



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://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-SBF-02014-E-Re-evaluation

**HEROS Number:** 900000010479110

**Start Date:** 06/24/2025

**State / Local Identifier:**

**Project Location:** , Toa Baja, PR 00949

**Additional Location Information:**

The project is located at latitude 18.445587, longitude -66.171886 at the address given above. Tax ID Number: 039-063-117-11-001.

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

This project entails the award of a small business recovery grant to Choo Choo Train Day Care & More Inc, a Service business, at Ave. Boulevard 2669 & 2670 2da Secc. Levittown, Toa Baja, PR 00949. The specific scope of work for this project includes the purchase of equipment including an affixed battery backup system.

**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) | \$1,507,179,000.00 |
| B-18-DE-72-0001 | Community Planning and Development (CPD) | Community Development Block Grants (Disaster Recovery Assistance) | \$1,932,347,000.00 |
| B-18-DP-72-0001 | Community Planning and Development (CPD) | Community Development Block Grants (Disaster Recovery Assistance) | \$8,220,783,000.00 |
| B-19-DP-78-0002 | Community Planning and Development (CPD) | Community Development Block Grants (Disaster Recovery Assistance) | \$277,853,230.00   |

**Estimated Total HUD Funded Amount:** \$86,220.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$86,220.00

**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                                                                                                                                                   |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Floodplain Management     | Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. | N/A                            | Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. |

**Determination:**

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (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:** July 10, 2025

**Name / Title/ Organization:** Ricardo Espiet Lopez / / Department of Housing - Puerto Rico

**Responsible Entity Agency Official Signature:**  **Date:** 2025-07-22 11:08:23 -04'00'

**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-SBF-02014-E-Re-evaluation

**HEROS Number:** 900000010479110

**Start Date:** 06/24/2025

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

**State / Local Identifier:**

**RE Preparer:** Ricardo Espiet Lopez

**Certifying Office** Santa Ramirez  
**r:**

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Point of Contact:** Chris Rickard  
**Consultant (if applicable):** HORNE LLP

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

**Project Location:** , Toa Baja, PR 00949

**Additional Location Information:**

The project is located at latitude 18.445587, longitude -66.171886 at the address given above. Tax ID Number: 039-063-117-11-001.

**Direct Comments to:**

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

This project entails the award of a small business recovery grant to Choo Choo Train Day Care & More Inc, a Service business, at Ave. Boulevard 2669 & 2670 2da Secc. Levittown, Toa Baja, PR 00949. The specific scope of work for this project includes the purchase of equipment including an affixed battery backup system.

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

[PR-SBF-02014-E Re-evaluation Form.pdf](#)

[PR-SBF-02014-E IUGF.pdf](#)

**Level of Environmental Review Determination:**

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

58.35(a)(3)(iii)

**Determination:**

|   |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   | This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (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-SBF-01843-E-SIG PAGE Signed.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) | \$1,507,179,000.00 |
| B-18-DE-72-0001                       | Community Planning and Development (CPD) | Community Development Block Grants (Disaster Recovery Assistance) | \$1,932,347,000.00 |
| B-18-DP-72-0001                       | Community Planning and Development (CPD) | Community Development Block Grants (Disaster Recovery Assistance) | \$8,220,783,000.00 |
| B-19-DP-78-0002                       | Community Planning and Development (CPD) | Community Development Block Grants (Disaster Recovery Assistance) | \$277,853,230.00   |

**Estimated Total HUD Funded, \$86,220.00  
Assisted or Insured Amount:**

**Estimated Total Project Cost: \$86,220.00**

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

|                                                                                                                                                     |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Compliance Factors:</b><br>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<br>(See Appendix A for source determinations)                                                                                                                                                                                                                                                                                                                                          |
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>                                                              |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Airport Hazards</b><br>Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D                                                        | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | The nearest airport RPZ/CZ is approximately 20,595 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.                                                                                                                                                                             |
| <b>Coastal Barrier Resources Act</b><br>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 7,205 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.                                                                                                                                                                                                 |
| <b>Flood Insurance</b><br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Flood Map Number 72000C0335J, effective on 11/18/2009: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. |
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>                                                              |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Air Quality</b><br>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93                                          | <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 the Clean Air Act. The project is in compliance with the Clean Air Act.                                                                                                                                                                                                                       |
| <b>Coastal Zone Management Act</b><br>Coastal Zone Management Act, sections 307(c) & (d)                                                            | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | This project is not located in or 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. The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major                                                                                         |

|                                                                                                                               |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                               |                                                                     | rehabilitation, or substantial improvement activities.                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contamination and Toxic Substances</b><br>24 CFR 50.3(i) & 58.5(i)(2)]                                                     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 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. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements. |
| <b>Endangered Species Act</b><br>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 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 is in compliance with the Endangered Species Act.                                                                                                                                                                                                                                                    |
| <b>Explosive and Flammable Hazards</b><br>Above-Ground Tanks)[24 CFR Part 51 Subpart C                                        | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 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.                                                                                                                                                                                                                                                                                         |
| <b>Farmlands Protection</b><br>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 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.                                                                                                                                                                                                                                                                                                       |
| <b>Floodplain Management</b><br>Executive Order 11988, particularly section 2(a); 24 CFR Part 55                              | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | FIRM Flood Map Number 72000C0335J, effective on 11/18/2009: This project is located in the floodplain. The 5-Step Process is required. With the 5-Step Process the project will be in compliance with Executive Order 11988. 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 Baja; therefore,                                             |

|                                                                                                                                            |                                                                     |                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                            |                                                                     | PFIRM information was not available for the area and therefore not considered in the review.                                                                                                                                                                                           |
| <b>Historic Preservation</b><br>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800             | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | (Circa 1967) 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.                                                                                              |
| <b>Noise Abatement and Control</b><br>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.                                                                                    |
| <b>Sole Source Aquifers</b><br>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. The project is in compliance with Sole Source Aquifer requirements. According to EPA, there are no sole source aquifers in Puerto Rico.     |
| <b>Wetlands Protection</b><br>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. This project does not involve new construction, so a visual wetlands survey was not conducted. |
| <b>Wild and Scenic Rivers Act</b><br>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 146,635 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.                                                                                   |
| <b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>                                                                                                 |                                                                     |                                                                                                                                                                                                                                                                                        |
| <b>ENVIRONMENTAL JUSTICE</b>                                                                                                               |                                                                     |                                                                                                                                                                                                                                                                                        |
| <b>Environmental Justice</b><br>Executive Order 12898                                                                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | On January 21, 2025, President Donald Trump issued the Executive Order titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898                                                                                               |

|  |  |                                                                                                                                                                                                                                              |
|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  | and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process. |
|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**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 |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Floodplain Management     | Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. | N/A                            | Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. |          |

**Project Mitigation Plan**

Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased.

**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 nearest airport RPZ/CZ is approximately 20,595 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

#### Supporting documentation

[PR-SBF-02014-E 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 7,205 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-SBF-02014-E 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-SBF-02014-E FIRM.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

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

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance**

**Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

✓ No

**Screen Summary**

**Compliance Determination**

Flood Map Number 72000C0335J, effective on 11/18/2009: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). 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 in compliance with the Coastal Zone Management Act. The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities.

**Supporting documentation**

[CZM Resolution JP-2024-004 \(First Amendment Nov 20 2024\).pdf](#)  
[PR-SBF-02014-E 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<br>58.5(i)(2)<br>24 CFR 50.3(i) |
| Reference                                                                                                                                                                                                                                                                                                                |             |                                        |
| <a href="https://www.onecpd.info/environmental-review/site-contamination">https://www.onecpd.info/environmental-review/site-contamination</a>                                                                                                                                                                            |             |                                        |

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

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

\* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances\* (excluding radon) 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?)**

Provide a map or other documentation of absence or presence of contamination\*\* and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

✓ No

Explain:

The environmental field observation did not note any items of concern. See the attached environmental field observation report. A google earth review of the area shows no visible hazards. The past land use for the last 10-15 year is commercial. Based on ECHO reports for the facilities, there is no impact for the intended use of this project. See attached table.

Yes

\* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

\*\* Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

**3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions\* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?**

Yes

Explain:

✓ No

\* Notes:

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

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

**4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?**

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

✓ No

**5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?**

Yes

✓ No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

Radon testing is not feasible or practicable for this case, please see the attached Radon Memo.

File Upload:

[Radon Attachments.pdf](#)  
[PR-SBF-02014-E Radon Memorandum.docx](#)

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

**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. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements.

**Supporting documentation**

[PR-SBF-02014-E Toxics Table.xlsx](#)

[PR-SBF-02014-E EFOR.docx](#)

[PR-SBF-02014-E Toxics.pdf](#)

**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 criterias 6 and 26 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 is in compliance with the Endangered Species Act.

