



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: PR-RGRW-00455

HEROS Number: 900000010365271

State / Local Identifier:

Project Location: , Catano, PR 00962

Additional Location Information:

Location centroid: Latitude 18.44178, longitude -66.125213 at the address given above. Cadastral: 040-071-022-15-000

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

This project (PR-RGRW-00455) entails the award of a grant to CENTRO AGROPECUARIO DE CATANO INC., a fishing business, at La Puntilla #2, Calle Recreo Centro Agropecuario de Catano, Catano, PR 00962. Tax ID Number: 040-071-022-15-000. Coordinates (18.44178, -66.125213). The specific scope of work for this project includes the purchase of a generator, model Hibridtech BP-68 60 kw. A permit will be required for this generator. A 12x6 foot concrete slab will be built directly adjacent to the business to accommodate the generator, a transfer switch will be installed. The business was constructed circa 1999 and is part of a 13-acre parcel containing a marina. Project funding amount: \$48,498.04.

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:

Funding Information

Grant Number	HUD Program	Program Name	
B-17-DM-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-18-DE-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-18-DP-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00

Estimated Total HUD Funded Amount: \$48,498.04

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$48,498.04

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are 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.

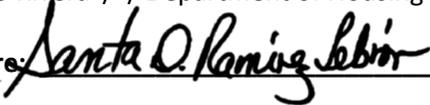
Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A	

Determination:

<input type="checkbox"/>	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR
<input checked="" type="checkbox"/>	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
<input type="checkbox"/>	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature:  Date: 12/19/2023

Name / Title/ Organization: Priscilla Toro Rivera / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature:  Date: December 19, 2023

Name/ Title: Santa D. Ramirez Lebron / Permits and Environmental Compliance Specialist

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

**Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: PR-RGRW-00455

HEROS Number: 900000010365271

Responsible Entity (RE): Department of Housing - Puerto Rico, P.O. Box 21365 San
Juan PR, 00928

State / Local Identifier:

RE Preparer: Priscilla Toro Rivera

Certifying Office Santa Ramirez
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): HORNE LLP

Point of Contact: Blas Guernica

Project Location: , Catano, PR 00962

Additional Location Information:

Location centroid: Latitude 18.44178, longitude -66.125213 at the address given
above. Cadastral: 040-071-022-15-000

Direct Comments to: environmentcdbg@vivienda.pr.gov

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

This project (PR-RGRW-00455) entails the award of a grant to CENTRO AGROPECUARIO DE CATANO INC., a fishing business, at La Puntilla #2, Calle Recreo Centro Agropecuario de Catano, Catano, PR 00962. Tax ID Number: 040-071-022-15-000. Coordinates (18.44178, -66.125213). The specific scope of work for this project includes the purchase of a generator, model Hibridtech BP-68 60 kw. A permit will be required for this generator. A 12x6 foot concrete slab will be built directly adjacent to the business to accommodate the generator, a transfer switch will be installed. The business was constructed circa 1999 and is part of a 13-acre parcel containing a marina. Project funding amount: \$48,498.04.

Maps, photographs, and other documentation of project location and description:

[PR-RGRW-00455 Scope.pdf](#)

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

Determination:

	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR
✓	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Approval Documents:

[PR-RGRW-00455 SIG PAGE.pdf](#)

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-17-DM-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
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B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$48,498.04

Estimated Total Project Cost: \$48,498.04

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 3,154 feet away. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 19,753 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

<p>Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Flood Map Number 72000C0355J, effective on 11/18/2009 and Flood Map Number 72000C0335J, effective on 11/18/2009 :The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located in the coastal zone but will have no effect because it is a rehabilitation of existing structure, it does not include new construction that implies land conversion, major rehabilitation, or substantial improvement activities. The project is in compliance with the Coastal Zone Management Act.</p>

<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Site contamination was evaluated as follows: None of the above. 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. The project is in compliance with contamination and toxic substances requirements.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project clears via the project criteria 4 of the USFWS Blanket Clearance Letter. See attached Endangered Species Act self-certification form. This project is in compliance with the Endangered Species Act.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p>
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Flood Map Number 72000C0335J, effective on 11/18/2009 and Flood Map Number 72000C0355J, effective on 11/18/2009 :This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>(c. 1999) Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.</p>

Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 124,946 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

Summarized below are 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 or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A		

Project Mitigation Plan

Buyer must purchase flood insurance because the grant exceeds \$5,000 and the site is located in a Special Flood Hazard Area. In accordance with Puerto Rican Permit requirements any generator above 10HP requires an Emergency Generators General Permit of the Puerto Rico Natural and Environmental Resources Department prior to installation.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

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

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 3,154 feet away. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-00455 Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 19,753 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-00455 CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

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

Yes

2. Upload a FEMA/FIRM map showing the site here:

[PR-RGRW-00455 Flood Map.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

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

No

Yes

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

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

Based on the response, the review is in compliance with this section. Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.

No. The community is not participating, or its participation has been suspended.

Screen Summary

Compliance Determination

Flood Map Number 72000C0355J, effective on 11/18/2009 and Flood Map Number 72000C0335J, effective on 11/18/2009 :The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

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

Yes

✓ No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

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

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located in the coastal zone but will have no effect because it is a rehabilitation of existing structure, it does not include new construction that implies land conversion, major rehabilitation, or substantial improvement activities. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[PR-RGRW-00455 CZM.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

None of the Above

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

No

Explain:

Based on ECHO reports for the facilities, there is no impact for the intended use of this project. See attached table.

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. 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. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[PR-RGRW-00455 Toxics.pdf](#)

[PR-RGRW-00455 Toxic Table.docx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

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

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

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

Explain your determination:

This project clears via the project criteria 4 of the USFWS Blanket Clearance Letter. See attached Endangered Species Act self-certification form.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project clears via the project criteria 4 of the USFWS Blanket

Clearance Letter. See attached Endangered Species Act self-certification form. This project is in compliance with the Endangered Species Act.

Supporting documentation

[PR-RGRW-00455_USFWS Self-Certification Form_PRDOH.pdf](#)

[PR-RGRW-00455 ESA.pdf](#)

[PR-RGRW-00455 USFWS Self-Certification Form.docx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

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

No

Yes

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

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

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

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[PR-RGRW-00455 Farmland.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

2. Upload a FEMA/FIRM map showing the site here:

[PR-RGRW-00455 Flood Map.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

- No
- Yes

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

Floodway

Coastal High Hazard Area (V Zone)

✓ 100-year floodplain (A Zone)

500-year floodplain (B Zone or shaded X Zone)

8-Step Process

Does the 8-Step Process apply? Select one of the following options:

8-Step Process applies

✓ **5-Step Process** is applicable per 55.12(a)(1-4). Provide documentation of 5-Step Process.

Document and upload the completed 5-Step Process below.
Select the applicable citation: [only one can be selected]

55.12(a)(1)

55.12(a)(2)

55.12(a)(3)

✓ 55.12(a)(4)

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

Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the

environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

Permeable surfaces

Natural landscape enhancements that maintain or restore natural hydrology

Planting or restoring native plant species

Bioswales

Evapotranspiration

Stormwater capture and reuse

Green or vegetative roofs with drainage provisions

Natural Resources Conservation Service conservation easements or similar easements

Floodproofing of structures

Elevating structures including freeboarding above the required base flood elevations

Other

Screen Summary

Compliance Determination

Flood Map Number 72000C0335J, effective on 11/18/2009 and Flood Map Number 72000C0355J, effective on 11/18/2009 :This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.

Supporting documentation

[PR-RGRW-00455 5-step.docx](#)

[PR-RGRW-00455 ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

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

- Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- State Historic Preservation Offer (SHPO) Completed

Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Only SHPO was consulted as No Adverse Effect was determined and no Tribal Lands were identified.'

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

- Yes
- No

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

La Puntilla #2, Calle Recreo Centro Agropecuario de Catano, Catano, PR 00962

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

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

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
-------------------------------	--------------------------	------------------	-----------------------

Additional Notes:

No Historic Properties present within the APE

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

- Yes
- ✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive

further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

(c. 1999) Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-00455 Historic.pdf](#)

[PR-RGRW-00455_Cataño_SHPO_Consultation_Package_NHPA.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

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

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

Screen Summary

Compliance Determination

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

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

Yes

Based on the response, the review is in compliance with this section.

No

Screen Summary

Compliance Determination

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

[PR-RGRW-00455 Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is located 124,946 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-00455 WSR\(1\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

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

Yes

No

Based on the response, the review is in compliance with this section.

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

**EXECUTIVE ORDER 11988 – FLOODPLAIN MANAGEMENT
FIVE-STEP PROCESS AS PROVIDED BY 24 CFR §55.20
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RELIEF (CDBG-DR) PROGRAM**

Puerto Rico Department of Housing (PRDOH)
Re-Grow PR Urban-Rural Agriculture (Re-Grow) Program Project No. PR-RGRW-00455
CENTRO AGROPECUARIO DE CATAÑO INC.

