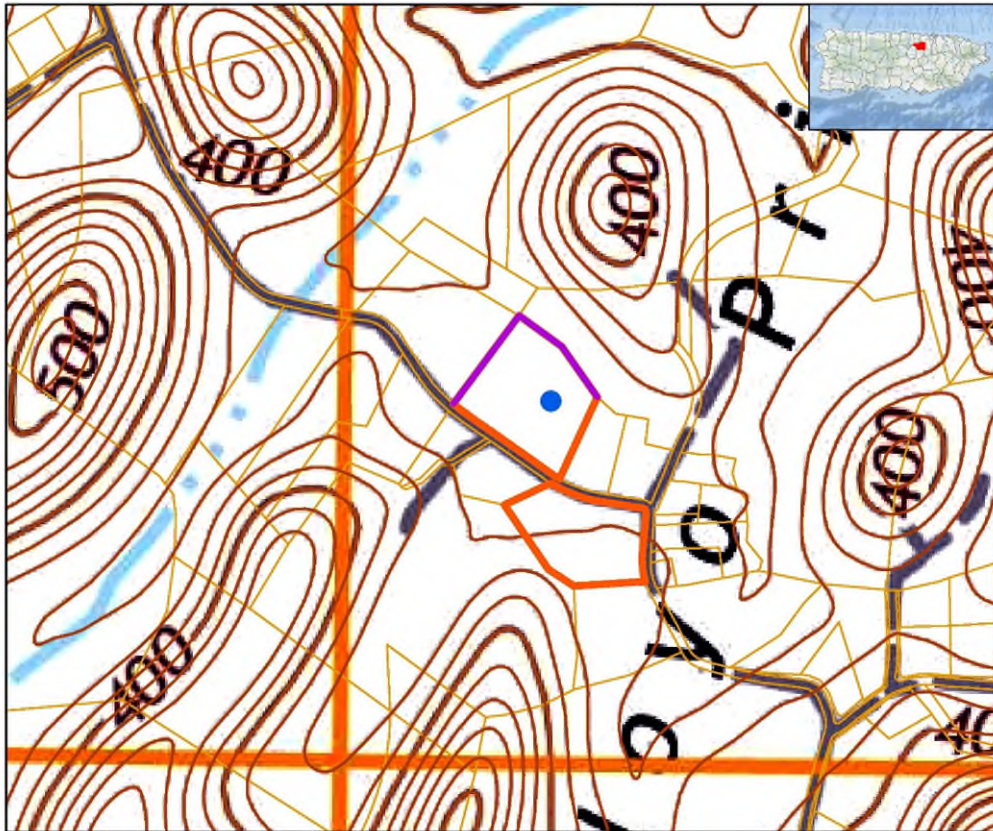
**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Circle 1 Suite 1-3, Calle Perales 354, Miraflores, San Juan, PR, 00920 TEL: (787) 333-0290

Application ID: PR-RGRW-03924

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Arriba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429. Long: -66.273407

### Location: USGS Topographic Map

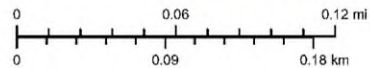
Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Fence-03924
- Parcel-03924
- CRIM\_Parcels\_2018
- Contour Interval 20 Feet

**Quadrangle: Corozal**



Service Layer Credits: Esri, Garmin, GEBCO, NOAA  
NGDC, and other contributors and Google Earth



1:3,000

**Source**

United States Geological Survey (USGS)  
National Geographic Map Database  
[https://ngmdb.usgs.gov/ngmdb/ngmdb\\_home.html](https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html)  
Centro de Recaudación de Ingresos Municipales (CRIM)  
<https://catastro.crim.net/cdpprc/>

### Project (PR-RGRW-03924) Location – Soils Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
Carr. Iborra 1 Suite #-3, Calle Ponce 554, Arroyo, San Juan, PR 00920 Tel: (787)763-0290

Application ID: PR-RGRW-03924

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Arriba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long:-66.273407

## Soils Map

Puerto Rico Department of Housing ReGrow

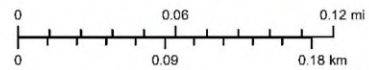


**Legend:**

- PR-RGRW-03924
- Fence-03924
- Parcel-03924
- Soil Map Unit Symbol

**Soil Map Unit Symbol**

- CrD2 - Collinas clay loam, 12 to 20 percent slopes
- CrE2 - Collinas clay loam, 20 to 40 percent slopes
- SoF - Soller clay loam, 40 to 60 percent slopes



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



1:3,000

**Source**

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

Applicant: Núcleo de Apicultores de Puerto Rico Inc.

Case ID: PR-RGRW-03924

City: Toa Alta

### Project (PR-RGRW-03924) Location with Previous Investigations - Aerial Map

**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
CORP. ID#0911 State J-3, Calle Ponce 504, Arroyo, San Juan, P.R. 00920 (987)9763-0690

Application ID: PR-RGRW-03924

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Aariba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long: 66.273407

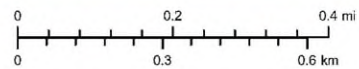
### Previous Investigations: Aerial Map

Puerto Rico Department of Housing ReGrow



#### Legend:

-  PR-RGRW-03924
-  Fence-03924
-  Parcel-03924
-  0.50 Mile (0.8 Km) Buffer



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



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PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM

REGrow PUERTO RICO PROGRAM

Section 106 NHPA Effect Determination



Applicant: Núcleo de Apicultores de Puerto Rico Inc.