**Supporting documentation**

[PR-SBF-02014-E-Re-evaluation Scope of Work Photos.docx](#)  
[PR-SBF-02014-E USFWS Self-Certification Form Official.docx](#)  
[PR-SBF-02014-E IPaC\\_Explore Location resources.pdf](#)  
[USFWS Letter UPDATED.pdf](#)  
[PR-SBF-02014-E Site Map.pdf](#)  
[PR-SBF-02014-E Endangered Species.pdf](#)

**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.) | <a href="#">7 CFR Part 658</a> |

**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-SBF-02014-E 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<br>* Executive Order 13690<br>* 42 USC 4001-4128<br>* 42 USC 5154a<br>* only applies to screen 2047 and not 2046 | 24 CFR 55  |

### 1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

**2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.**

Yes

Describe:

✓ No

**3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination**

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information<sup>1</sup> to determine flood elevation. Include documentation and an explanation of why this is the best available information<sup>2</sup> for the site. Note that newly constructed and substantially improved<sup>3</sup> structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool , data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

<sup>1</sup> Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

<sup>2</sup> If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

<sup>3</sup> Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

☒ Yes

No

6. Is your project located in any of the floodplain categories below?

Select all that apply:

Floodway.

Do the floodway exemptions at 55.8 or 55.21 apply?

Yes

No

Coastal High Hazard Area (V Zone) or Limit of Moderate Wave Action (LiMWA).

Yes

No

☒ None of the above.

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

8-Step Process is inapplicable per 55.13.

(a) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging, or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the NFIP and in good standing ( i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway, coastal high hazard area, or LiMWA;

(b) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under § 55.2(b)(12);

(c) HUD or a recipient's actions involving the disposition of individual HUD or recipient held, one- to four-family properties;

(d) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573), where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance;

(e) The approval of financial assistance to lease units within an existing structure located within the floodplain, but only if;

(1) The structure is located outside the floodway or coastal high hazard area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24); and

(2) The project is not a critical action; and.

(3) The entire structure is or will be fully insured or insured to the maximum extent available under the NFIP for at least the term of the lease.

(f) Special projects for the purpose of improving efficiency of utilities or installing renewable energy that involve the repair, rehabilitation, modernization, weatherization, or improvement of existing structures or infrastructure, do not meet the thresholds for "substantial improvement" under § 55.2(b)(12), and do not include the installation of equipment below the FFRMS floodplain elevation;

✓ 5-Step Process is applicable per 55.14.

(a) HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

(b) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

(c) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not increased by more than 20 percent.

- ✓ (d) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10) and that the footprint of the structure and paved areas is not increased by more than 20 percent.

(e) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, or replacement of existing nonstructural improvements including streets, curbs and gutters, where any increase of the total impervious surface area of the facility is de minimis. This provision does not include critical actions, levee systems, chemical storage facilities (including any tanks), wastewater facilities, or sewer lagoons.

8-Step Process applies.

## 8. Mitigation

For the project to comply with this section, all adverse impacts must be mitigated. Explain in detail the measures that must be implemented to mitigate the impact or effect, including the timeline for implementation. Note: newly constructed and substantially improved structures within the FFRMS floodplain must be elevated to the FFRMS floodplain elevation or floodproofed, if applicable.

Explain:

Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased.

Which of the following if any mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process?

Buyout and demolition or other supported clearance of floodplain structures.

Insurance purchased in excess of statutory requirement th eunder the Flood Disaster Protection Act of 1973.

Permeable surfaces.

Natural landscape enhancements that maintain or restore natural hydrology.

Planting or restoring native plant species.

Bioswales.

Stormwater capture and reuse.

Green or vegetative roofs with drainage provisions.

Natural Resources Conservation Service conservation easements or similar easements.

Floodproofing of structures as allowable (e.g. non-residential floors) .

Elevating structures (including freeboard above the required base flood elevations) .

Levee or structural protection from flooding.

Channelizing or redefining the floodway or floodplain through a Letter of Map Revision (LOMR).

### **Screen Summary**

#### **Compliance Determination**

FIRM Flood Map Number 72000C0335J, effective on 11/18/2009: This project is located in the floodplain. The 5-Step Process is required. With the 5-Step Process the project will be in compliance with Executive Order 11988. 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 Baja; therefore, PFIRM information was not available for the area and therefore not considered in the review.

**Supporting documentation**

[PR-SBF-01843-E 5-Step Process.docx](#)

[PR-SBF-02014-E 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"<br><a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a> |

**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 Historic Properties Affected 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:**

Ave. Boulevard 2669 & 2670 2da Secc. Levittown, Toa Baja, PR 00949

**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<br>/ District | National Register<br>Status | SHPO Concurrence | Sensitive<br>Information |
|----------------------------------|-----------------------------|------------------|--------------------------|
|----------------------------------|-----------------------------|------------------|--------------------------|

**Additional Notes:**

No historic properties 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**

(Circa 1967) 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-SBF-02014-E SHPO Package.pdf](#)

[PR-SBF-02014-E Historic.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<br><br>General Services Administration<br>Federal Management Circular<br>75-2: "Compatible Land Uses at Federal Airfields" | Title 24 CFR 51<br>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      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------------|
| <b>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.</b> | 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. The project is in compliance with Sole Source Aquifer requirements. According to EPA, there are no sole source aquifers in Puerto Rico.

##### **Supporting documentation**

[PR-SBF-02014-E SSA.pdf](#)

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. This project does not involve new construction, so a visual wetlands survey was not conducted.

#### **Supporting documentation**

[PR-SBF-02014-E 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 146,635 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

#### Supporting documentation

[PR-SBF-02014-E WSR.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**

On January 21, 2025, President Donald Trump issued the Executive Order titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

**Supporting documentation**

Are formal compliance steps or mitigation required?

Yes

✓ No

**Environmental Review  
for Activity/Project that is Exempt or  
Categorically Excluded Not Subject to Section 58.5  
Pursuant to 24 CFR 58.34(a) and 58.35(b)**

**Project Information**

**Project Name:** PR-SBF-02014

**HEROS Number:** 900000010184208

**Start Date:** 04/07/2021

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

**State / Local Identifier:**

**RE Preparer:** Maria T. Torres-Bregon

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):** HORNE LLP

**Point of Contact:** Paige Pilkinton

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

**Project Location:** , Toa Baja, PR 00949

**Additional Location Information:**

The project is located at latitude 18.445628, longitude -66.172090 at the address given above. Tax ID Number: 039-063-117-12-001

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

This project entails the award of a small business recovery grant to Choo Choo Train Day Care & More, Inc. at Ave. Boulevard 2669 & 2670, 2da Secc. Levittown, Toa Baja, PR 00949. The grant includes one or more of the following: -Up to 6 months of documented working capital expenses, including inventory; -Monthly office and/or business facility mortgage or rent; -Monthly non-owner wages and related benefits; -Monthly utilities (water, electricity, gas, cable, phone, internet); and -Equipment that is not fixed to real property and is necessary for the recovery of the business.

**Level of Environmental Review Determination:**

**Activity / Project is Categorically Excluded Not Subject to per 24 CFR 58.35(b):**

58.35(b)(2)

58.35(b)(3)

58.35(b)(4)

**Signature Page**

[PR-SBF-02014 Signature Page.pdf](#)

**Funding Information**

| <b>Grant / Project Identification Number</b> | <b>HUD Program</b> | <b>Program Name</b>                                  | <b>Funding Amount</b> |
|----------------------------------------------|--------------------|------------------------------------------------------|-----------------------|
| B-17-DM-72-0001                              | Other              | CDBG-DR Puerto Rico Small Business Financing Program | \$0.00                |
| B-18-DP-72-0001                              | Other              | CDBG-DR Puerto Rico Small Business Financing Program | \$0.00                |

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$50,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$50,000.00

**Compliance with 24 CFR §50.4 & §58.6 Laws and Authorities**

|                                                                                                          |                                                                     |                                                                        |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------|
| <b>Compliance Factors:</b><br>Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §58.6 | Are formal compliance steps or mitigation required?                 | Compliance determination<br>(See Appendix A for source determinations) |
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>                   |                                                                     |                                                                        |
| <b>Airport Runway Clear Zones and</b>                                                                    | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the                                   |

|                                                                                                                                                     |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Compliance Factors:</b><br>Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4 & §58.6                                            | Are formal compliance steps or mitigation required?                 | Compliance determination<br>(See Appendix A for source determinations)                                                                                                                                                                                                                                                                                                                                           |
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>                                                              |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Clear Zones</b><br>24 CFR part 51                                                                                                                |                                                                     | project includes no activities that would require further evaluation under this section. The nearest airport is approximately 20,606.7 feet away. The project is in compliance with Airport Runway Clear Zone requirements.                                                                                                                                                                                      |
| <b>Coastal Barrier Resources Act</b><br>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 7,153.6 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.                                                                                                                                                                                                |
| <b>Flood Insurance</b><br>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Flood Map Number: 72000C0335J, effective on 11/18/2009. The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. |

**Mitigation Measures and Conditions** [CFR 40 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 |
|---------------------------|---------------------------------|--------------------------------|-----------------|----------|
|---------------------------|---------------------------------|--------------------------------|-----------------|----------|

**Project Mitigation Plan**

**Supporting documentation on completed measures**



## APPENDIX A: Related Federal Laws and Authorities

### Airport Runway Clear Zones

| 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. **Does the project involve the sale or acquisition of developed property?**

✓ No

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

Yes

### Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The nearest airport is approximately 20,606.7 feet away. The project is in compliance with Airport Runway Clear Zone requirements.