Step 1: Determine whether the action is located in a 100-year floodplain (or a 500-year floodplain for critical actions).

The proposed project is intended to renovate the building as part of the Economic Development portion of the CDBG-DR grant. The renovation is intended to install concrete slab, generator, and transfer switch for the structure. The project is located at La Puntilla #2, Calle Recreo Centro Agropecuario de Catano, CATAÑO, PR 00962. The Tax Parcel ID of the site is 040-071-022-15-000. The Latitude is 18.44178 and the Longitude is -66.125213. The project is located entirely within the 100-year floodplain. The property is shown as being within Zone AE on the Official Flood Insurance Rate Map (FIRM) Panel no. 72000C0355J, effective November 18th, 2009, and Panel no. 72000C0335J, effective November 18th, 2009.

Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the 100-year floodplain and for this reason, EO 11988 applies. The subject unit occupies 2,246 square feet of the floodplain. An evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the floodplain is required.

The project is a renovation of a non-residential structure. The renovation is not considered substantial improvement in accordance with 24 CFR 55.2 nor is the footprint increased; therefore, per 24 CFR 55.12(a)(4), public notification of the proposed activity (Step 2), identification and evaluation of practicable alternatives (Step 3) and the determination of no practicable alternative and publication of a final notice (Step 7) do not need to be conducted.

Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision-making process.

The project is a renovation of a non-residential building. The building renovation is not considered substantial improvement and the building footprint is not being increased; therefore, per 24 CFR 55.12(a)(4), public notification of the proposed activity (Step 2 of the 8-Step Process) does not need to be conducted.

Step 3: Identify and evaluate practicable alternatives to locating in the base floodplain.

The project is a renovation of a non-residential building. The structure is not undergoing substantial improvement nor is the footprint increasing, therefore, per 24 CFR 55.12(a)(4), identification and evaluation of practicable alternatives to the proposed activity (Step 3 of the 8-Step Process) does not need to be conducted.

Step 4: Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.

The HUD-funded RGRW program is intended to provide economic stimulus to farms for economic development. HUD's regulations limit what actions can be considered under the RGRW program, including prohibition of any construction in the floodway. Descriptions of the potential impacts from the proposed action is below:

- Option A (Proposed Action) – This option would involve renovation of the non-residential building. The building is not undergoing substantial improvement and the footprint is not being increased; therefore, elevation is not required. The proposal does include a minor renovation of installing a generator and transfer switch atop a new concrete slab.

Step 5: Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the floodplain and to restore, and preserve the values of the floodplain.

The PRDOH and the Puerto Rico Permits Management Office requires elevation or flood proofing of all "substantially damaged or improved" structures in the floodplain. When followed, these regulations will reduce the threat of flooding damage to properties located in the floodplain and reduce the impact of development on the floodplain. Applicants are required to adhere to the most recent floodplain elevation levels when considering reconstruction of their "substantially damaged or improved" property. It is noted; however, that because the property is not to be substantially improved and the footprint of the structure is not increased, floodplain management options are not required.

Step 6: Reevaluate the Proposed Action.

Option A would involve renovation of the non-residential building. This option would not adversely impact the floodplain and would help the farm benefit as part of the economic recovery needed because of Hurricanes Irma and Maria. This meets the program goals of revitalizing and supporting the economic development and recovery of Puerto Rico.

Step 7: Determination of No Practicable Alternative.

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint of the structure expanding; therefore, per 24 CFR 55.12(a)(4), the determination of no practicable alternative and publication of a final notice (Step 7 of the 8-Step Process) does not need to be conducted.

Step 8: Implement the Proposed Action

Step eight is implementation of the proposed action. The PRDOH will ensure that all measures prescribed in the steps above will be followed, as required.



**DEPARTAMENTO DE LA VIVIENDA
PROGRAMA RENACER AGRÍCOLA DE PUERTO RICO –
AGRICULTURA URBANA Y RURAL
FORMULARIO SOBRE USO PREVISTO DE LOS FONDOS**

Yo, RAMON SANTIAGO NIEVES, representante autorizado/a para el negocio CENTRO AGROPECUARIO DE CATAÑO INC., con el Caso Número PR-RGRW-00455 para el Programa Renacer Agrícola de Puerto Rico – Agricultura Urbana y Rural (**Programa Renacer Agrícola**), por la presente reconozco que fondos de subvención por la suma de \$48,498.04 se usarán de conformidad con el uso de fondos descrito a continuación.

Además, reconozco que, como parte del proceso de revisión de recibos, el Formulario sobre Uso Previsto de los Fondos será comparado con los recibos recopilados para verificar el cumplimiento con la información provista en dicho formulario.

Item	Equipment Expense Type RGRW	Unmet Need	Initials
power plant	Farm Infrastructure (Regrow Only)	\$48,498.04	

\$48,498.04

Total de Uso Previsto de los
Fondos

Además, reconozco y entiendo que:

- El incumplimiento con el uso previsto de los fondos descrito en este Formulario podría requerir el pago de los fondos a Departamento de la Vivienda.
- Los fondos del Programa Renacer Agrícola solo pueden ser utilizados para actividades elegibles y el uso permitido de los fondos, según se establece en las Guías del Programa Renacer Agrícola.
- El Formulario sobre Uso Previsto de los Fondos será revisado por el equipo del Programa Renacer Agrícola y, **si es aprobado**, será el formulario oficial que se utilizará durante el proceso de revisión de los recibos.

RAMON SANTIAGO NIEVES

08/15/2023

Nombre


Firma

Fecha



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Wednesday, November 8, 2023

Lauren Bair Poche

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

SHPO: 10-12-23-01 PR-RGRW-00455 CENTRO AGROPECUARIO DE CATAÑO, INC., LA PUNTILLA #2 CALLE RECREO CENTRO AGROPECUARIO DE CATAÑO, CATAÑO, PUERTO RICO

Dear Ms. Poche,

Our Office has received and reviewed the information submitted for the above referenced project in accordance with 54 USC 306108 (commonly known as Section 106 of the *National Historic Preservation Act, as amended*) and 36 CFR Part 800: *Protection of Historic Properties* from the Advisory Council on Historic Preservation.

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

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

Sincerely,

Carlos A. Rubio-Cancela
State Historic Preservation Officer

CARC/GMO/MDT



October 12, 2023

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

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

Section 106 NHPA Effect Determination Submittal: PR-RGRW-00455 – Centro Agropecuario De Cataño Inc. – La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño, Cataño, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Centro Agropecuario De Cataño Inc. at La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño in the municipality of Cataño. The proposed activities for Centro Agropecuario De Cataño Inc. include installing a new generator and transfer switch. The generator installation will necessitate a 12-foot (3.65 meters [m]) by 6-foot (1.82 m) concrete slab, which, due to the size of the generator, will require, at maximum, 1-foot (0.3 m) vertical disturbance. The parcel the subject property is located on and is very large, partially within the boundaries of the Cataño Traditional Urban Center. However, the subject building is separated from the traditional urban center boundary by a large grassy area and extensive parking lot. It is also surrounded by other buildings, shielding it from view.

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

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

Kindest regards,

A handwritten signature in cursive script that reads 'Lauren B. Poche'.

Lauren Bair Poche, M.A.

Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REgROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination		
Applicant: Centro Agropecuario De Cataño Inc.		
Case ID: PR-RGRW-00455		City: Cataño

Project Location: La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño, Cataño, Puerto Rico, 00962	
Project Coordinates: 18.44178, -66.125213	
TPID (Número de Catastro): 040-071-022-15-000	
Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
Construction Date (AH est.): ca. 1999	Property Size (acres): 0.23 acres

SOI-Qualified Architect/Architectural Historian: Lauren Bair Poche, M.A.
Date Reviewed: 10/11/2023
SOI-Qualified Archaeologist: Jennifer Ort, M.S.
Date Reviewed: 9/28/2023

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

Project Description (Undertaking)

The proposed activities for Centro Agropecuario De Cataño Inc. include installing a new generator and transfer switch. The generator installation will necessitate a 12-foot (3.65 meters [m]) by 6-foot (1.82 m) concrete slab, which, due to the size of the generator, will require, at maximum, 1-foot (0.3 m) vertical disturbance.

The project area is located at La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño within an urban area. Based on a review of historical aerial imagery, the general project area was within an urban, coastal setting in 1940 (the earliest available aerial imagery for the area). The landform on which the project area is situated was a beach before ca. 1980 when the area became filled land. The buildings presently within the project area were constructed between 1995 and 2004, based on aerial imagery.

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

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REgROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Centro Agropecuario De Cataño Inc.	
Case ID: PR-RGRW-00455	City: Cataño

APE for this project will be the location of the concrete pad plus a 15-meter buffer. The visual APE is the viewshed of the proposed project.

Identification of Historic Properties - Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this Undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) shows that there are no reported significant cultural properties within a quarter-mile (mi) radius of the project location.