Case ID: PR-RGRW-03924

City: Toa Alta

### Project (PR-RGRW-03924) Location with Previously Investigations - USGS Topographic Map

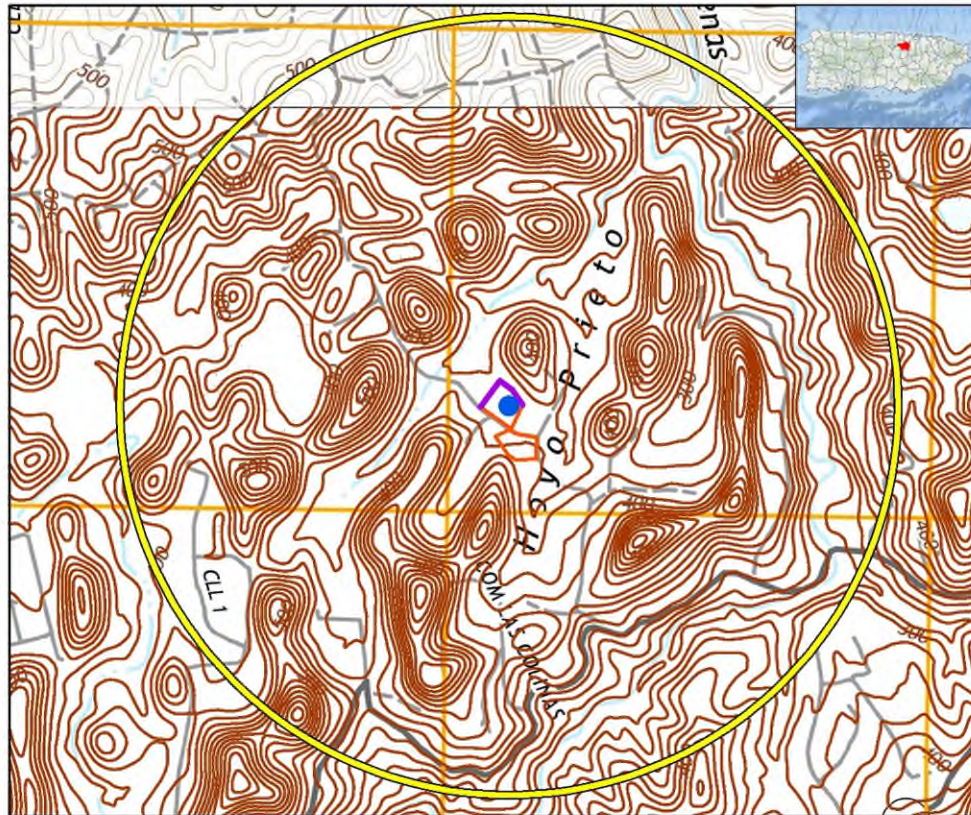
**BYA** BEHAR-YBARRA & ASSOCIATES LLC  
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS  
CONDOMINIO SAN JUAN J.C. CASE #19948-014. AS-1994. SAN JUAN, PR. 00902. TEL: 787-751-3200

Application ID: PR-RGRW-03924

Núcleo de Apicultores de Puerto Rico Inc  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas,  
Sector Jaldá Aarriba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long: -66.273407

#### Previous Investigations: USGS Topographic Map

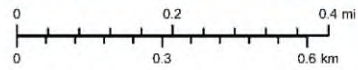
Puerto Rico Department of Housing ReGrow



**Legend:**

- Contour Interval 20 Feet
- PR-RGRW-03924
- Fence-03924
- Parcel-03924
- 0.50 Mile (0.8 Km) Buffer

**Quadrangle:** Corozal y Vega Alta



Service Layer Credits: Esri, Garmin, GEBCO, NOAA, NGDC, and other contributors and Google Earth



**Source**

United States Geological Survey (USGS)  
National Geographic Map Database  
[https://ngmdb.usgs.gov/rgmdb/rgmdb\\_home.html](https://ngmdb.usgs.gov/rgmdb/rgmdb_home.html)

Applicant: Núcleo de Apicultores de Puerto Rico Inc.






Case ID: PR-RGRW-03924

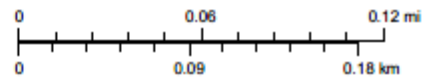
City: Toa Alta

### Photograph Key



**Legend:**

-  PR-RGRW-03924
-  Fence-03924
-  Area of Potential Effect (15 mts.)
-  Parcel-03924
-  CRIM\_Parcels\_2018



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



1:3,000

**Source**

Centro de Recaudación de Ingresos Municipales (CRM)  
<https://catastro.cimpr.net/cdpprc/>



Applicant: Núcleo de Apicultores de Puerto Rico Inc.

Case ID: PR-RGRW-03924

City: Toa Alta



Photo #:1

Description (include direction): Area where the fence will be installed, looking northeast.

Date: February 15, 2024



Photo #:2

Description (include direction): Area where the fence will be installed, looking north.

Date: February 15, 2024



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT

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



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

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

Data is current as of March 31, 2023

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

\* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/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:

Important Notes

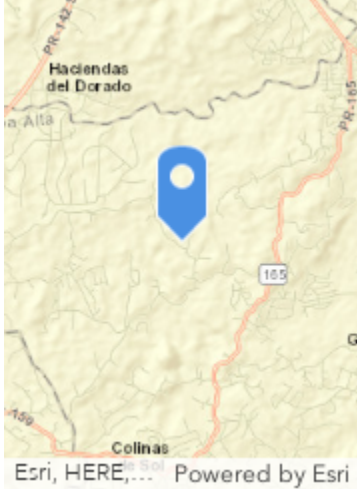
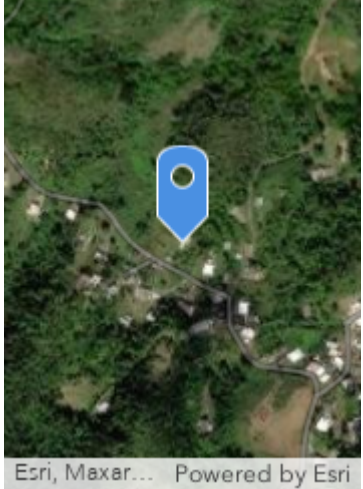
Download National Dataset: [dbf](#) | [xls](#) | [Data dictionary \(PDF\)](#)

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	11121314151617181920212223	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	181920212223	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	52,441	72/137

Important Notes

## **Appendix 3: Site Inspection Report and EJScreen Community Report**

APPLICANT/LOCATION INFORMATION	
Applicant ID:	PR-RGRW-03924
Name:	Nucleo de Apicultores de PR, INC
Parcel ID:	111-000-004-77-000
Latitude:	18.369429
Longitude:	-66.273407
Elevation:	
Development	
Street Address:	Carr. 823 Km 1.2 Interior, Bo. Quebrada Arenas Sector Jalda Arriba
Municipio:	Toa Alta, PR
Zip Code:	00953
Site Inspector:	Patricia Carmenatty
Date of Visit:	February 12, 2024
Time of Visit:	16:40

**FIELD OBSERVATIONS**

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



Front of Structure

Photo Direction: N/A

Comments:



Street view

Photo Direction: N/A

Comments:



Street view

Photo Direction: N/A

Comments:



Photo Direction:

Comments: comienzo de la verja



Photo Direction: N/A

Comments: el apiario



Photo Direction: N/A

Comments:



Photo Direction: N/A

Comments: It was difficult to access the back part of the property where the fence would be.