### Supporting documentation

[PR-SBF-02014 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 7,153.6 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-SBF-02014 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-SBF-02014 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

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

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

No

### **Screen Summary**

#### **Compliance Determination**

Flood Map Number: 72000C0335J, effective on 11/18/2009. The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

✓ Yes  
No

GOVERNMENT OF PUERTO RICO  
PUERTO RICO PLANNING BOARD

November 20, 2024

**RESOLUTION JP-2024-004**  
**First Amendment**

Federal Consistency Certification with the  
Puerto Rico Coastal Zone Management Program  
Community Development Block Grant – Disaster Recovery (CDBG-DR) and  
Community Development Block Grant – Mitigation (CDBG-MIT)

The United States (U.S.) Government, through Major Disaster Declarations (DR-4336 and DR-4339), declared Puerto Rico a disaster area after the devastation caused by Hurricanes Irma and María. Considering this event, the U.S. Congress approved Community Development Block Grant – Disaster Recovery (CDBG-DR) funds for Puerto Rico's unmet disaster recovery needs, and Mitigation (CDBG-MIT) funds for the Commonwealth's long-term planning and risk mitigation activities. Moreover, the Congress approved additional CDBG-DR funds for the Commonwealth in response to Major Disaster Declarations: DR-4336, DR-4339, DR-4473, and DR-4671.

The damage caused by high-speed winds, storm surges, earthquakes, flooding, and landslides attributed to major disasters, had devastating effects on Puerto Rico's coastal areas that need to be addressed in an expeditious manner. While many of the direct emergency needs have been met, disaster recovery and mitigation need of the Commonwealth are on-going and will continue into the near future.

The Law Number 75 of June 24, 1975, as amended (Organic law of the Puerto Rico Planning Board) grants the Puerto Rico Planning Board (PRPB) the responsibility and powers to guide the comprehensive development of Puerto Rico, guaranteeing the general well-being of its current and future inhabitants.

The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq) establishes that federal agency activities including the award of Federal Assistance must be consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The Puerto Rico Planning Board (PRPB) is the designated state agency to review and determine Federal Consistency with the PR Coastal Zone Management Program according to established procedures at 15 CFR Part 930.

The Commonwealth of Puerto Rico is formally the Grantee for the CDBG-DR and CDBG-MIT funds. The Governor of Puerto Rico designated the Puerto Rico Department of Housing (PRDOH) as the grantee for the purposes of administering these funds and executing grant agreements with the U.S. Department of Housing and Urban Development (HUD), the federal oversight agency for the CDBG-DR and CDBG-MIT funding.

Taking into consideration the high volume of requests for federal assistance that has been generated as part of the recovery process following the disaster declarations and the current need to expedite this process, the PRPB proceeded to carry out a review of Federal Consistency with the PMZCPR for the following federal assistance programs:

- CDBG-DR eligible activities provided in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA), and outlined in the applicable Federal Register Notices, the CDBG-DR Action Plan and CDBG-DR Program Guidelines.
- CDBG-MIT eligible activities provided in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA), and outlined in the applicable Federal Notices, the CDBG-MIT Action Plan and CDBG-MIT Program Guidelines.

After considering the information provided by PRDOH in relation to the eligible projects and activities to be awarded by the above-mentioned programs, the PR Planning Board (PRPB) in their meeting held on July 24, 2024, agreed the following:

- A. The following activities or projects to be financed under the CDBG-DR and CDBG-MIT programs have no significant impact on Puerto Coastal Resources and do not require Federal Consistency review:
  - 1. Activities to be financed under the following subprograms:
    - a. **Community Energy and Water Resilience Installations Program (CEWRI)**: The Program provide single-family homeowners energy and water efficiency improvements to promote resilience by installing PV systems with battery backup for critical loads and water storage systems.
    - b. **The Workforce Training Program (WFT)**: supports entities throughout the Island to offer training in job skills related to the reconstruction and economic growth of Puerto Rico. Also, those skills necessary to situate the Island in the economy of the future.
    - c. **Small Business Financing Program (SBF)**: will provide a Recovery Grants phase (grants awards of up to \$150,000) for working capital and movable equipment for small businesses and microenterprises that suffered physical and/or financial losses due to the Hurricanes. Start-ups created after the Hurricanes are also eligible if they can show their creation was the result of a closure of a previous business of same owner(s), after damages caused by the Hurricanes.
    - d. **Re-grow PR Urban-Rural Agriculture Program**: Develop, Increase and improve agricultural capacity and addresses the needs created by Hurricanes Irma and María with a substantial investment of CDBG-DR funds for a wide variety of viable and sustainable agricultural activities.
  - 2. Projects or activities that are exempt from construction permits according to Act 161-2009, as amended, known as the "Puerto Rico Permit Process Reform Act" and the "Joint Regulation for Evaluation and Expedition of Permits Related to Development, Land Use and Business Operation" (Regulation Number 9473).
- B. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for demolition of structures with the purpose of restoring green areas, beaches, water retention areas and habitat recovery is consistent with the PRCZMP.
- C. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for projects that involve demolition for reconstruction, reconstruction or construction of a new structure is consistent with the PRCZMP if the project fulfills the following requirements:
  - 1. The project must comply with land use regulations established under the PR Land Use Plan, Territorial Plans and special plans that apply according to the location of the project.
  - 2. The structure to be constructed or reconstructed must comply with applicable regulations and parameters established in the "Joint Regulation for Evaluation and Expedition of Permits Related to Development, Land Use and Business Operation" (Regulation Number 9473).

3. Each project must provide evidence of compliance with the PR Environmental Policy Law (Law number 416 of September 22, 2004) by providing copy of the Environmental Compliance Determination emitted by OGPe.
  4. The structure to be built or rehabilitated must be located outside flood risk zones according to the “Recommended Base Flood Level Maps” (FEMA Advisory Maps) effective on April 13, 2018, or the most recent FEMA map that applies according to the location of the project.
  5. Structures located within a flood hazard zone must evidence compliance with the Special Flood Hazard Zone Regulations (Planning Regulation Number 13) by providing copy of the FEMA Elevation Certificate (form ff-206-fy22-152) completed and signed by an engineer or surveyor.
  6. In the case of projects that are located within Historic Zones designated by the PR Planning Board, or if the structure was designated as a Historic Site, the project must have the endorsement of the Puerto Rican Culture Institute and the State Historic Preservation Office.
- D. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for infrastructure projects (sidewalks, roads, highways, service lines, public squares) are consistent with the PRCZMP with the condition that the applicant fulfill the following requirements before the construction phase of the project:
1. Evidence compliance with the PR Environmental Policy Law (Law number 416 of September 22, 2004) by providing copy of the Environmental Compliance Determination emitted by the PR Permit Management Office (OGPe).
  2. Evidence compliance with the Special Flood Hazard Zone Regulations (Planning Regulation Number 13) when it is required depending on the nature and location of the project.
  3. In the case of projects that are located within Historic Zones designated by the PR Planning Board, the project must have the endorsement of the Puerto Rican Culture Institute.

The Office of Geology and Hydrogeology (OGH) of the Puerto Rico Planning Board will provide a conditioned certification letter which will allow the applicant to have access to the funds to finance the design and permitting phase. The Puerto Rico Planning Board in its meeting of November 20, 2024 determined that the applicant must fulfill the above mentioned requirements **120 days from receipt of the OGH Conditioned Certification letter**. If the applicant needs additional time to fulfill the required documents, it must be justified and requested referring to the assigned case number through [comentariosjp.pr.gov](http://comentariosjp.pr.gov).

- E. Furthermore, The PR Planning Board on February 1, 2023, issued Resolution JP-339 that covers Federal Emergency Management Agency’s (FEMA) Public Assistance Program (PA) and Hazard Mitigation Grant Program (HMGP). Therefore, federal assistance awarded through the “Infrastructure Coordination Program” to match the non-federal items that are required for projects under PA and HMGP programs **are covered by Resolution JP-339 and will not require to be submitted to the PRPB for federal consistency review**.

- F. Hence, Projects for the reconstruction, repair, or rehabilitation of structures for water-dependent uses (piers, boat ramps etc.) **are not covered under this Resolution and must be filed at the US Army Corps of Engineers through RSS.**

This General Federal Consistency Certification will be in effect for five (5) years from the notification date of this resolution. The Certification at reference will be renewed or amended if necessary to extend its validity or address other matters.

**The following parties shall be notified:** William Rodríguez, Secretary, PR Department of Housing (PRDH); **Angel G. López Guzmán**, Permits and Environmental Compliance Division, PRDH; **Juan C. Perez Bofill**, PRDH; **Aldo A. Rivera**, PRDH; Alberto Mercado, **Jose A. Cedeño Maldonado**, US Department of Housing and Urban Development (HUD), **Donna M. Mahon**, HUD and **Magaly Massanet Rodríguez**, Director, Puerto Rico Coastal Zone Management Program, DNER.