The proposed project is located within the Coastal Plain physiographic region along the north-northeastern coast of the island. The area is at the coast, at an elevation of 4.76 ft (1.45 m) above modern sea level. Per the USGS/NRCS Web Soil Survey, the APE crosses one mapped soil series: Urban land (U1). The project area APE is within an urban setting. The closest freshwater source is a freshwater emergent wetland located 0.14 mi (0.22 km) southwest of the project parcel. The northern coast is approximately 0.01 mi (0.02 km) from the project area.

Identification of Historic Properties - Architecture

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this Undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) shows that the project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. A ca. 1999 structure is present within the parcel. The northwestern mapped boundary of the Cataño Centros Urbanos is approximately 0.04 miles (mi; 0.06 kilometers [km]) southeast of the project area.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Centro Agropecuario De Cataño Inc.	
Case ID: PR-RGRW-00455	City: Cataño

Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the Program has determined that the project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. No known archaeological sites or NRHP-listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-00455 is located. The closest freshwater body is 0.01 mi (0.02 km) southwest of the project area. The construction of public roads, extension of the coastline through landfilling, and urban development have impacted the surrounding terrain. Therefore, no historic properties affected is anticipated for this project.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REgROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Centro Agropecuario De Cataño Inc.	
Case ID: PR-RGRW-00455	City: Cataño

Recommendation

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

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

This Section is to be Completed by SHPO Staff Only

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

Applicant: Centro Agropecuario De Cataño Inc.

Case ID: PR-RGRW-00455

City: Cataño

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



La Punfilla #2, Calle Recreo Centro Agropecuario de Cataño, Cataño, Puerto Rico



0 12.5 25 50 Feet
0 3.5 7 14 Meters



Legend

- PR-RGRW-00455
- ▨ Proposed 12' by 6' Concrete Slab Location
- - - CRIM Parcel Boundary
- Area of Potential Effect

Name: WGS 1984 Web Mercator Auxiliary Sphere

Scale: 1:500





Applicant: Centro Agropecuario De Cataño Inc.

Case ID: PR-RGRW-00455

City: Cataño

Project (Parcel) Location - Aerial Map

Historic Properties - Aerial Base
Puerto Rico Department of Housing
Re-Grow Program

Latitude: 18.4418
Longitude: -66.1252



Application ID#: PR-RGRW-00455

Address: La Puntilla #2, Calle Recreo Centro Agropecuario de Catano, Catano, PR 00962





Applicant: Centro Agropecuario De Cataño Inc.

Case ID: PR-RGRW-00455

City: Cataño

Project (Parcel) Location - USGS Topographic Map

Historic Properties - Topographic Base

Puerto Rico Department of Housing

Re-Grow Program

Application ID#: PR-RGRW-00455

Address: La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño, Catano, PR 00962

Latitude: 18.4418
Longitude: -66.1252



Applicant: Centro Agropecuario De Cataño Inc.

Case ID: PR-RGRW-00455

City: Cataño

Project (Parcel) Location – Soils Map



La Puntila #2, Calle Recreo Centro Agropecuario de Cataño, Cataño, Puerto Rico



- Legend
- PR-RGRW-00455
 - ▨ Proposed 12' by 6' Concrete Slab Location
 - ▭ CRIM Parcel Boundary
 - ▭ Area of Potential Effect
 - ▭ NRCS Soil Units

Name: WGS 1984 Web Mercator Auxiliary Sphere

Scale: 1:500

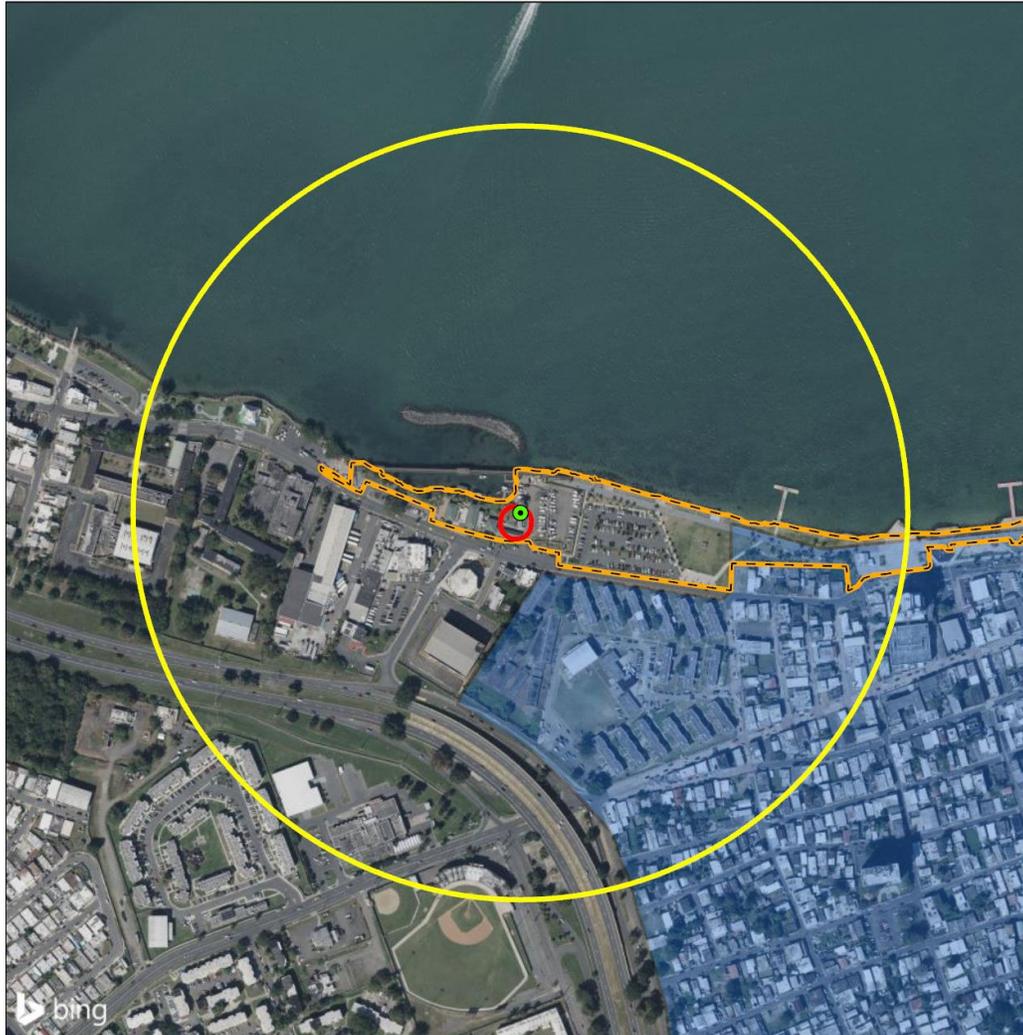


Applicant: Centro Agropecuario De Cataño Inc.

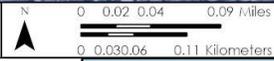
Case ID: PR-RGRW-00455

City: Cataño

Project (Parcel) Location with Previous Investigations - Aerial Map



La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño, Cataño, Puerto Rico



- Legend
- PR-RGRW-00455
 - ▭ CRIM Parcel Boundary
 - ▭ Area of Potential Effect
 - ▭ Quarter-Mile Buffer
 - ▭ Traditional Urban Centers
 - ▭ Cataño Centros Urbanos

Name: WGS 1984 Web Mercator Auxiliary Sphere Scale: 1:5,000



Applicant: Centro Agropecuario De Cataño Inc.

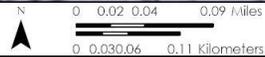
Case ID: PR-RGRW-00455

City: Cataño

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



La Puntilla #2, Calle Recreo Centro Agropecuario de Cataño, Cataño, Puerto Rico



- Legend
- PR-RGRW-00455
 - CRIM Parcel Boundary
 - Area of Potential Effect
 - Quarter-Mile Buffer
 - Traditional Urban Centers
 - Cataño Centros Urbanos

Name: WGS 1984 Web Mercator Auxiliary Sphere

Scale: 1:5,000



Applicant: Centro Agropecuario De Cataño Inc.

Case ID: PR-RGRW-00455

City: Cataño



Photo #: 1

Description (include direction): Overview of the project area (red "X" in lower-center of image), looking north.

Date: 8/17/2023



Photo #: 2

Description (include direction): Overview of proposed generator location, looking north.

Date: 8/17/2023



October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT



Self-Certification

<http://www.fws.gov/caribbean/ES/Index.html>

Endangered Species Act Certification

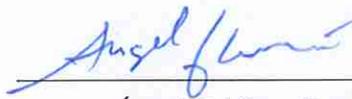
The U.S. Fish and Wildlife Service, Caribbean Ecological Services Field Office developed a Blanket Clearance Letter in compliance with Endangered Species Act of 1973, as amended, and the Fish and Wildlife Coordination Act for federally funded projects.

The Service determined that projects in compliance with the following criteria are not likely to adversely affect federally-listed species.