Photo Direction: N/A

Comments: LUMA



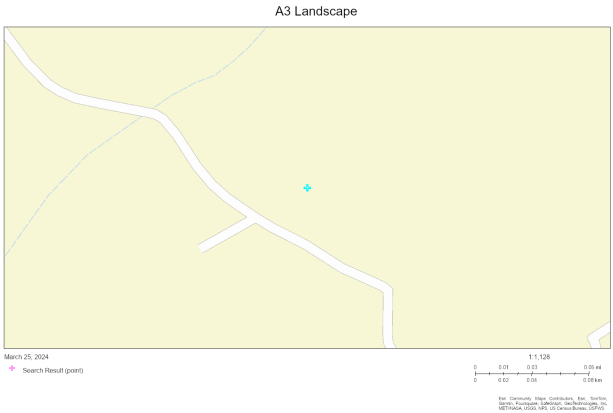


# EJScreen Community Report

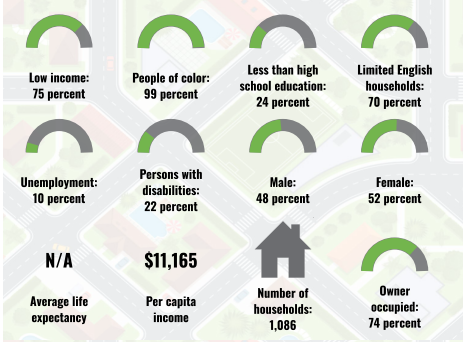
This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

## Toa Alta Municipio, PR

1 mile Ring Centered at 18.369428,-66.273407  
 Population: 3,125  
 Area in square miles: 3.14



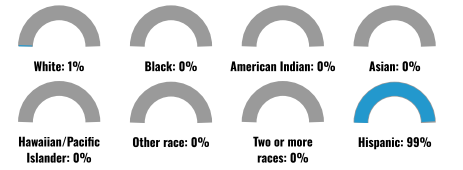
### COMMUNITY INFORMATION



### LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	1%
Spanish	99%
Total Non-English	99%

### 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.

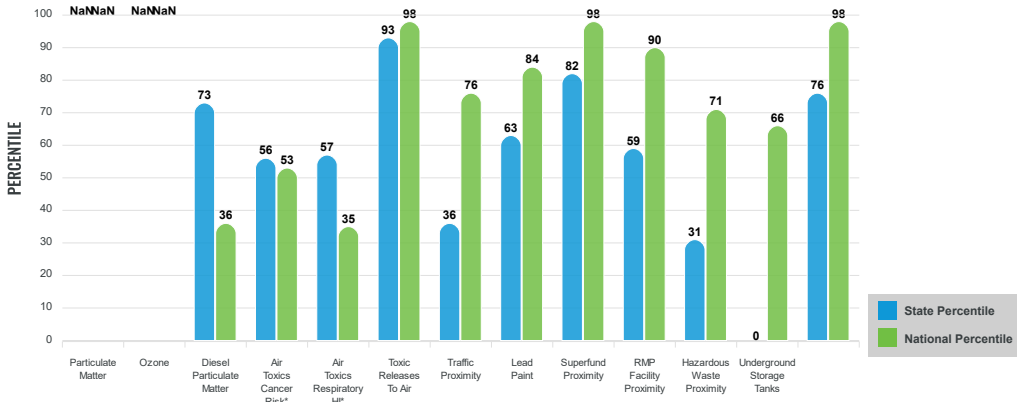
## Environmental Justice & Supplemental Indexes

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.

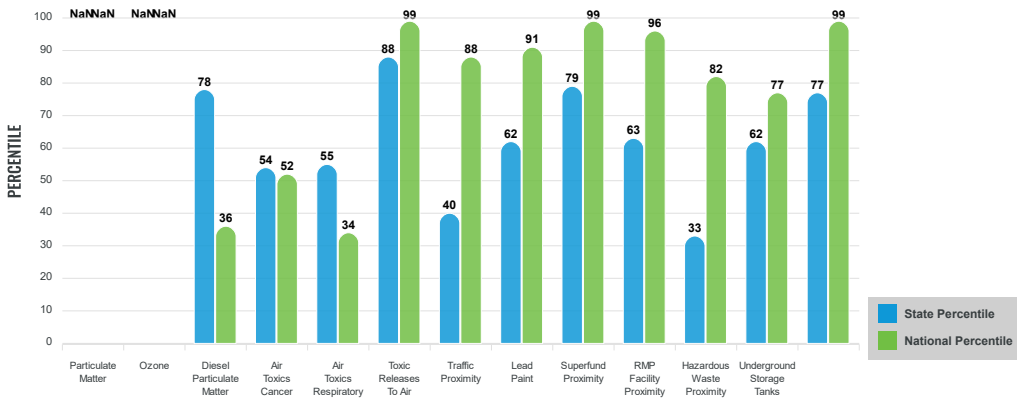
#### EJ INDEXES FOR THE SELECTED LOCATION



### 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 Centered at 18.369428,-66.273407

# 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 (µg/m³)	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 (µg/m³)	0.0725	0.0667	68	0.261	8
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	3,900	4,300	93	4,600	83
Traffic Proximity (daily traffic count/distance to road)	55	180	42	210	42
Lead Paint (% Pre-1960 Housing)	0.15	0.16	64	0.3	41
Superfund Proximity (site count/km distance)	0.18	0.15	82	0.13	83
RMP Facility Proximity (facility count/km distance)	0.21	0.47	56	0.43	58
Hazardous Waste Proximity (facility count/km distance)	0.16	0.76	30	1.9	30
Underground Storage Tanks (count/km²)	0.48	1.7	62	3.9	39
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.36	2.3	79	22	88
<b>SOCIOECONOMIC INDICATORS</b>					
Demographic Index	87%	83%	48	35%	98
Supplemental Demographic Index	44%	43%	47	14%	99
People of Color	99%	96%	25	39%	96
Low Income	75%	70%	49	31%	96
Unemployment Rate	10%	15%	43	6%	82
Limited English Speaking Households	70%	67%	48	5%	99
Less Than High School Education	24%	21%	60	12%	86
Under Age 5	6%	4%	78	6%	59
Over Age 64	17%	22%	30	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 .....	1
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 Centered at 18.369428, -66.273407

## 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	18.7%	21.6%	32	13.4%	82

### 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	58%	32%	89	14%	99
Lack of Health Insurance	6%	7%	42	9%	42
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 Centered at 18.369428, -66.273407



## **Appendix 4: USFWS Informal Consultation Package and supporting documentation**

# ENVIRONMENTAL MEMORANDUM

**Date:** 10/4/2024

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

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

**Applicant Name:** Núcleo de Apicultores de Puerto Rico Inc.

**Application Number:** PR-RGRW-03924

---

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: Incorrect response  
in the Determination keys

Location(s) of Conflicting Information: USFWS Informal Consultation Package: Question #10 in Determination keys;  
Consistency Letter

Explanation: In the preparation of the Consistency Letter, the response to question #10 was initially marked as 'No.' However, after reviewing aerial photos and a topographic map, it appears the plot is adjacent to a 'mogote' or limestone hill, so the correct answer should be 'Yes.' This change does not affect the NLAA determination for the Puerto Rican boa, as all necessary conservation measures remain in place. A re-consultation will not be required.