**ADOPTED** in San Juan, Puerto Rico on July 24, 2024.

**Amended** today, November 20, 2024.

Plan. Julio Lassús Ruiz, LLM, MP, PPL  
President

Ing. José Díaz Díaz, MEM, BSIE  
Associate Member

Lemuel Rivera Rivera, BSEE, CAPM  
Associate Member

Plan. Rebecca Rivera Torres, MPR, PPL  
Alternate Member

**Certify:** That this Resolution is copy of the agreement adopted by Puerto Rico Planning Board in its meeting of **November 20, 2024**. I expedite and notify this copy to the parties under my sign and official stamp of the Puerto Rico Planning Board stamp, for general use and knowledge.

In San Juan, Puerto Rico, today,

DEC 23 2024

Edgardo Vázquez  
Secretary



GOBIERNO DE PUERTO RICO  
JUNTA DE PLANIFICACIÓN

**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)  
Small Business Financing (SBF) Program Project No. PR-SBF-02014-E  
Choo Choo Train Day Care & More Inc

**STEP 1: *DETERMINE WHETHER THE ACTION IS LOCATED IN A FLOODPLAIN***

The proposed project is intended to renovate the structure as part of the Economic Development portion of the CDBG-DR grant. The specific scope of work for this project includes the purchase of equipment including an affixed battery backup system.

The project is located at Ave. Boulevard 2669 & 2670 2<sup>nd</sup> Section Levittown, Toa Baja, PR 00949. The Tax Parcel ID of the site is 039-063-117-11-001. The Latitude is 18.445587 and the Longitude is -66.171886. The floodplain was determined using the 0.2-Percent-Annual-Chance (500-Year) Flood Approach.

The project is located entirely within the floodplain. The property is shown as being partially within Zone A on the Advisory Base Flood Elevation (ABFE) Map.

Executive Order (EO) 11988 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 floodplain and for this reason, EO 11988 applies. The subject unit occupies 36,000 square feet of the floodplain. An evaluation of direct and indirect impacts associated with the construction, occupancy, and modification of the floodplain is required. The project does not involve new construction and is not located in a wetland as determined by the National Wetland Inventory (NWI) Mapper, thus EO 11990 does not apply.

The project is a renovation of a non-residential structure. The renovation is not considered a substantial improvement in accordance with 24 CFR 55.2(b)(12) nor will the footprint be increased; therefore, per 24 CFR 55.14(d), 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 structure. The renovation is not considered a substantial improvement, and the structure footprint is not being increased; therefore, per 24 CFR 55.14(d), 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 FLOODPLAIN.***

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement nor is the footprint increasing, therefore, per 24 CFR 55.14(d), 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 ASSOCIATED WITH FLOODPLAIN DEVELOPMENT.***

The HUD-funded SBF program intends to provide economic stimulus to Small Businesses for economic development. HUD's regulations limit what actions can be considered under the SBF program, including the prohibition of any construction in the floodway. Descriptions of the potential impacts of the proposed action are below:

The project is a renovation of a non-residential structure. The structure is not undergoing substantial improvement, and the footprint will not increase. The proposal does include a minor renovation of equipment including an affixed battery backup system with no ground disturbance. There will be no anticipated impacts to lives and property as this is a minor improvement to a non-residential structure. As the footprint of the structure will not change there are no anticipated impacts to floodplain characteristics or natural and beneficial values.

***STEP 5: WHERE PRACTICABLE, DESIGN OR MODIFY THE PROPOSED ACTION TO MINIMIZE THE POTENTIAL ADVERSE IMPACTS TO AND FROM THE FLOODPLAIN OR WETLAND AND TO RESTORE AND PRESERVE THEIR NATURAL AND BENEFICIAL FUNCTIONS AND VALUES.***

The PRDOH and the Puerto Rico Permits Management Office requires elevation or floodproofing 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 improved substantially and the footprint of the structure is not increased, floodplain management options are not required. The footprint of the structure will not be increased, to minimize the potential harm to or within the floodplain.

***STEP 6: HUD OR THE RESPONSIBLE ENTITY SHALL CONSIDER THE TOTALITY OF THE PREVIOUS STEPS AND THE CRITERIA IN THIS SECTION TO MAKE A DECISION AS TO WHETHER TO APPROVE, APPROVE WITH MODIFICATIONS, OR REJECT THE PROPOSED ACTION. ADVERSE IMPACTS TO FLOODPLAINS AND WETLANDS MUST BE AVOIDED IF THERE IS A PRACTICABLE ALTERNATIVE.***

Option A would involve the renovation of the non-residential structure. This option would not adversely impact the floodplain and would help the small business 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.

Option B would mean the applicant does not receive funding. Due to the great need for economic revitalization after hurricanes Irma and Maria, this would put undue hardship on the applicant; because of this option A was selected.

***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 55.14(d), 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 the implementation of the proposed action. There is a continuing responsibility on HUD (or on the responsible entity authorized by 24 CFR part 58) and the recipient (if other than the responsible entity) to ensure that the mitigating measures identified in the steps above are implemented.

## BANCO DE DESARROLLO ECONÓMICO PARA PUERTO RICO PROGRAMA DE FINANCIAMIENTO PARA PEQUEÑAS EMPRESAS FORMULARIO SOBRE USO PREVISTO DE LOS FONDOS

Yo, Sandra J. Miranda Bermúdez, representante autorizada para el negocio **Choo Choo Train Day Care & More, Inc.**, con el Caso Número PR-SBF-02014-E para el Programa de Financiamiento para Pequeñas Empresas (**Programa SBF**, por sus siglas en inglés, o **Programa**), por la presente reconozco que fondos de subvención por la suma de **\$86,220.00** se usarán de conformidad con el uso de fondos descrito a continuación.

Además, reconozco que el Formulario sobre Uso Previsto de los Fondos se utilizará durante el proceso de revisión de recibos para verificar el cumplimiento mediante una comparación entre dicho formulario y los recibos recibidos durante el proceso de revisión.

| Respuesta                   |                                        | Capital de Trabajo Solicitado<br>Cantidad mensual     | Promedio Mensual para el Negocio | Total de meses solicitados (6 meses máx.) | Total \$ | Iniciales |
|-----------------------------|----------------------------------------|-------------------------------------------------------|----------------------------------|-------------------------------------------|----------|-----------|
| Sí <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Inventario                                            | \$0.00                           |                                           |          | SMB       |
| Sí <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Alquiler o Hipoteca para las instalaciones de negocio | \$0.00                           |                                           |          | SMB       |
| Sí <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Salario para los empleados del negocio                | \$0.00                           |                                           |          | SMB       |
| Sí <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Servicios Públicos                                    | \$0.00                           |                                           |          | SMB       |

| Muebles y Equipo     |                             |                 |                    |                           |             |
|----------------------|-----------------------------|-----------------|--------------------|---------------------------|-------------|
| Response<br>(Yes/No) | Item                        | Number of Units | Units<br>Requested | Eligible Cost<br>per Unit | Unmet Need  |
| Yes                  | Battery<br>Backup<br>System | 1               | 1                  | \$86,220.00               | \$86,220.00 |

\$ \$86,220.00      \$ \$86,220.00  
Equipo Mueble Total      Total

Además, reconozco y entiendo que:

- La falta de cumplimiento con el uso previsto de los fondos descrito en este Formulario podría requerir el pago de los fondos al Banco de Desarrollo Económico para Puerto Rico.
- El propósito del uso solicitado de los fondos de SBF es solo para actividades elegibles y el uso permitido de los fondos, según se establece en las Guías del Programa SBF.
- El Formulario sobre Uso Previsto de los Fondos será revisado por el equipo del Programa SBF y, **si es aprobado**, será el formulario oficial que se utilizará durante el proceso de revisión de los recibos.

Sandra J. Miranda  
Bermúdez

26-diciembre-2024

Nombre

Firma

Fecha



DEPARTMENT OF

# HOUSING

GOVERNMENT OF PUERTO RICO



## MEMORANDUM TO FILE

**Date:** June 30, 2025

**From:** Chris Rickard

Senior Environmental Associate

CDBG-DR Program

Small Business Financing Program

Puerto Rico Department of Housing

**Application Number:** PR-SBF-02014-E

**Project:** Choo Choo Train Day Care & More Inc

**Re: Justification for the Infeasibility and Impracticability of Radon Testing**

After reviewing Application Number PR-SBF-02014-E under the Small Business Financing Program, administered by the Puerto Rico Department of Housing (**PRDOH**), to complete the property's contamination analysis in accordance with 24 C.F.R. § 50.3(i) and 24 C.F.R. § 58.5(i), we have determined that testing the property's radon levels is infeasible and impracticable.