Puerto Rico Department of Housing (PRDOH) certifies the following project **Centro Agropecuario de Cataño INC. (PR-RGRW-00455)** consisting on the purchase of a generator, model Hibridtech BP-68 60 kw, a 12 x 6 ft concrete slab, built directly adjacent to the business to accommodate the generator, and a transfer switch installation. Located at at La Puntilla #2, calle Recreo Centro Agropecuario de Cataño, Cataño, PR 00962, complies with:

Check	Project Criteria
<input type="checkbox"/>	1. Street resurfacing.
<input type="checkbox"/>	2. Construction of gutters and sidewalks along existing roads.
<input type="checkbox"/>	3. Reconstruction or emergency repairs of existing buildings, facilities and homes.
<input checked="" type="checkbox"/>	4. Rehabilitation of existing occupied single-family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facilities is not visible directly or indirectly from a beach.

<input type="checkbox"/>	5. Demolition of dilapidated single-family homes or buildings; provided that the demolition debris is disposed in certified receiving facilities; equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation.
<input type="checkbox"/>	6. Rebuilding of demolished single-family homes or buildings, provided that the new construction is within the existing footprint of the previous structure and/or within pre-existing grassed or paved areas, and that the lighting associated to the new facilities are not visible directly or indirectly from a beach.
<input type="checkbox"/>	7. Activities within existing Right of Ways (ROWs) of roads, bridges and highways, when limited to actions that do not involve cutting native vegetation or mayor earth moving; and are not located within, or adjacent to, drainages, wetlands, or aquatic systems. These activities include the installation of potable water and sanitary pipelines.
<input type="checkbox"/>	8. Improvements to existing recreational facilities, including the installation of roofs to existing basketball courts, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
<input type="checkbox"/>	9. Construction of electric underground systems in existing towns and communities, provided that the property is not a wetland area and the lighting associated to the facilities are not visible directly or indirectly from the beach.
<input type="checkbox"/>	10. Construction of facilities on vacant properties covered with grasses in urban areas, provided that the lighting associated to the facilities are not visible directly or indirectly from the beach.
<input type="checkbox"/>	11. Construction of houses, buildings or acquiring lands in urban areas covered by grass for relocation of low-income families and/or facilities that have been affected by weather conditions.



Ángel G. López-Guzmán
Deputy Director

Permits and Environmental Compliance Division
Office of Disaster Recovery

Address: P.O. Box 21365 San Juan, PR 00928

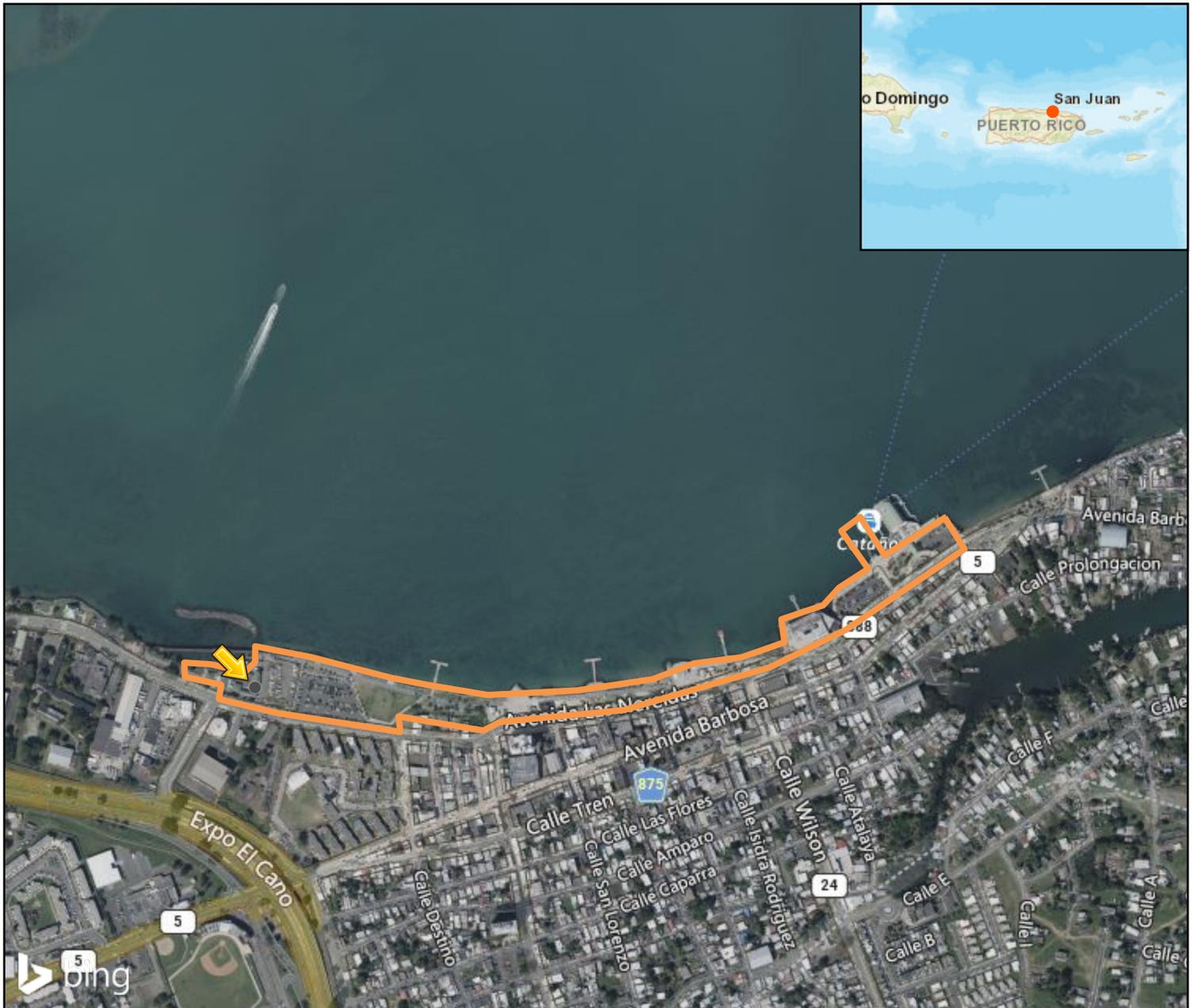
Telephone and Ext: 787-274-2527 ext. 4320

Email: environmentcdbg@vivienda.pr.gov

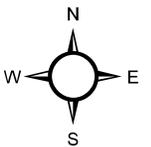
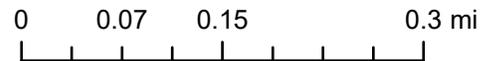
Dec. 6, 2023

Date

PR-RGRW-00455 Site Map



Legend

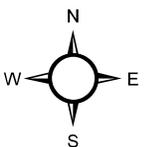
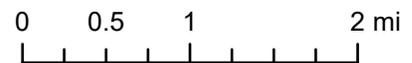


PR-RGRW-00455 ESA



Legend

 USFWS Critical Habitat - Polygon Features - Final (agency service)



National Wild and Scenic River System

U.S. Fish and Wildlife Service

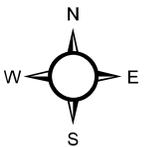
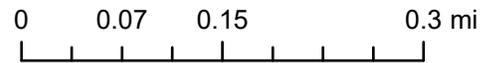
Name	Location	Municipio	Lat	Long	Type	Report	Distance (ft)	Impact?
HUDSON TECHNOLOGIES COMPANY	869 KM 1.5	CATAÑO	18.44046	-66.12143	TRIS	https://echo.epa.gov/detailed-facility-report?fid=110070071511&ej_type=sup&ej_compare=US	1,388.88	No
MODERNIZATION OF EL COQUI PUBLIC HOUSING	STATE ROAD PR-5	CATAÑO	18.4386	-66.1278	NPDES	https://echo.epa.gov/detailed-facility-report?fid=110070067230&ej_type=sup&ej_compare=US	1,444.31	No
MUNICIPIO DE CATANO	96 AVE LAS NEREIDAS - BOX 428	CATAÑO	18.441293	-66.121707	FRS	https://echo.epa.gov/detailed-facility-report?fid=110024258596&ej_type=sup&ej_compare=US	1,225.29	No
ORIENTAL BANK & TRUST	PR 888 LAS NEREIDAS AVE	CATAÑO	18.441291	-66.121611	RCRAINFO	https://echo.epa.gov/detailed-facility-report?fid=110061054585&ej_type=sup&ej_compare=US	1,258.39	No
PRASA SIDERURGICA PUMP STA BAYAMON WWTP 0023728	PR-869 KM 1.7 A ST LAS PALMAS DEVELOPMENT	CATAÑO	18.438426	-66.123566	FRS	https://echo.epa.gov/detailed-facility-report?fid=110010624324&ej_type=sup&ej_compare=US	1,325.2	No
LAND MARINE CARGO - LMC	RD 5 KM 7.4 BLDG #1	CATAÑO	18.438227	-66.127589	RCRAINFO	https://echo.epa.gov/detailed-facility-report?fid=110037441569&ej_type=sup&ej_compare=US	1,511.77	No
AMIGO SUPERMARKET #3664	1936 AVE BARBOSA & CALLE WILSON	CATAÑO	18.44153	-66.11838	FRS	https://echo.epa.gov/detailed-facility-report?fid=110031281789&ej_type=sup&ej_compare=US	2,369.56	No
ESSO STANDARD OIL CO - PR CO-021	CALLE BARBOSA 99	CATAÑO	18.43666	-66.13118	FRS	https://echo.epa.gov/detailed-facility-report?fid=110004891859&ej_type=sup&ej_compare=US	2,765.92	No