## 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/72135-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-03924 Núcleo de Apicultores  
de Puerto Rico Inc., Toa Alta, Puerto Rico

Dear Mr. Pérez-Bofill

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

The Puerto Rico Department of Housing (PRDOH) is proposing the purchase of fencing materials (galvanized cyclone 9½' x 6' x 50', galvanized posts 2" x 20', galvanized posts 1¼" x 20', tension wire galvanized 7 gauge, metal rods 6' x 5/8", clamps s/t 2½", galvanized terminals 1-5/8", simple cups 2½" galvanized cast iron, HDG fence screws 5/16" x 1¼", passing cups 2½" x 1-5/8", union tubes 6" x 1-5/8", and aluminum tire wire 9' x 8¼") to install a new fence. The proposed project location will be at State Road PR-823, Km 1.2 Interior, Quebrada Arenas Ward (18°23'18.7"N 66°13'40.0"W) in the municipality of Toa Alta. The fence will be anchored to the ground with galvanized posts, so it will require ground disturbance and vegetation removal such as bushes and tall grass. No tree removal is expected.

Using the Information for Planning and Consultation (IPaC) system PRDOH has determined that the proposed project (Project code: 2024-0064212) lies within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*).

Based on the nature of the project, scope of work, information available, and analysis of the IPaC lists, PRDOH has determined that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa. Conservation measures will be implemented prior to and during the fence installation to avoid or minimize impacts to this species.

We have reviewed the information provided in your letter and our files, and concur with your determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures.

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

Thank you for the opportunity to comment on this 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,

SILMARIE PADRON Digitally signed by  
SILMARIE PADRON  
Date: 2024.06.20  
07:34:23 -04'00'

Silmarie Padrón  
Acting Field Supervisor

drr

**From:** [Caribbean ES, FW4](#)  
**To:** [environmentcdbg](#)  
**Cc:** [Juan C. Perez-Bofill](#)  
**Subject:** Re: [EXTERNAL] USFWS Endangered Species Concurrence Consultation\_CDBG-DR\_PR-RGRW-03924  
**Date:** Tuesday, April 23, 2024 9:05:20 AM  
**Attachments:** [image003.png](#)  
[PR-RGRW-03924 USFWS Consultation Package PRDOH.pdf](#)

---

Mr. Pérez

This email is to acknowledge receipt of the consultation package and the NLAA Consistency letter (Project code: 2024-0064212) for the project named CDBG-DR PR-RGRW-03924 Núcleo de Apicultores de Puerto Rico Inc \_Toa Alta. No further consultation is required. Keep this email for your records.

Thanks

Caribbean Ecological Services Field Office  
(786) 244-0081  
[caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov)

**For project evaluations, please visit our [Consultation Guidelines](#) website.**

---

**From:** environmentcdbg <[environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov)>  
**Sent:** Monday, April 8, 2024 2:49 PM  
**To:** Caribbean ES, FW4 <[Caribbean\\_ES@fws.gov](mailto:Caribbean_ES@fws.gov)>; Tawes, Robert <[robert\\_tawes@fws.gov](mailto:robert_tawes@fws.gov)>  
**Subject:** [EXTERNAL] USFWS Endangered Species Concurrence Consultation\_CDBG-DR\_PR-RGRW-03924

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

To whom it may concern:

In order to complete the environmental review process regarding the case **PR-RGRW-03924** for the CDBG-DR Re-Grow PR Urban-Rural Agriculture Program, we are requesting USFWS concurrence with the determinations included in the attached letter.

We look forward for your response in order to move forward our environmental review process.

Sincerely,

**Permits and Environmental Compliance Division**

Disaster Recovery Office

[environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov) | 787.274.2527

Visit us: [recuperacion.pr.gov](http://recuperacion.pr.gov)

Contact us: [infocdbg@vivienda.pr.gov](mailto:infocdbg@vivienda.pr.gov)

DEPARTAMENTO DE LA  
**VIVIENDA**



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May 15, 2024

Robert Tawes  
Division Supervisor, Environmental Review  
U.S. Fish and Wildlife Service  
Southeast Regional Office  
1875 Century Boulevard  
Atlanta, GA 30345  
Email: [Caribbean\\_es@fws.gov](mailto:Caribbean_es@fws.gov); [robert\\_tawes@fws.gov](mailto:robert_tawes@fws.gov)

**RE: Puerto Rico Department of Housing / Re-Grow Program  
PR-RGRW-03924 – Núcleo de Apicultores de Puerto Rico Inc.  
Endangered Species Concurrence for NLAA Determination**

Dear Mr. Tawes:

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-03924, located at PR-823 Km 1.2 Interior, Quebrada Arenas Ward, Jaldá Arriba Sector, Toa Alta, PR 00953; coordinates for the new fence: 18.369429, -66.273407. A map of the project site location can be found in Appendix A: Figure 1 & 2.

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

The proposed activities for PR-RGRW-03924 consist in the purchase of fencing materials to install a new fence. The fence materials include galvanized cyclone 9½' x 6' x 50', galvanized posts 2" x 20', galvanized posts 1¼" x 20', tension wire galvanized 7 gauge, metal rods 6' x 5/8", clamps s/t 2½", galvanized terminals 1-5/8", simple cups 2½" galvanized cast iron, HDG fence screws 5/16" x 1¼", passing cups 2½" x 1-5/8", union tubes 6" x 1-5/8", and aluminum tire wire 9' x 8¼". The installation of the fence will be anchored to the ground with galvanized posts, so it will require ground disturbance. Each post will be driven approximately 2 feet below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long. Based on a review of historical aerial imagery, the general area has been used for beekeeping purposes for the past 20 years.