Per the U.S. Department of Housing and Urban Development's (**HUD**) CPD Notice 23-103, the recommended best practices and alternative options for radon testing are infeasible and impracticable in this case due to the following reasons

- As required by the CPD Notice 23-103, the scientific data reviewed in lieu of testing must consist of a minimum of ten documented test results over the previous ten years. If there are less than ten documented results over this period, it is understood that there is a lack of scientific data. The latest report for radon testing in Puerto Rico was prepared in 1995 by the U.S. Department of the Interior in Cooperation with the U.S. Environmental Protection Agency. No other completed studies and reports on radon testing are available in Puerto Rico.

- There is no available science-based or state-generated information for Puerto Rico for the last ten years that can be used to determine whether the project site is in a high-risk area. The Department of Health and Human Services, Centers for Disease Control and Prevention (**CDC**), National Environmental Public Health Tracking, and Radon Testing map do not include Puerto Rico data.
- There are only two (2) licensed professionals in Puerto Rico who can conduct radon testing using the American National Standards Institute/American Association of Radon Scientists and Technologists (**ANSI/AARST**) testing standards, which makes it difficult, time-consuming, and highly expensive to coordinate and secure a site visit for the contamination evaluation.
- Do-it-yourself (**DIY**) radon test kits are known to be unreliable in assuring and controlling the quality of the test results; they are not readily available in Puerto Rico, and the cost and time required for purchasing and sending them for analysis are unreasonable when weighed against the results' reliability and the need for prompt results.
- Local authorities in Puerto Rico do not have the specialized radon monitoring equipment or trained staff needed to conduct the radon testing analysis and ensure proper quality control and quality assurance practices are adhered to. We also do not have a radiation laboratory certified for radon testing.

As part of the evaluation for this determination, PRDOH sent information requests to six (6) local agencies at the state and federal levels. We received responses from the following agencies:

- United States Geological Survey;
- Centers for Disease Control and Prevention;
- Puerto Rico Department of Health; and

- United States Environmental Protection Agency.

The agencies mentioned above confirmed the lack of scientific data on Radon testing for Puerto Rico and the technical difficulties that we face to comply with HUD's Radon testing requirement. For the above-mentioned reasons, Radon testing is infeasible and impracticable for this property, and no further consideration of Radon is needed for the environmental review.



DEPARTMENT OF

# HOUSING

GOVERNMENT OF PUERTO RICO



## ENVIRONMENTAL REVIEW RE-EVALUATION FORM IN ACCORDANCE WITH 24 CFR 58.47

(FOR USE WITH CENST, CEST AND EA LEVEL ENVIRONMENTAL REVIEWS PROCESSED IN HEROS.)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <b>Program Name:</b> Small Business Financing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                            |
| <b>Project Name:</b> Choo Choo Train Day Care & More Inc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Case ID #:</b> PR-SBF-02014-E                           |
| <b>Property Address:</b> Ave. Boulevard 2669 & 2670 2da Secc. Levittown                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                            |
| <b>Parcel ID:</b> 039-063-117-11-001                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Coordinates:</b> 18.445587, -66.171886                  |
| <b>Municipio:</b> Toa Baja                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Previous CO Approval Date:</b> 4/15/2021                |
| <b>Level of Original Environmental Review:</b> CENST                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                            |
| <b>Level of Revised Environmental Review based upon Re-evaluation:</b> CEST                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                            |
| <b>After completion of the original environmental review, the following circumstance(s) occurred, requiring the original review to be reevaluated.</b>                                                                                                                                                                                                                                                                                                                                                                                           |                                                            |
| <input checked="" type="checkbox"/> Substantial changes in the nature, magnitude or extent of the project, including adding new activities not anticipated in the original scope of the project. <b>Explain:</b> The scope was modified due to changes in program guidelines. The specific scope of work for the original project includes payment of rent/mortgage, utilities, and the purchase of inventory. The scope of work for the extended benefits project includes the purchase of equipment including an affixed battery backup system |                                                            |
| <input type="checkbox"/> New circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued. <b>Explain:</b> <a href="#">Click or tap here to enter text.</a>                                                                                                                                                                                             |                                                            |
| <input type="checkbox"/> The recipient proposes the selection of an alternative not in the original finding. <b>Explain:</b> <a href="#">Click or tap here to enter text.</a>                                                                                                                                                                                                                                                                                                                                                                    |                                                            |
| <b>Revisions to the Following Resource Areas:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                            |
| <b>58.5</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>58.6</b>                                                |
| <input type="checkbox"/> Clean Air Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> Airport Hazards                   |
| <input type="checkbox"/> Coastal Zone Management                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> Coastal Barrier Resource Units    |
| <input type="checkbox"/> Contamination and Toxic Substances                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> Flood Insurance                   |
| <input type="checkbox"/> Endangered Species                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                            |
| <input type="checkbox"/> Explosive and Flammable Hazards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                            |
| <input type="checkbox"/> Farmlands Protection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>EA Factors</b>                                          |
| <input type="checkbox"/> Historic Preservation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Land Development                  |
| <input type="checkbox"/> Noise Abatement and Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> Socioeconomic                     |
| <input type="checkbox"/> Sole Source Aquifers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/> Community Facilities and Services |
| <input type="checkbox"/> Wetlands Protection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> Natural Features                  |
| <input type="checkbox"/> Wild and Scenic Rivers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> Climate and Energy                |
| <input type="checkbox"/> Environmental Justice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                            |

# ENVIRONMENTAL REVIEW RE-EVALUATION FORM

## IN ACCORDANCE WITH 24 CFR 58.47

(FOR USE WITH CENST, CEST AND EA LEVEL ENVIRONMENTAL REVIEWS PROCESSED IN HEROS.)

### Finding of this Reevaluation

- ☐ The original findings have been reviewed and are still valid. The proposed project complies with environmental requirements for funding as per the findings documented in the original Environmental Review Record (ERR).
- ☒ The Environmental Review Record (ERR) has been updated and based on the findings of this review; the original findings are still valid. If a FONSI notice was previously published (EA), no further publication of a FONSI notice is required.
- ☐ The original Environmental Review Record (ERR) has been reviewed and the original findings are no longer valid. A new Environmental Review Record (ERR) at the appropriate level of review has been completed and if required, an NOI/RROF (CEST) or FONSI-NOI/RROF (EA) notice has been published.
- ☐ The original findings are no longer valid and require an EIS level of review. **An EIS determination requires specific consultation with the PRDOH prior to authorization.**

Re-evaluation Completed by: Blas Guernica

Signature: \_\_\_\_\_

*Chris Rickard*

Date: 06/24/2025

Name: Chris Rickard

QC Reviewer:

Signature: \_\_\_\_\_

*Ricardo J. Espiet López*

Date: 7/10/2025

Name: Ricardo J. Espiet López

Certifying Officer:

**Approval of the Certifying Officer or Environmental Officer is recorded via HEROS Signature Page attached to ERR.**



OFICINA ESTATAL DE

# CONSERVACIÓN HISTÓRICA

GOBIERNO DE PUERTO RICO

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

Monday, May 19, 2025

**Lauren B Poche**

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

SHPO-CF-05-13-25-05 PRDOH CDBG-DR\_SBF Program\_20250513\_5  
Cases\_NHPA

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" within the following properties' Area of Potential Effects (APE):

- Isabela PR-SBF-01570-E Carr #2 km 11.3
- San Juan PR-SBF-01313 MCS Plaza 255 Ponce de Leon Ave. Suite 111
- San Juan PR-SBF-01775-E 629 Calle Hillside Urb Summit Hills
- San Sebastián PR-SBF-01975-E Ave Emérito Estrada Rivera #1151
- Toa Baja **PR-SBF-02014-E** Ave. Boulevard 2669 & 2670 2da Secc. Levittown

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/ SG



OFICINA ESTATAL DE  
CONSERVACIÓN HISTÓRICA  
OFICINA DEL GOBERNADOR  
  
STATE HISTORIC  
PRESERVATION OFFICE  
OFFICE OF THE GOVERNOR

May 13, 2025

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 PROGRAM: SMALL BUSINESS FINANCING PROGRAM (SBF)**

**SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL – FIVE (5) NON-HISTORIC CASES WITH IMPROVEMENTS – *NO HISTORIC PROPERTIES AFFECTED***

Dear Architect Rubio Cancela,

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 (PRDOH) aims to lead a comprehensive and transparent recovery for the benefit of Puerto Rico residents. To faithfully comply with HUD's environmental requirements, the PRDOH contracted Horne Federal, LLC (HORNE) to provide environmental records review services that will support their objectives for CDBG-DR.