PR-RGRW-00455 ABFE



Legend

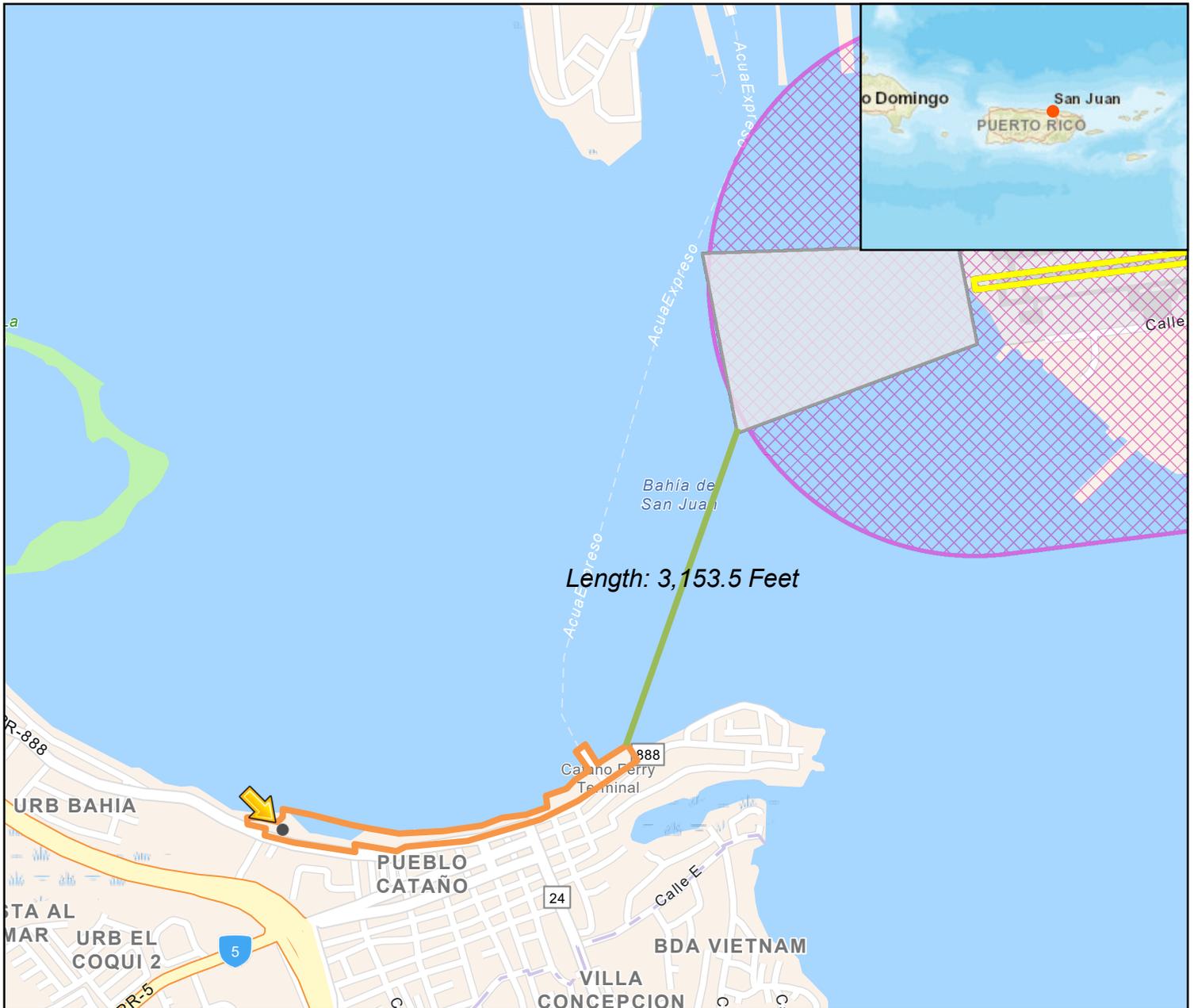
- AE
- Coastal A Zone
- VE
- 0.2% Annual Chance Flood Zone
- Zone/BFE Boundary



FEMA Map Service

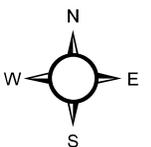
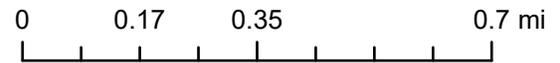
ABFE

PR-RGRW-00455 Airports



Legend

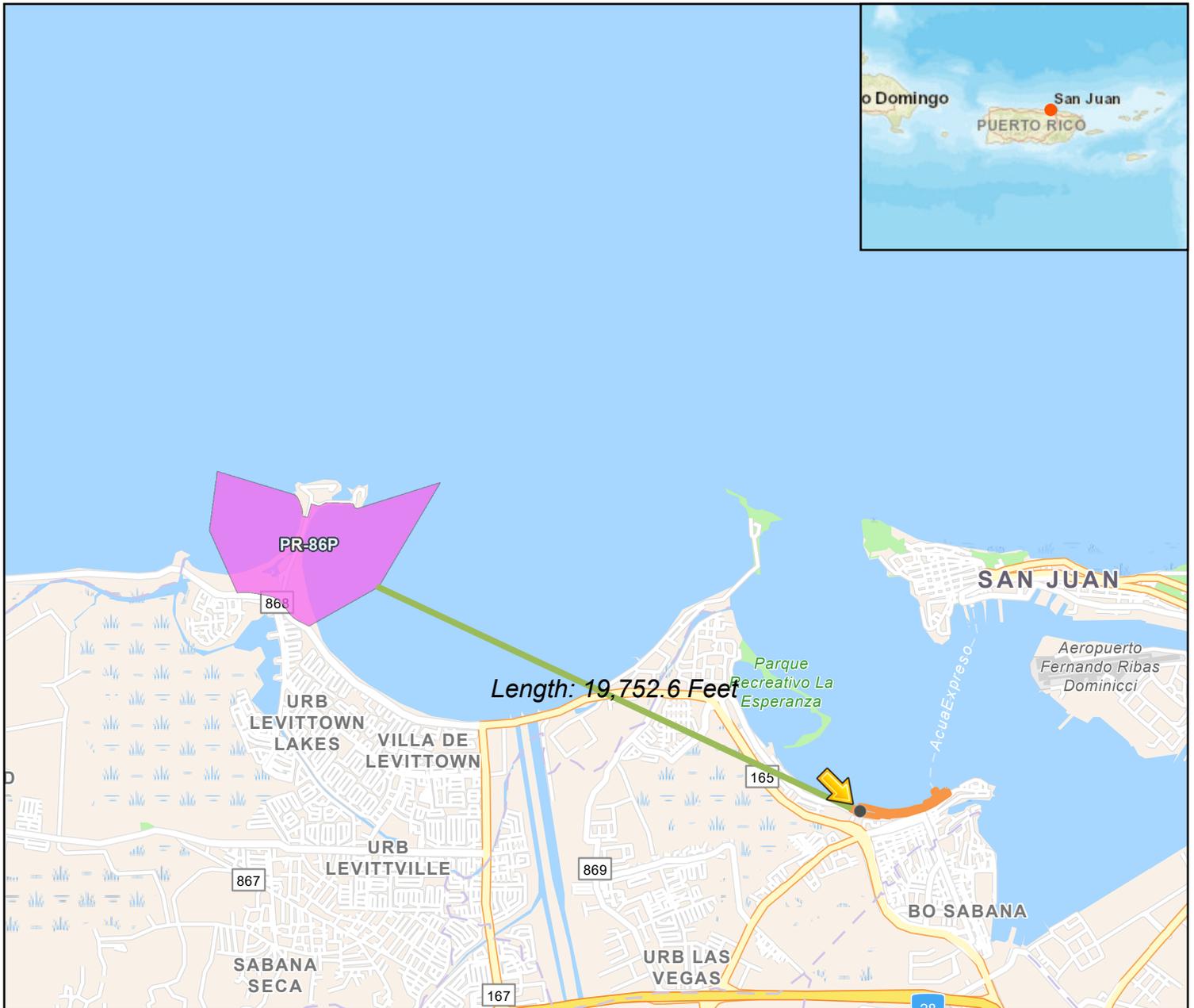
-  Civilian Airports 2,500ft Buffer
-  Runway Protection Zones
-  Airport Runways



Runway Protection Zones

Major Civil and Military Airports

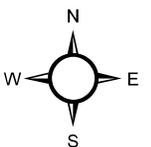
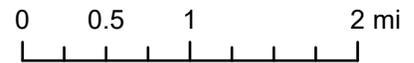
PR-RGRW-00455 CBRS