**Existing Conditions and Trends:**

The proposed project parcel 111-000-004-77-000 is designated as Not Prime Farmland, see Appendix A: Figure 4. The project area is located in the mountainous area of Toa Alta. The area for the proposed fence has a flat topography, covered in abundant grass and bushes, refer to Appendix C. Soils in the project area are predominantly Colinas clay loam, with slopes of 20% to 40% (CrE2). The land has been used for agricultural uses for more than 20 years and the proposed project will not change the land use associated with these placements. Installing the fence won't involve tree removal, however, in order to access the area where the fence will be installed it will be necessary to remove vegetation such as bushes and tall grass. The closer Final Critical Habitat is located 26,195 feet from the project location, see Appendix A: Figure 5. There are no wetlands on or near the project activity area, see Appendix A: Figure 6.

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

Name of the species	Threatened/Endangered/Candidate
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered
Critical Habitat	
There are no critical habitats within the project area.	

The nature of the project, scope of work, information available, a careful analysis of the IPaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated March 25, 2024, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "May Affect, but is Not Likely to Adversely Affect" (NLAA) determination on the Puerto Rican Boa, see Appendix B.

Name of the species	Effect Determination	Conservation Measures that will be implemented
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Not Likely to Adversely Affect (NLAA)	USFWS Puerto Rico Boa Conservation Measures 2024
Critical Habitat		
There are no critical habitats within the project area.		

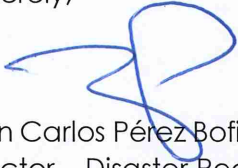
The USFWS concurred with the NLAA determination for the Puerto Rican Boa on an email dated April 23, 2024, however, although there will be no cutting of trees, to access the area where the fence will be installed it will be necessary to remove vegetation such as bushes and tall grass. We are soliciting a new informal consultation for the NLAA determination for the Puerto Rican Boa.



Attached to this letter, we are including the documents we 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,



Juan Carlos Pérez Bofill, PE, MEng.  
Director – Disaster Recovery, CDBG-DR Program  
[environmentcdbg@vivienda.pr.gov](mailto:environmentcdbg@vivienda.pr.gov) | 787.274.2527 ext. 4320

**Attachments:**

Appendix A:

- Figure 1 – Location Map
- Figure 2 – Topographic Map
- Figure 3 – Area of Potential Effect
- Figure 4 – Farmland Protection Map
- Figure 5 – Critical Habitats Map
- Figure 6 – Wetlands Map

Appendix B: Species List Caribbean Ecological Services and Consistency Letter

Appendix C: Field Visit Photos

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

References:

Puerto Rican boa (*Chilabothrus inornatus*)

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

USFWS Puerto Rican boa Conservation Measures:

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

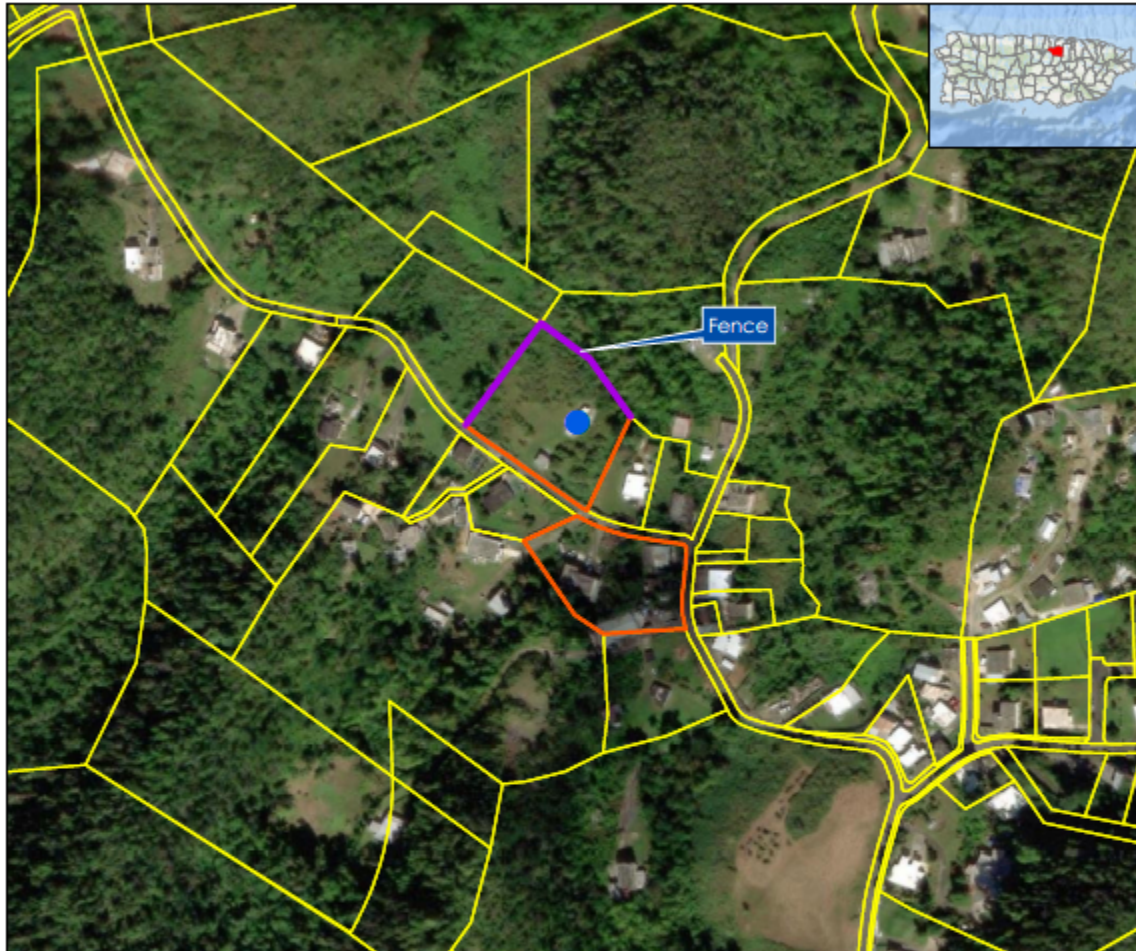
## **Appendix A: Figures**

**Application ID: PR-RGRW-03924**

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Aariba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long: -66.273407