On behalf of PRDOH and the subrecipient for the Small Business Financing Program (SBF), the Economic Development Bank for Puerto Rico, we are submitting the following five (5) cases for Section 106 consultation that have improvements proposed to the property. These buildings are 45 years in age or greater and are not individually eligible or listed in the National Register of Historic Places (NRHP) or located within or adjacent to a known eligible or listed Historic District.

| MUNICIPALITY  | CASE ID        | STREET ADDRESS                                 |
|---------------|----------------|------------------------------------------------|
| Isabela       | PR-SBF-01570-E | CARR #2 KM 11.3                                |
| San Juan      | PR-SBF-01313   | MCS Plaza 255 Ponce de Leon Ave. Suite 111     |
| San Juan      | PR-SBF-01775-E | 629 CALLE HILLSIDE URB SUMMIT HILLS            |
| San Sebastián | PR-SBF-01975-E | AVE EMERITO ESTRADA RIVERA #1151               |
| Toa Baja      | PR-SBF-02014-E | Ave. Boulevard 2669 & 2670 2da Secc. Levittown |

Recommendation of **“No Historic Properties Affected”**, pursuant to 36 CFR 800.4(d)(1), have been made for the proposed project. The prepared excel file presents all information for the property for your review including the case ID, locational data, photographs, proposed improvements, a link to the google map, key dates and supporting imagery, and the PRDOH Eligibility and Effect Determination.

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

Kindest regards,



**Lauren Bair Poche, MA**

Architectural Historian, EHP Senior Manager  
LBP/EA

Attachments

| PUERTO RICO DEPARTMENT OF HOUSING      |                |                                                                                    | CDBG-DR SMALL BUSINESS FINANCING (SBF) PROGRAM                                                                                                                                                                                                           |            |              |                                                                                                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                                                                   |           |                                                                                                                                    |                                                                                     |                                  |                            |                                  |                |                                                                         |  |
|----------------------------------------|----------------|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------|----------------------------|----------------------------------|----------------|-------------------------------------------------------------------------|--|
|                                        |                |                                                                                    | IMPROVEMENTS TO NON-HISTORIC PROPERTIES: PROPERTIES 45 YEARS OR GREATER, NOT INDIVIDUALLY ELIGIBLE OR LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES (NRHP), AND NEITHER ADJACENT TO NOR LOCATED WITHIN AN ELIGIBLE OR LISTED NRHP HISTORIC DISTRICT |            |              |                                                                                                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                                                                   |           |                                                                                                                                    |                                                                                     |                                  |                            |                                  |                |                                                                         |  |
| SUBMITTAL DATE: MAY 12, 2025 - 5 CASES |                |                                                                                    |                                                                                                                                                                                                                                                          |            |              |                                                                                                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                                                                   |           |                                                                                                                                    |                                                                                     |                                  |                            |                                  |                |                                                                         |  |
| PROPERTY INFORMATION                   |                |                                                                                    |                                                                                                                                                                                                                                                          |            |              |                                                                                                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                                                                   |           |                                                                                                                                    |                                                                                     |                                  |                            |                                  |                |                                                                         |  |
| NATIONAL REGISTER ELIGIBILITY          |                |                                                                                    |                                                                                                                                                                                                                                                          |            |              |                                                                                                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                                                                   |           |                                                                                                                                    |                                                                                     |                                  |                            |                                  |                |                                                                         |  |
| DETERMINATION OF EFFECT                |                |                                                                                    |                                                                                                                                                                                                                                                          |            |              |                                                                                                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |                                                                                                                                   |           |                                                                                                                                    |                                                                                     |                                  |                            |                                  |                |                                                                         |  |
| MUNICIPALITY                           | CASE ID        | STREET ADDRESS                                                                     | PARCEL ID                                                                                                                                                                                                                                                | LATITUDE   | LONGITUDE    | PROPOSED WORK                                                                                                                                                     | PHOTO (CURRENT AERIAL IMAGERY AND UP TO 3 PHOTOS: FRONT, RIGHT, LEFT)             |                                                                                   |                                                                                   |                                                                                    | LINK TO GOOGLE MAP                                                                                                                | KEY DATES | VERIFIED BY GOOGLE EARTH PRO AERIAL PHOTO AND USGS MAPS                                                                            | PRDOH ELIGIBILITY DETERMINATION                                                     | SHPO CONCURRENCE (SHPO USE ONLY) | PRDOH EFFECT DETERMINATION | SHPO CONCURRENCE (SHPO USE ONLY) | PRDOH COMMENTS | SHPO COMMENTS                                                           |  |
| Isabela                                | PR-SBF-01570-E | RESTAURANTE SAZON CIRILO INC. CARR #2 KM 11.3                                      | 007-095-033-33-001                                                                                                                                                                                                                                       | 18.4689113 | -67.03899337 | A replacement sink and replacement extractor hood will be installed using existing hookups.                                                                       |  |  |  |  | <a href="https://maps.google.com/maps/@18.4689113,-67.03899337,15z">https://maps.google.com/maps/@18.4689113,-67.03899337,15z</a> | ca. 1955  | Building is present on 1956 imagery without overlapping addition on exact elevation; earliest available imagery for this location. |  | Ineligible                       | Select Eligibility         | No Historic Properties Affected  | Select Effect  | Reviewed by B. Atkins, M.A. and Approved by C. Warner, M.A. on 5/8/2025 |  |
| San Juan                               | PR-SBF-01033   | LOCAL 18 MCS Plaza 255 Ponca de Leon Ave. Suite 18                                 | 063-031-014-01-000                                                                                                                                                                                                                                       | 18.425929  | -66.057641   | Installation of a new ice maker that will include new water lines.                                                                                                |  |  |  |  | <a href="https://maps.google.com/maps/@18.425929,-66.057641,15z">https://maps.google.com/maps/@18.425929,-66.057641,15z</a>       | ca. 1965  | Building is present on 1967 aerial imagery, but absent from 1982 imagery.                                                          |  | Ineligible                       | Select Eligibility         | No Historic Properties Affected  | Select Effect  | Reviewed by B. Atkins, M.A. and Approved by C. Warner, M.A. on 5/8/2025 |  |
| San Juan                               | PR-SBF-01775-E | Chiquimundi LLC 629 CALLE HILLSIDE URB SUMMIT HILLS                                | 086-024-40-40-001                                                                                                                                                                                                                                        | 18.397343  | -66.103544   | Installation of a new washer/dryer combo and a new dishwasher. Rewiring of electrical system to create a new electrical hookup will be required for washer/dryer. |  |  |  |  | <a href="https://maps.google.com/maps/@18.397343,-66.103544,15z">https://maps.google.com/maps/@18.397343,-66.103544,15z</a>       | ca. 1960  | Building is present on 1962 imagery; earliest available for this location.                                                         |  | Ineligible                       | Select Eligibility         | No Historic Properties Affected  | Select Effect  | Reviewed by B. Atkins, M.A. and Approved by C. Warner, M.A. on 5/8/2025 |  |
| San Sebastian                          | PR-SBF-01875-E | CFA ELISABETH RIVERA, CSP AVE EMERITO ESTRADA RIVERA #1051                         | 100-001-021-01-000                                                                                                                                                                                                                                       | 18.34924   | -66.998916   | New batteries for existing solar panel system mounted on building roof, either on building exterior or near stairs on building interior.                          |  |  |  |  | <a href="https://maps.google.com/maps/@18.34924,-66.998916,15z">https://maps.google.com/maps/@18.34924,-66.998916,15z</a>         | ca. 1964  | Building is present on 1975 imagery, but absent from 1982 aerials.                                                                 |  | Ineligible                       | Select Eligibility         | No Historic Properties Affected  | Select Effect  | Reviewed by B. Atkins, M.A. and Approved by C. Warner, M.A. on 5/8/2025 |  |
| Toa Baja                               | PR-SBF-0204-E  | Chao Chao Train Day Care & More Inc Ave. Boulevard 2665 & 2670 Juba Sec. 1st floor | 039-063-07-01-001                                                                                                                                                                                                                                        | 18.445586  | -66.171904   | Battery backup system on the roof and left wall of the structure.                                                                                                 |  |  |  |  | <a href="https://maps.google.com/maps/@18.445586,-66.171904,15z">https://maps.google.com/maps/@18.445586,-66.171904,15z</a>       | ca. 1965  | Building is present on 1967 aerial imagery, but absent from 1982 imagery.                                                          |  | Ineligible                       | Select Eligibility         | No Historic Properties Affected  | Select Effect  | Reviewed by B. Atkins, M.A. and Approved by C. Warner, M.A. on 5/8/2025 |  |



GOVERNMENT OF PUERTO RICO  
DEPARTMENT OF HOUSING

April 30, 2024

**Arch. Carlos A. Rubio Cancela**

Executive Director

Puerto Rico State Historic Preservation Office

Cuartel de Ballajá, Third Floor

San Juan, Puerto Rico 00901

**Re: Authorization to Submit Documents for Consultation**

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 review services, among others, that will support the objectives of the agenda for both CDBG-DR and CDBG -MIT Programs.

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 read "Aldo A. Rivera Vázquez".