Legend

Unit_Type

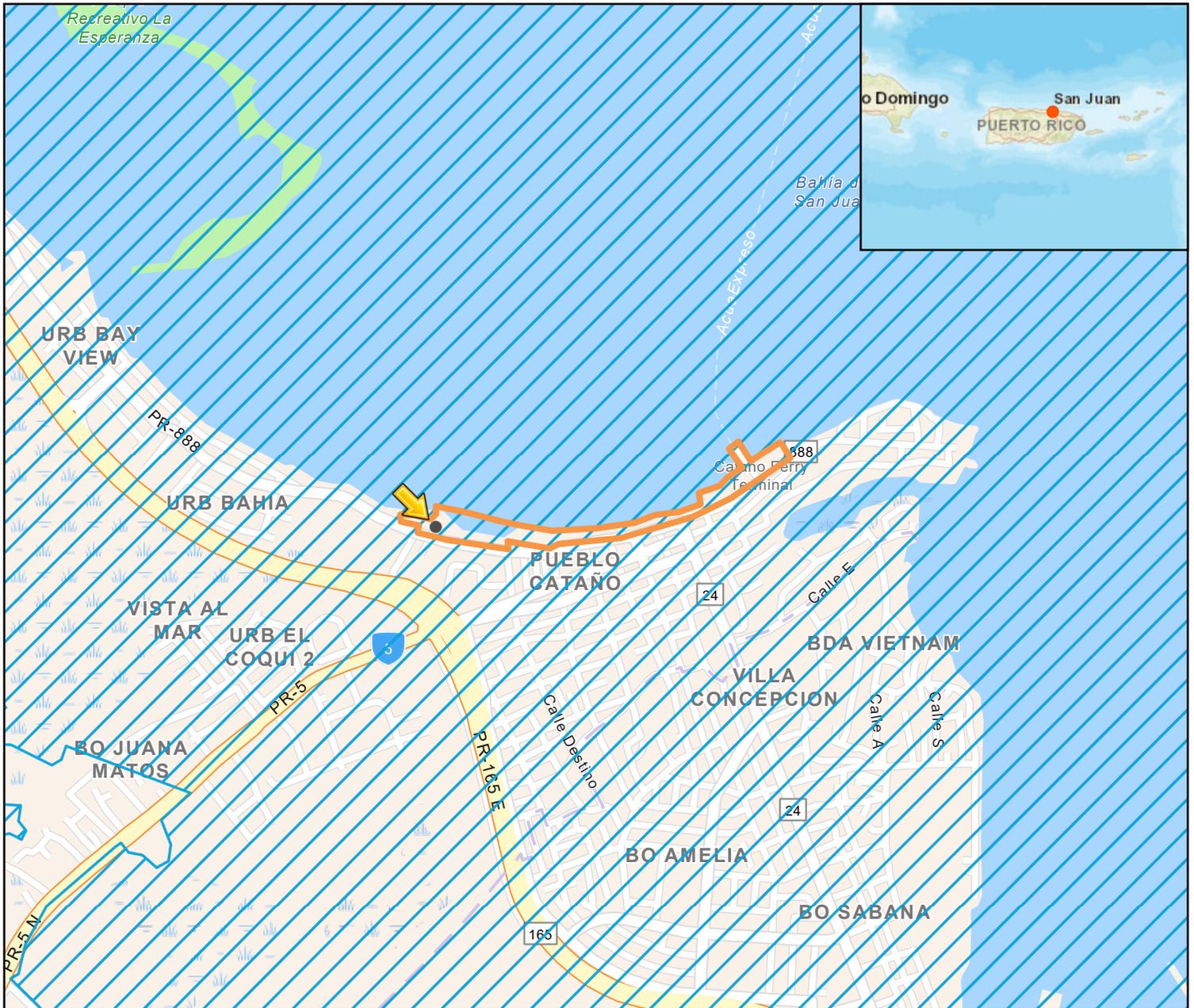
 Otherwise Protected Area



U.S. Fish and Wildlife Service

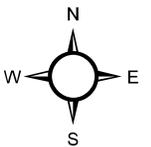
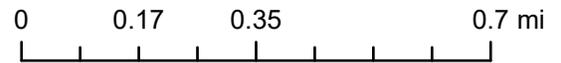
Coastal Barrier Resources Act Program

PR-RGRW-00455 CZM



Legend

 Coastal Zone Management Act Boundary



NOAA

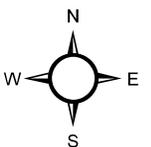
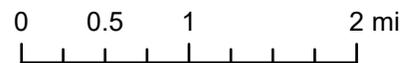
Coastal Zone Management Act

PR-RGRW-00455 ESA



Legend

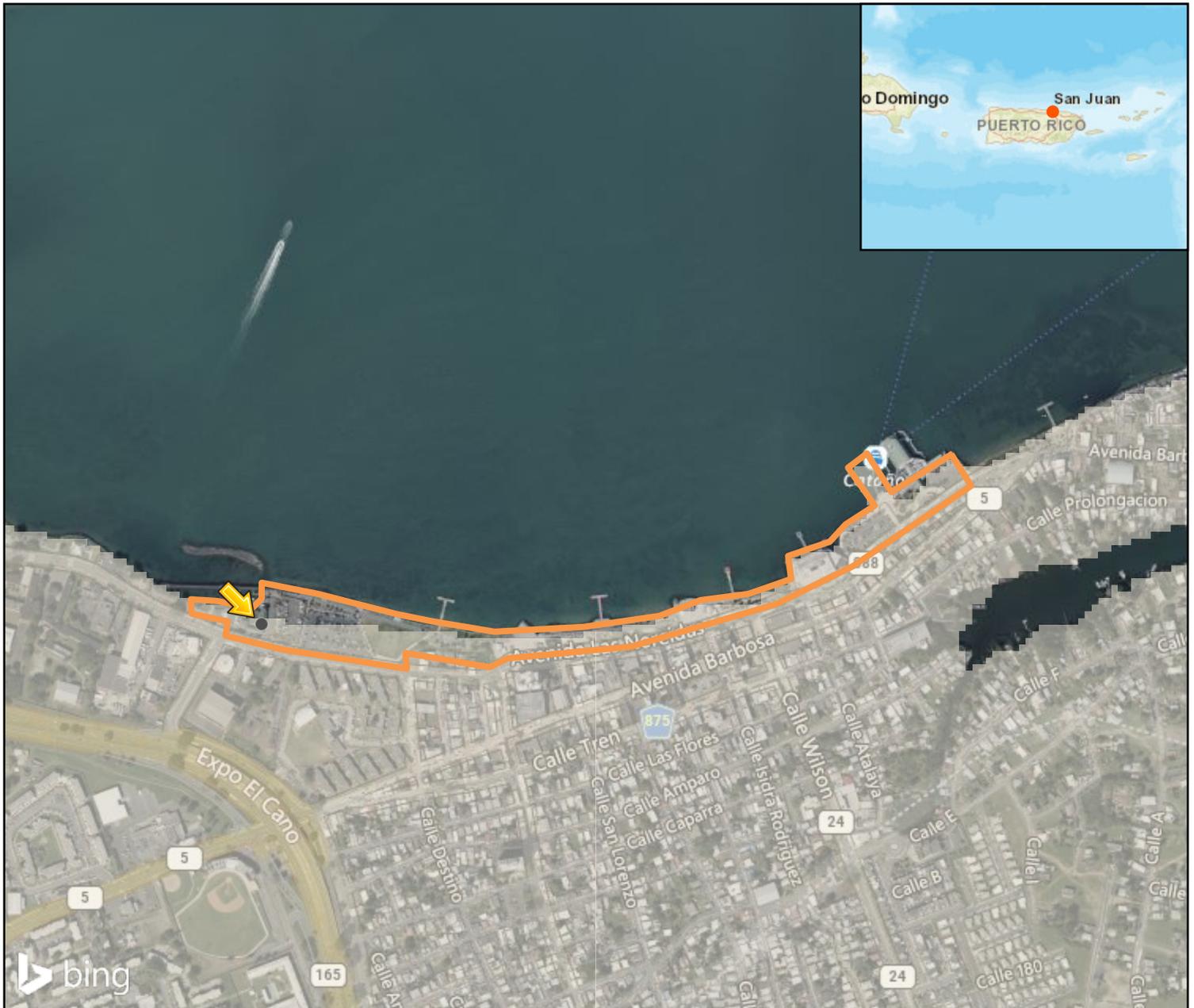
 USFWS Critical Habitat - Polygon Features - Final (agency service)



National Wild and Scenic River System

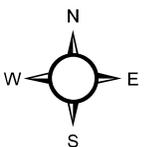
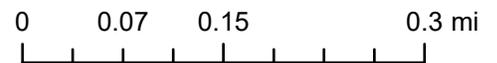
U.S. Fish and Wildlife Service