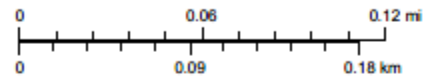
## Location Aerial Map

Puerto Rico Department of Housing ReGrow



### Legend:

- PR-RGRW-03924
- Fence-03924
- Parcel-03924
- CRIM\_Parcels\_2018



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



1:3,000

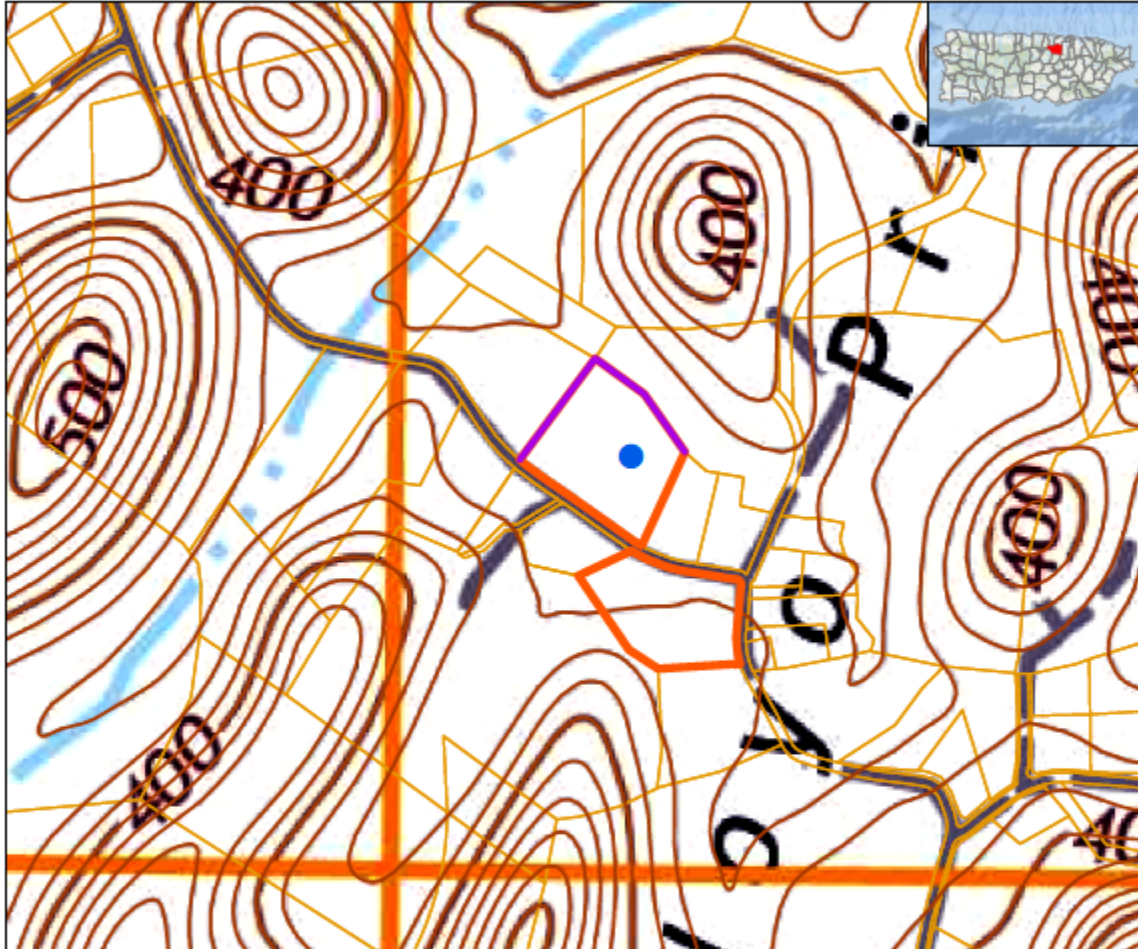
### Source

Centro de Recaudación de Ingresos Municipales (CRM)  
<https://catastro.cirmp.rnet/cdpprc/>






Figure 1: PR-RGRW-03924 Location Map

**Application ID: PR-RGRW-03924**  
Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Aariba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long: -66.273407

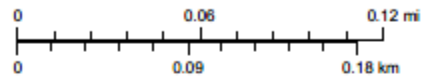
**Location: USGS Topographic Map**  
Puerto Rico Department of Housing ReGrow



**Legend:**

-  PR-RGRW-03924
-  Fence-03924
-  Parcel-03924
-  CRIM\_Parcels\_2018
-  Contour Interval 20 Feet

**Quadrangle: Corozal**



Service Layer Credits: Esri, Garmin, GEBCO, NOAA  
NGDC, and other contributors and Google Earth



1:3,000

**Source**

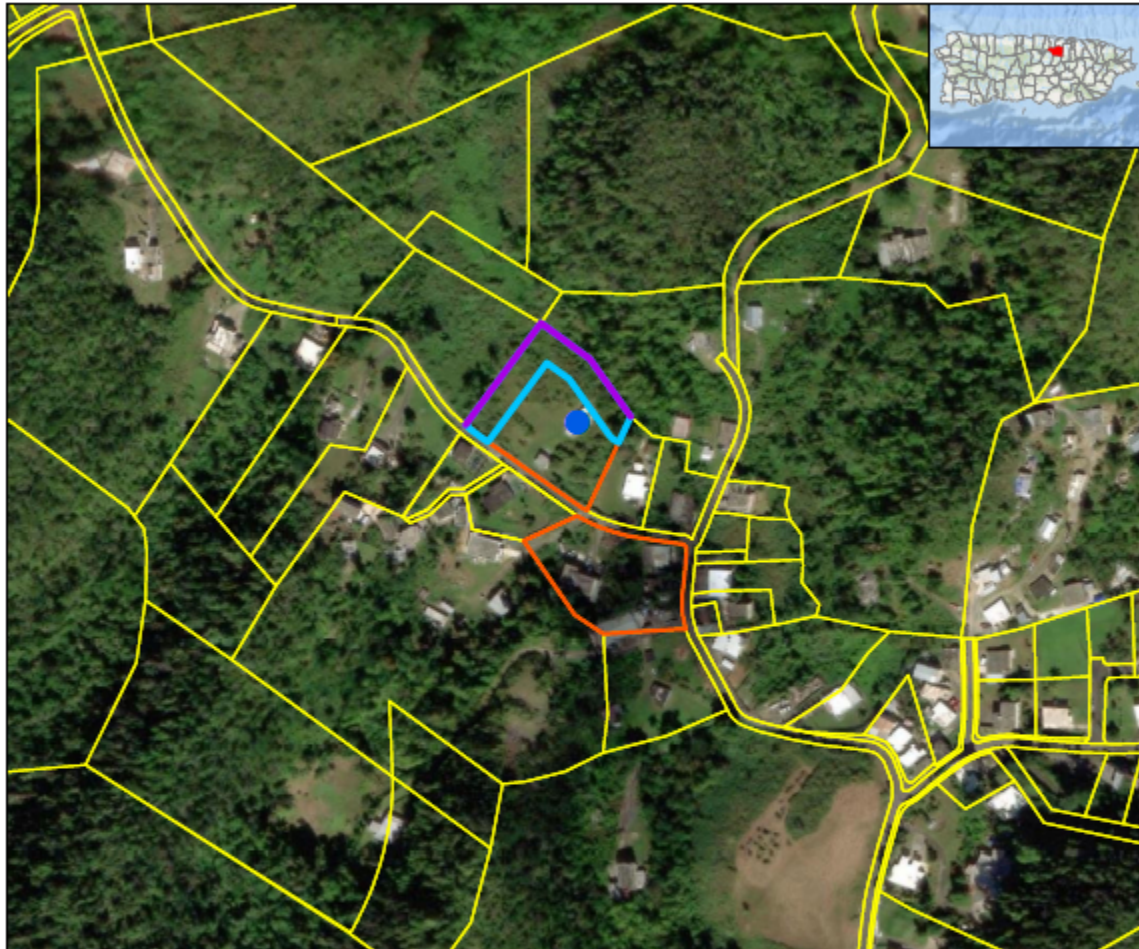
United States Geological Survey (USGS)  
National Geographic Map Database  
[https://ngmdb.usgs.gov/ngmdb/ngmdb\\_home.html](https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html)  
Centro de Recaudación de Ingresos Municipales (CRIM)  
<https://catastro.crimpr.net/cdpprc/>