**Aldo A. Rivera Vázquez, PE**

Director

Division of Environmental Permitting and Compliance

Office of Disaster Recovery

| Name                       | Registry ID  | Address                       | Lat       | Long       |
|----------------------------|--------------|-------------------------------|-----------|------------|
| EXCLUSIVE CLEANERS         | 110007215799 | AVE. BOULEVARD W-8            | 18.44539  | -66.17046  |
| SHELL CO PR LTD LEVITTOWN  | 110007818255 | LEVITTOWN BLVD                | 18.44539  | -66.17046  |
| CVS PHARMACY #2247         | 110056334934 | 60 AVE LOS DOMINICO           | 18.44442  | -66.175264 |
| DEPT OF ED - MARIA L GOMEZ | 110009437305 | PASEO AZALEA 1 - 2DA SECCION  | 18.449815 | -66.172549 |
| CONSTRUCTION OF TOA BAJA   | 110071339103 | STATE ROAD PR-165             | 18.4503   | -66.171    |
| CONSTRUCTION OF TOA BAJA   | 110071339103 | STATE ROAD PR-165             | 18.4503   | -66.171    |
| CONSTRUCTION OF TOA BAJA   | 110070882843 | PR-165 FROM ALDILIA ST. TO P/ | 18.4503   | -66.171    |
| CONSTRUCTION OF TOA BAJA   | 110070882843 | PR-165 FROM ALDILIA ST. TO P/ | 18.4503   | -66.171    |
| FARMACIA EL AMAL #46       | 110007904535 | AVE COMERIO PLZ DAVISON       | 18.446929 | -66.165906 |
| CENTROPIEZAS AUTO PARTS &  | 110001661256 | 1017 AVENIDA DOS PALMAS       | 18.44951  | -66.17691  |
| PEP BOYS THE 913           | 110007818317 | STATE RD 866                  | 18.44109  | -66.17688  |
| GULF LEVITTOWN             | 110004893688 | 600 COMERIO AVE               | 18.44205  | -66.1657   |

| Type     | Distance (ft) | Echo Report                                                                                                                     | Impact? |
|----------|---------------|---------------------------------------------------------------------------------------------------------------------------------|---------|
| AIR      | 501.4371254   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110007">https://echo.epa.gov/detailed-facility-report?fid=110007</a> | No      |
| RCRAINFO | 501.4371254   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110007">https://echo.epa.gov/detailed-facility-report?fid=110007</a> | No      |
| RCRAINFO | 1240.725902   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110056">https://echo.epa.gov/detailed-facility-report?fid=110056</a> | No      |
| RCRAINFO | 1556.102685   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110009">https://echo.epa.gov/detailed-facility-report?fid=110009</a> | No      |
| NPDES    | 1743.308528   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110071">https://echo.epa.gov/detailed-facility-report?fid=110071</a> | No      |
| NPDES    | 1743.308528   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110071">https://echo.epa.gov/detailed-facility-report?fid=110071</a> | No      |
| NPDES    | 1743.308528   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110070">https://echo.epa.gov/detailed-facility-report?fid=110070</a> | No      |
| NPDES    | 1743.308528   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110070">https://echo.epa.gov/detailed-facility-report?fid=110070</a> | No      |
| RCRAINFO | 2132.29703    | <a href="https://echo.epa.gov/detailed-facility-report?fid=110007">https://echo.epa.gov/detailed-facility-report?fid=110007</a> | No      |
| AIR      | 2249.783501   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110001">https://echo.epa.gov/detailed-facility-report?fid=110001</a> | No      |
| RCRAINFO | 2373.841249   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110007">https://echo.epa.gov/detailed-facility-report?fid=110007</a> | No      |
| RCRAINFO | 2498.736326   | <a href="https://echo.epa.gov/detailed-facility-report?fid=110004">https://echo.epa.gov/detailed-facility-report?fid=110004</a> | No      |

# **Radon Attachments**



August 20, 2024

Mrs. Carmen R. Guerrero Pérez  
Director  
Caribbean Environmental Protection Division  
City View Plaza II – Suite 7000  
#48 Rd. 165 km 1.2  
Guaynabo, PR 00968-8069

Via email: [guerrero.carmen@epa.gov](mailto:guerrero.carmen@epa.gov)

**RE: Request for information regarding available data on radon testing and levels within Puerto Rico**

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

This Notice emphasizes the importance of radon testing and mitigation in ensuring safe living environments, particularly in HUD-assisted properties. PRDOH, as the grantee of the Community Development Block Grant for Disaster Recovery and Mitigation (CDBG-DR/MIT), is responsible for ensuring compliance with environmental requirements under CDBG-DR/MIT programs. To fulfill our obligations under this Notice, we must compile comprehensive and up-to-date information on radon levels, testing practices, and any mitigation efforts within the islands of Puerto Rico.

Specifically, we are seeking for possible availability of the following information:

Radon testing data – Results from radon testing conducted within your agency's purview, including details on location, testing methods, and recorded radon levels.

Barbosa Ave. #606, Building Juan C. Cordero Davila, Rio Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365  
Tel: (787) 274-2527 | [www.usenda.pr.gov](http://www.usenda.pr.gov)



August 20, 2024

Dr. Silvina Cancelos  
Professor  
College of Engineering  
University of Puerto Rico – Mayagüez Campus  
259 Norte Blvd. Alfonso Valdés Cobián  
Mayagüez, Puerto Rico

Via email: [silvina.cancelos@upr.edu](mailto:silvina.cancelos@upr.edu)

**RE: Request for information regarding available data on radon testing and levels within Puerto Rico**

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Barbosa Ave. #606, Building Juan C. Cordero Davila, Rio Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365  
Tel: (787) 274-2527 | [www.usenda.pr.gov](http://www.usenda.pr.gov)

Reports and assessments – Any reports, studies, or assessments your agency has produced or commissioned that address radon testing or mitigation.

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

This information is vital to ensure that our radon management strategies are practical and compliant with federal requirements. If some of this information may be sensitive or confidential, we are prepared to discuss any necessary agreements or protocols for sharing this data securely.

Please let us know if you require additional details or have any questions regarding this request. We would greatly appreciate your response by September 15, 2024, so we can incorporate this data into our ongoing compliance efforts.

Thank you in advance for your cooperation and support. We look forward to working together on this critical initiative.

Sincerely,

William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc: Mr. Oleg Pavetko, [Pavetko.Oleg@epa.gov](mailto:Pavetko.Oleg@epa.gov)  
Mr. Matthew Laitila, [laitila.matthew@epa.gov](mailto:laitila.matthew@epa.gov)

Reports and assessments – Any reports, studies, or assessments your agency has produced or commissioned that address radon testing or mitigation.

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

This information is vital to ensure that our radon management strategies are practical and compliant with federal requirements. If some of this information may be sensitive or confidential, we are prepared to discuss any necessary agreements or protocols for sharing this data securely.

Please let us know if you require additional details or have any questions regarding this request. We would greatly appreciate your response by September 15, 2024, so we can incorporate this data into our ongoing compliance efforts.

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Sincerely,

William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc: Dr. Carlos Marín, [carlos.marin3@upr.edu](mailto:carlos.marin3@upr.edu)



August 20, 2024

Dr. Jessica Izárry  
Director  
Office of Island Affairs  
U.S. Centers for Disease Control and Prevention  
1324 Cll Canada, San Juan, 00920  
Guaynabo, PR 00968-8069

Via email: [OIA@cdc.gov](mailto:OIA@cdc.gov)

**RE: Request for Information regarding available data on radon testing and levels within Puerto Rico**

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

This Notice emphasizes the importance of radon testing and mitigation in ensuring safe living environments, particularly in HUD-assisted properties. PRDOH, as the grantee of the Community Development Block Grant for Disaster Recovery and Mitigation (CDBG-DR/MIT), is responsible for ensuring compliance with environmental requirements under CDBG-DR/MIT programs. To fulfill our obligations under this Notice, we must compile comprehensive and up-to-date information on radon levels, testing practices, and any mitigation efforts within the islands of Puerto Rico.

Specifically, we are seeking for possible availability of the following information:

Radon testing data – Results from radon testing conducted within your agency's purview, including details on location, testing methods, and recorded radon levels.

Barbosa Ave. #606, Building Juan C. Cordero Dávila, Río Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365  
Tel. (787) 274-2527 | [www.viviendap.rg.pr.gov](http://www.viviendap.rg.pr.gov)

CDBG-DR/MIT Program  
Request for Information in relation with HUD CPD-23-103 for Puerto Rico  
Page 2 / 2

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Sincerely,

  
William O. Rodríguez Rodríguez, Esq.  
Secretary



August 20, 2024

Mrs. Anais Rodríguez  
Secretary  
Puerto Rico Department of Natural Resources  
Carretera 8838, km. 6.3, Sector El Cinco,  
Río Piedras San Juan, PR 00926

Via email: [anais.rodriguez@dma.pr.gov](mailto:anais.rodriguez@dma.pr.gov)

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CDBG-DR/MIT Program  
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Sincerely,

  
William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc: Mr. Luis Márquez, [secretariogaire@dma.pr.gov](mailto:secretariogaire@dma.pr.gov)  
Eng. Amarilis Rosario, [aire@dma.pr.gov](mailto:aire@dma.pr.gov)  
Mrs. Elid Ortega, [ortega@dma.pr.gov](mailto:ortega@dma.pr.gov)



GOVERNMENT OF PUERTO RICO  
DEPARTMENT OF HOUSING

August 20, 2024

Dr. Carlos R. Mellado López  
Secretary  
Puerto Rico Department of Health  
PO Box 70184  
San Juan, PR 00936-8184