PR-RGRW-00455 Farmland



Legend

- Prime Farmland
- Farmland of Local Importance
- Farmland of Statewide Importance
- Farmland of Unique Importance
- Not Prime Farmland



USGS USA Soils

Farmland dataset

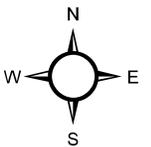
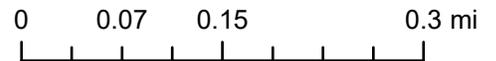
PR-RGRW-00455 Flood Map



Legend

FLD_ZONE, ZONE_SUBTY

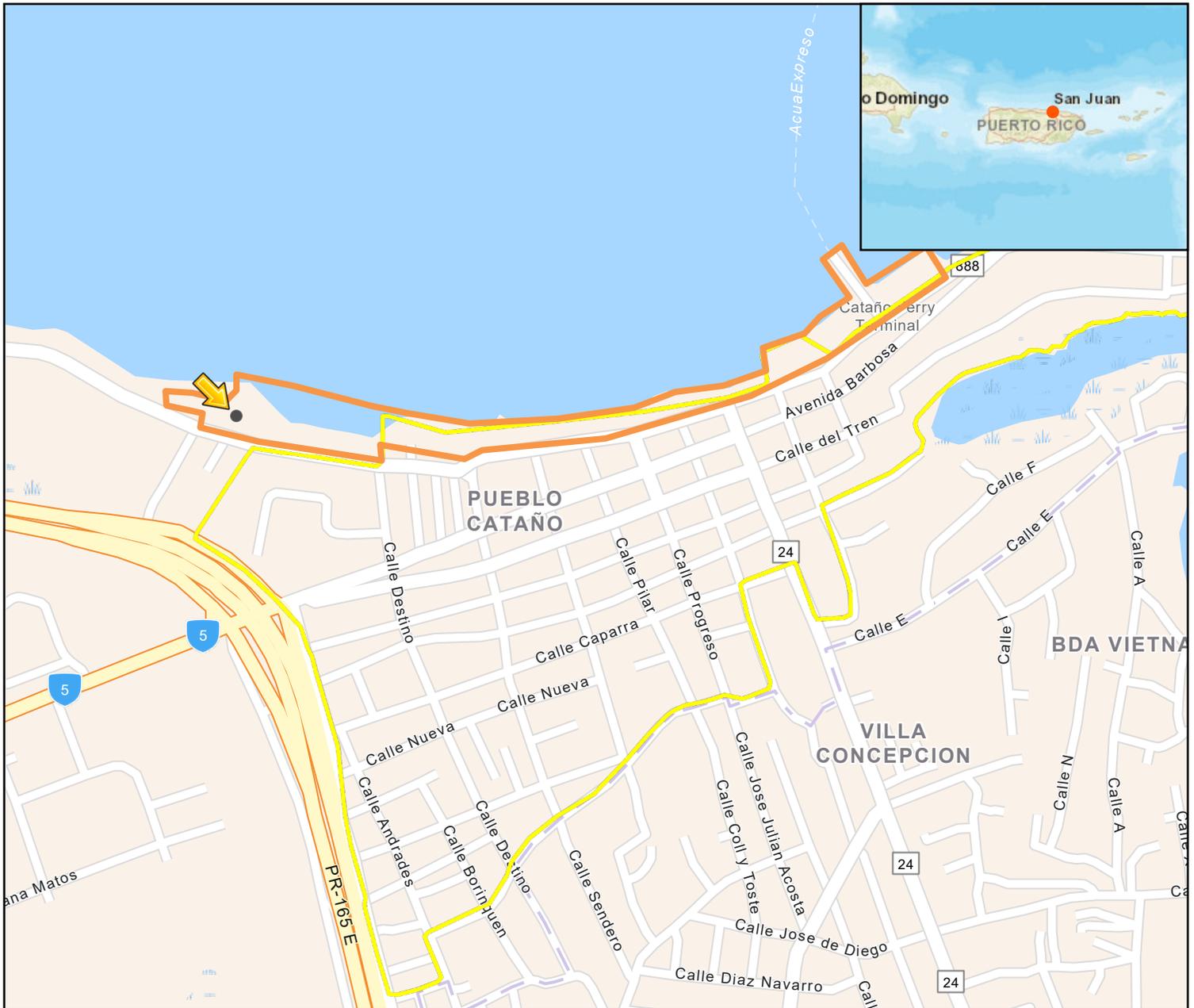
- 1% Annual Chance Flood Hazard
- 0.2% Annual Chance Flood Hazard
- FEMA Floodzone Panels - Effective



FEMA Map Service

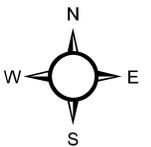
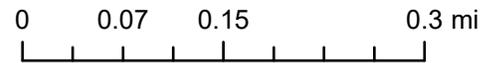
Flood Insurance Rate Maps

PR-RGRW-00455 Historic



Legend

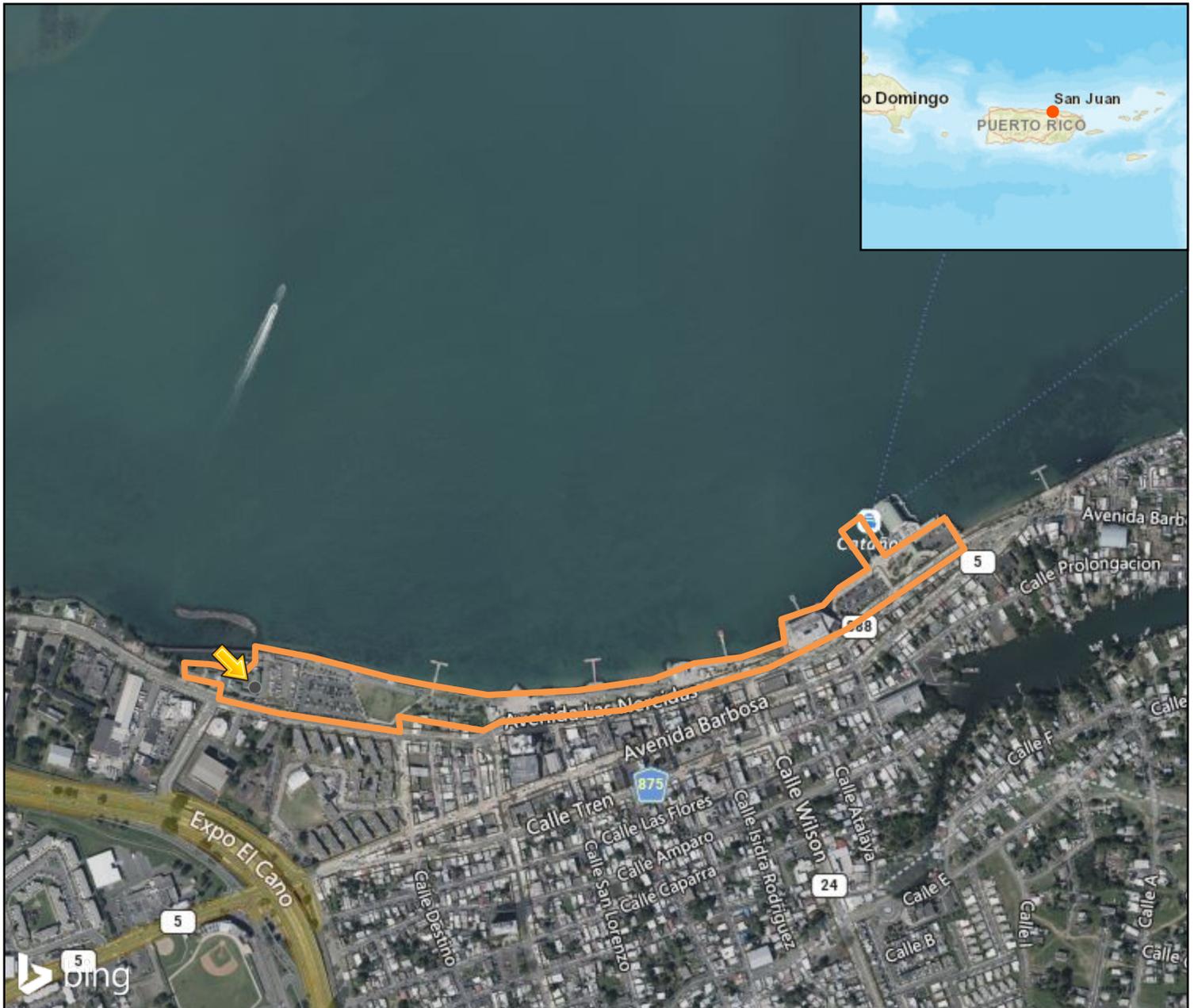
 Traditional Urban Centers



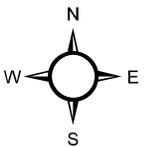
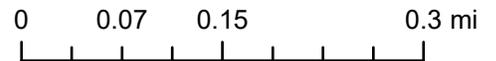
National Register of Historic Places