Figure 2: PR-RGRW-03924 Topographic Map

**Application ID: PR-RGRW-03924**  
Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Aariba,  
Toa Alta, PR 00953  
Catastro: 1111-000-004-77-000  
Lat: 18.369429, Long:-66.273407

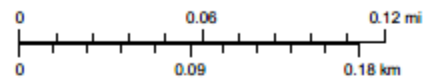
# Area of Potential Effect

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Fence-03924
- Area of Potential Effect (15 mts.)
- Parcel-03924
- CRIM\_Parcels\_2018



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



1:3,000

**Source**

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

Figure 3: PR-RGRW-03924 Area of Potential Effect Map

**Application ID: PR-RGRW-03924**

Núcleo de Apicultores de Puerto Rico Inc.  
Carr. 823 Km 1.2 Interior,  
Bo. Quebrada Arenas  
Sector Jaldá Aarriba,  
Toa Alta, PR 00953  
Catastro: 111-000-004-77-000  
Lat: 18.369429, Long:-66.273407

# Farmland Protection

Puerto Rico Department of Housing ReGrow



**Legend:**

● PR-RGRW-03924

**Farm Class**

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

0 0.1 0.2 mi

0 0.25 0.5 km

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

**Source**

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



1:10,000

Figure 4: PR-RGRW-03924 Farmland Protection Map

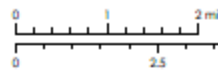
# Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



**Legend:**

- PR-RGRW-03924
- Critical Habitat



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Ireland), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