Local Historic Areas digitized by Horne

PR-RGRW-00455 Site Map



Legend

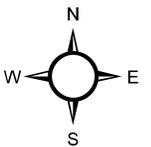
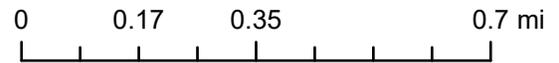


PR-RGRW-00455 Toxics



Legend

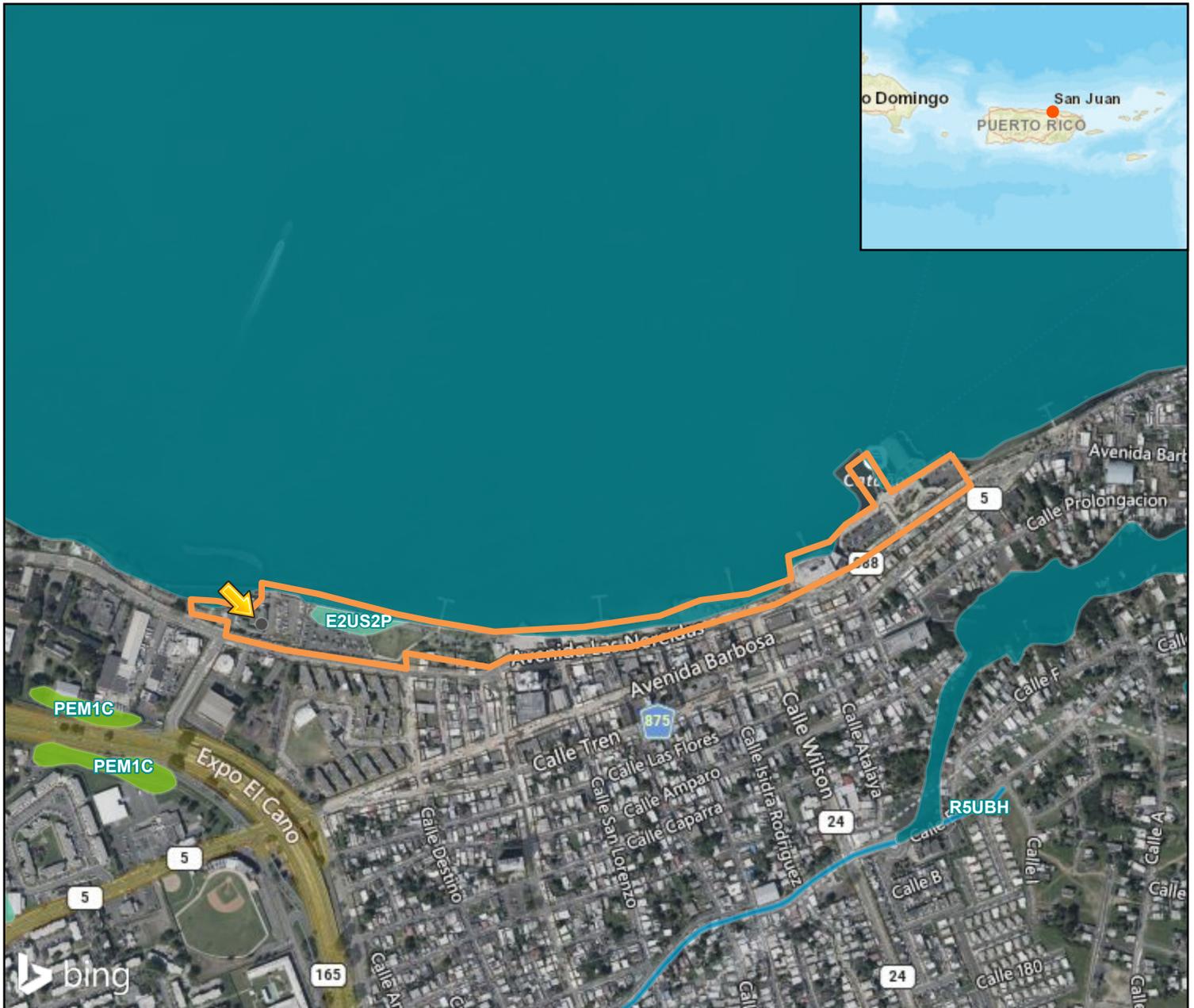
- Toxic Substances Control Act
- ◆ Brownfields
- Hazardous waste
- ◆ Air pollution
- Water dischargers
- Toxic releases
- ⊙ Superfund



Envirofacts Facility Locations

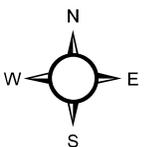
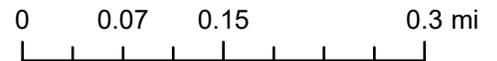
EPA

PR-RGRW-00455 Wetlands



Legend

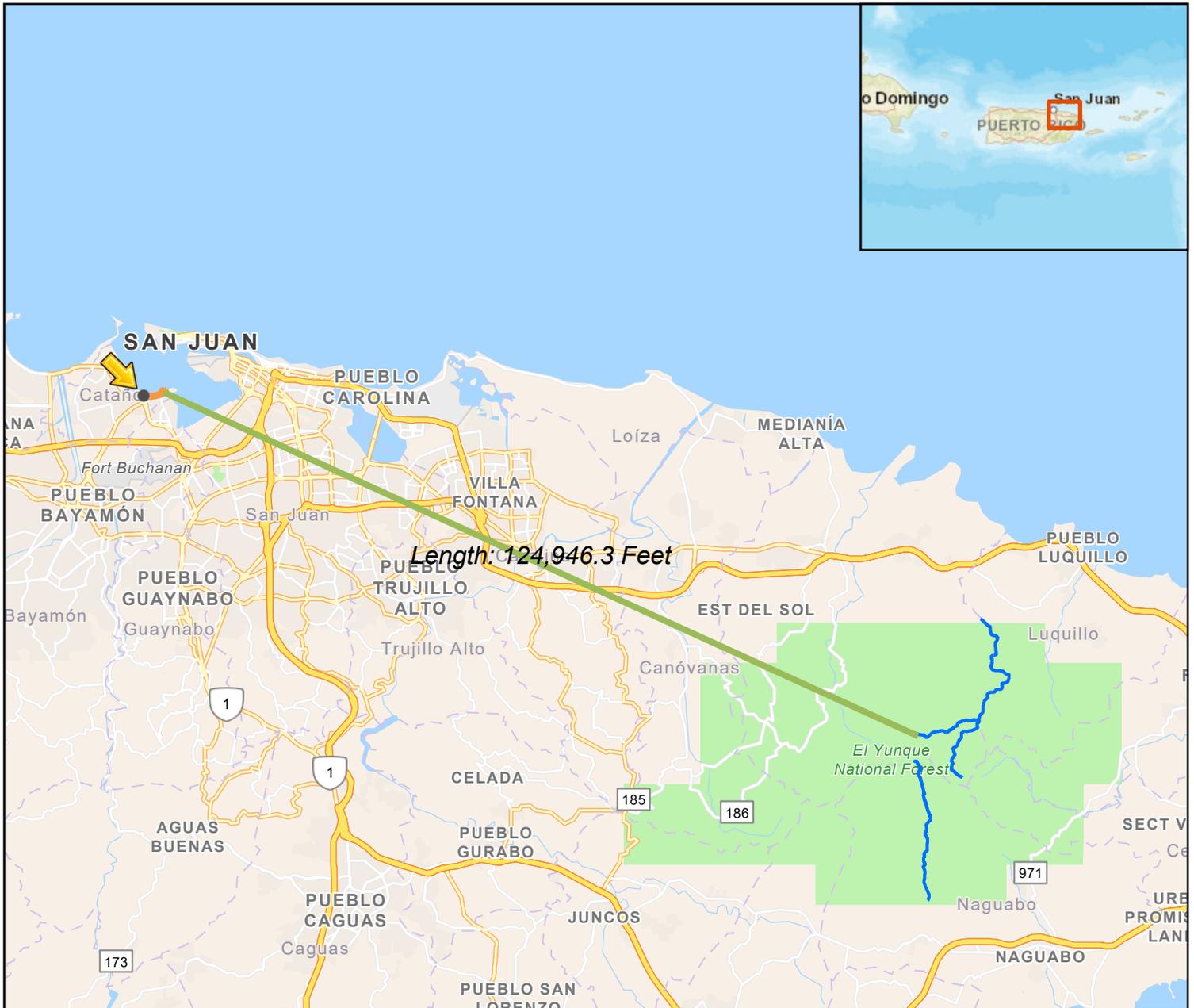
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Riverine



National Wetlands Inventory

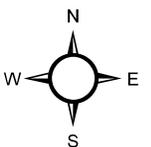
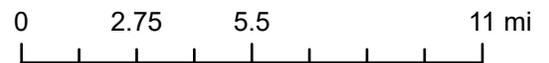
U.S. Fish and Wildlife Service

PR-RGRW-00455 WSR



Legend

— Wild and Scenic Rivers



National Wild and Scenic River System

National Park Service