**Source**

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



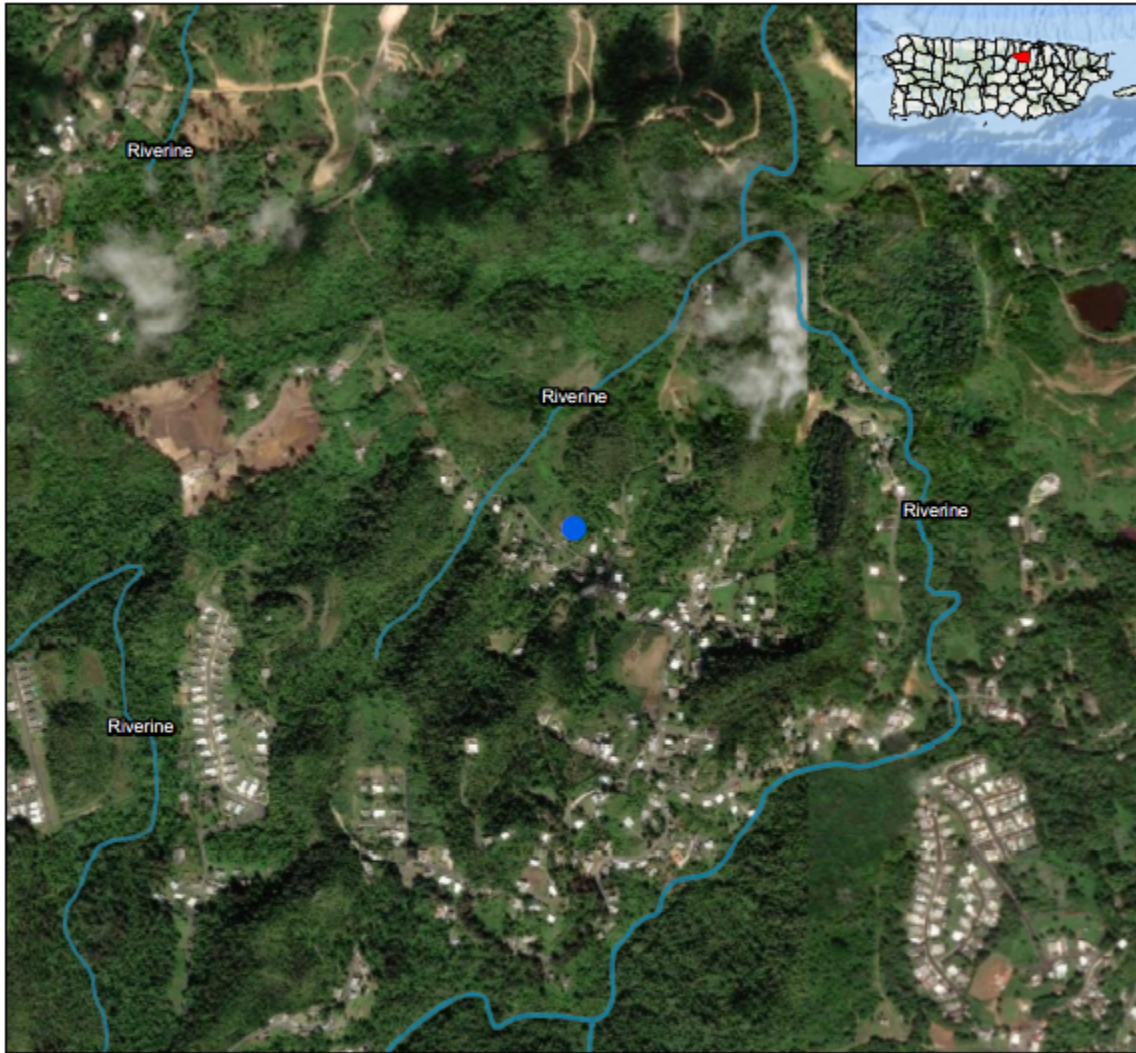
1:100,000

Figure 5: PR-RGRW-03924 Critical Habitats Map



# Wetlands Map

Puerto Rico Department of Housing ReGrow

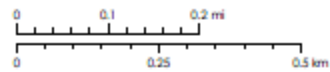


**Legend:**

● PR-RGRW-03924

**National Wetlands Inventory**

■ Riverine



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

**Source**

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



1:10,000

Figure 6: PR-RGRW-03924 Wetlands Map

**Appendix B:**  
**Species List Caribbean Ecological Services and Consistency Letter**



## 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:

03/18/2024 17:06:08 UTC

Project Code: 2024-0064212

Project Name: PR-RGRW-03924

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 enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

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 and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the 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 threatened and endangered species and/or designated critical habitat.

A Biological Assessment 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 Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to 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. 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>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](https://www.fws.gov/partner/council-conservation-migratory-birds).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## **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: 2024-0064212

Project Name: PR-RGRW-03924

Project Type: New Constr - Above Ground

Project Description: The proposed activities for PR-RGRW-03924 consist of the purchase of fencing materials to install a new fence. The fence materials include cyclone 9- ½ x 6' x 50' galvanized, galvanized posts 2" x 20', galvanized posts 1 ¼" x 20', tension wire galvanized 7, vareta 6' – 5/8", clamps s/t 2 ½", galvanized terminals 1 5/8", simple cup 2 ½ "galvanized cast iron, fence screws HDG 5/16" x 1 ¼", passing cup 2 ½" x 5/8" and aluminum tie wire 9 x 8 ¼. The installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long. The project area is located at PR-823 km. 1.2 within the Municipality of Toa Alta. Based on a review of historical aerial imagery, the general area has been used for beekeeping purposes for over the past 20 years.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.36945825,-66.27357524245014,14z>



Counties: Toa Alta County, Puerto Rico

## ENDANGERED SPECIES ACT SPECIES

There is a total of 1 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.

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

## CRITICAL HABITATS

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

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





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
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Email Address: [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

In Reply Refer To:  
Project code: 2024-0064212  
Project Name: PR-RGRW-03924

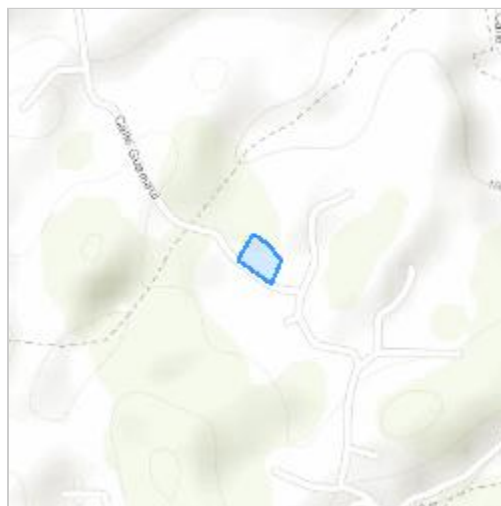
03/25/2024 20:27:44 UTC

Subject: Consistency letter for the project named 'PR-RGRW-03924' 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 March 25, 2024, Egon Gonzalez used the Caribbean DKey; dated January 19, 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-03924'. The project is located in Toa Alta County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.36945825,-66.27357524245014,14z>



The following description was provided for the project 'PR-RGRW-03924':

The proposed activities for PR-RGRW-03924 consist of the purchase of fencing materials to install a new fence. The fence materials include cyclone 9- ½ x 6' x 50' galvanized, galvanized posts 2" x 20', galvanized posts 1 ¼" x 20', tension wire galvanized 7, vareta 6' – 5/8", clamps s/t 2 ½", galvanized terminals 1 5/8", simple cup 2 ½ "galvanized cast iron, fence screws HDG 5/16" x 1 ¼", passing cup 2 ½" x 5/8" and aluminum tie wire 9 x 8 ¼. The installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long. The project area is located at PR-823 km. 1.2 within the Municipality of Toa Alta. Based on a review of historical aerial imagery, the general area has been used for beekeeping purposes for over the past 20 years.

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

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

Please provide this consistency letter to the lead federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator." They will need to enter the record locator **520-140262129**

**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.

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-03924

### 2. Description

The following description was provided for the project 'PR-RGRW-03924':

The proposed activities for PR-RGRW-03924 consist of the purchase of fencing materials to install a new fence. The fence materials include cyclone 9- ½ x 6' x 50' galvanized, galvanized posts 2" x 20', galvanized posts 1 ¼" x 20', tension wire galvanized 7, varetta 6' – 5/8", clamps s/t 2 ½", galvanized terminals 1 5/8", simple cup 2 ½ "galvanized cast iron, fence screws HDG 5/16" x 1 ¼", passing cup 2 ½" x 5/8" and aluminum tie wire 9 x 8 ¼. The installation of the fence will be anchored to the ground with galvanized posts so it will require ground disturbance. Each post will be driven approximately 2' below the ground surface to ensure the fence is secure. The fence will measure approximately 440 feet long. The project area is located at PR-823 km. 1.2 within the Municipality of Toa Alta. Based on a review of historical aerial imagery, the general area has been used for beekeeping purposes for over the past 20 years.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.36945825,-66.27357524245014,14z>



## QUALIFICATION INTERVIEW

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

*No*

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

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

*No*

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

*No*

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

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

*No*

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

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

*No*

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

*No*

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

*Yes*

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

**Automatically answered**

*Yes*

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

*Yes*

## **Appendix C: Field Visit Photos**



**Photo #:1**

**Description (include direction): Area where the fence will be installed, looking northeast.**

**Date: February 15, 2024**



**Photo #:2**

**Description (include direction): Area where the fence will be installed, looking north.**

**Date: February 15, 2024**





## 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