Via email: [dr.carlos.mellado@salud.pr.gov](mailto:dr.carlos.mellado@salud.pr.gov)

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Barbosa Ave. #606, Building Juan C. Cordero Dávila, Río Piedras, PR 00981 | PO Box 21365 San Juan, PR 00928-1365  
Tel. (787) 274-2527 | [www.cdh.pr.gov](http://www.cdh.pr.gov)



GOVERNMENT OF PUERTO RICO  
DEPARTMENT OF HOUSING

August 20, 2024

Mrs. Holly Weyers  
Regional Director, Southeast – Puerto Rico  
US Geological Survey  
3916 Sunset Ridge Road  
Raleigh, NC 27607

Via email: [hweyers@usgs.gov](mailto:hweyers@usgs.gov)

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CDBG-DR/MIT Program  
Request for Information in relation with HUD CDP-23-103 for Puerto Rico  
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Sincerely,

  
William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc: Mr. Raúl Hernández Dabla, [rhernandez2@salud.pr.gov](mailto:rhernandez2@salud.pr.gov)

CDBG-DR/MIT Program  
Request for Information in relation with HUD CDP-23-103 for Puerto Rico  
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Sincerely,

  
William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc: Mr. R. Randall Schumann, [rschumann@usgs.gov](mailto:rschumann@usgs.gov)

**From:** Charp, Paul (CDC/NCEH/DEHSP) <pac4@cdc.gov>  
**Sent:** Tuesday, September 3, 2024 6:36 AM  
**To:** Miranda, Sandra (CDC/PHIC/DPS); Irizarry, Jessica (CDC/PHIC/DPS); Rzeszutarski, Peter (CDC/NCEH/DEHSP); Vinson, D. Aaron (CDC/NCEH/DEHSP)  
**Cc:** Kostak, Liana (CDC/PHIC/DPS); Vazquez, Germaine (CDC/NCEH/DEHSP)  
**Subject:** RE: REHi: Puerto Rico Request for Information- Randon testing and levels

Good morning, Sandra and others,

In response to the request from Mr. William Rodriguez of the Department of Housing, Government of Puerto Rico, I have reviewed all the available data within the CDC National Environmental Public Health Tracking Network system for data related to radon in Puerto Rico. In addition to the tracking data available on the internet, I also reached out to Mr. Aaron Vinson of the NCEH Tracking Branch.

I was not able to find any data in the CDC systems and this was confirmed by Mr. Vinson. We also reached out the US Environmental Protection Agency who indicated they had no radon data in their systems. Please relay this information to Mr. Rodriguez in your response to his requests

If you have any additional questions, please contact me.

Thank you and best regards,

Paul A. Charp, Ph.D., Fellow, HPS  
Senior Health Physicist  
Emerging Environmental Hazards and Health Effects Branch (EEHHEB)  
Division of Environmental Health Science and Practice (DEHSP)  
National Center for Environmental Health (NCEH)  
Centers for Disease Control and Prevention (CDC)  
pcharp@cdc.gov  
770-488-0723 office  
404.388.0614 Cell



**From:** Schumann, R. Randall <rschumann@usgs.gov>  
**Sent:** Wednesday, August 21, 2024 4:39 PM  
**To:** Melanie Medina Smaine <mmedina@vivienda.pr.gov>; Weyers, Holly S <hsweyers@usgs.gov>  
**Cc:** Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>  
**Subject:** RE: Request for Information- Radon testing and levels

Dear Ms. Medina Smaine,

In the early 1990s the U.S. Geological Survey (USGS) conducted geologic assessments of radon potential for all 50 states and the territories of Guam and Puerto Rico, in collaboration with the U.S. EPA. I conducted the geologic radon potential assessment for Puerto Rico. The PDF file of the report is too large to attach to this message but it can be obtained at <https://pubs.usgs.gov/of/1993/0292k/report.pdf>. The USGS did not conduct indoor radon testing and we did not conduct field studies associated with this assessment; it was based on existing data. Mr. David Saldana of the Puerto Rico Department of Health kindly provided us with data for 610 homes that were tested for indoor radon by his agency between 1993 and 1995, which are summarized in the report. I am not aware of any other radon-related geologic studies conducted in the Commonwealth of Puerto Rico by the U.S. Geological Survey.

Best regards,

R. Randall Schumann  
Scientist Emeritus  
U.S. Geological Survey  
Geosciences and Environmental Change Science Center  
Denver, Colorado, USA  
[rschumann@usgs.gov](mailto:rschumann@usgs.gov)  
<https://www.usgs.gov/staff-profiles/r-randall-schumann>

-----

**From:** Raul Hernandez Doble <rhernandez2@salud.pr.gov>  
**Sent:** Wednesday, August 21, 2024 2:13:31 PM  
**To:** Melanie Medina Smaine <mmedina@vivienda.pr.gov>; Dr. Carlos Mellado <drcarlos.mellado@salud.pr.gov>  
**Cc:** Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Mayra Toro Tirado <mtoro@salud.pr.gov>  
**Subject:** RE: [EXTERNAL] Request for Information- Radon testing and levels

Good afternoon. Ms. Medina

I regret to inform that we do not have any recent information on radon testing, since we do not have a certified radiation laboratory certified for radon testing. There are companies that sell test kits available online that can be done and mailed to a testing laboratory. There are also lists of radon contractors and these companies that process radon testing cartridges with instructions, on the Environmental Protection Agency Indoor air Quality web page. The last radon study in Puerto Rico done by the PR Department of Health was done on the year 1993.

Raul Hernandez Doble  
Director, Seccion Salud Radiologica  
Division de Salud Ambiental  
Secretaria Auxiliar para la Vigilancia y la Proteccion de la Salud Publica  
[rhernandez2@salud.gov.pr](mailto:rhernandez2@salud.gov.pr)  
Phone: (787)765-2929 ext. 3210

---

**From:** Reyes, Brenda <Reyes.Brenda@epa.gov>  
**Sent:** Wednesday, September 18, 2024 11:48 AM  
**To:** Cesar O Rodriguez Santos <cesarrodriguez@drna.pr.gov>; Maritza Rosa Olivares <maritzarosaolivares@drna.pr.gov>; Silvina Cancelos Mancini <silvina.cancelos@upr.edu>; Melanie Medina Smaine <mmedina@vivienda.pr.gov>  
**Cc:** Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Povetko, Oleg (he/him/his) <Povetko.Oleg@epa.gov>  
**Subject:** RE: Request for Information- Randon testing and levels

Saludos.

La EPA esta trabajando una respuesta a su petición. Se sometió borrador a la directora y el subdirector para su aprobación y firma.

Brenda Reyes Tomassini  
Public Affairs  
U.S. EPA  
Region 2  
Caribbean Environmental Protection Division  
(787) 977-5869/(787) 977-5865  
Mobile: 202-834-1290

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**From:** Silvina Cancelos Mancini <[silvina.cancelos@upr.edu](mailto:silvina.cancelos@upr.edu)>  
**Sent:** Friday, September 6, 2024 15:04  
**To:** Melanie Medina Smaine <[mmedina@vivienda.pr.gov](mailto:mmedina@vivienda.pr.gov)>  
**Cc:** Elaine Dume Mejia <[Edume@vivienda.pr.gov](mailto:Edume@vivienda.pr.gov)>; Luz S Colon Ortiz <[Lcolon@vivienda.pr.gov](mailto:Lcolon@vivienda.pr.gov)>; Aldo A. Rivera-Vazquez <[aarivera@vivienda.pr.gov](mailto:aarivera@vivienda.pr.gov)>; Maritza Rosa Olivares <[maritzarosaolivares@drna.pr.gov](mailto:maritzarosaolivares@drna.pr.gov)>; Reyes, Brenda <[Reyes.Brenda@epa.gov](mailto:Reyes.Brenda@epa.gov)>; Povetko, Oleg <[Povetko.Oleg@epa.gov](mailto:Povetko.Oleg@epa.gov)>  
**Subject:** Re: Request for Information- Randon testing and levels

Estimada Melanie Medina

Quería dejarle saber que recibimos su correo el 21 de agosto al igual que el de Maritza Rosa el pasado 4 de septiembre. Ya las personas involucradas de EPA, junto conmigo y el Dr. Marín estamos al tanto del asunto y estamos trabajando para poder enviarles la información.

Atentamente

Silvina Cancelos  
Professor  
Associate Director  
Mechanical Engineering Department  
University of Puerto Rico - Mayaguez  
Call BOX 9000 Mayaguez PR 00680  
Tel: 787-832-4040 ext 5956  
email: [silvina.cancelos@upr.edu](mailto:silvina.cancelos@upr.edu)



Bubble Dynamics Lab  
University of Puerto Rico - Mayaguez



EPA REGION 2  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

September 23, 2024

**VIA EMAIL**

William O. Rodriguez Rodriguez, Esq.  
Secretary  
Puerto Rico Department of Housing  
Barbosa Ave. 606 Building Juan C. Cordero  
San Juan, PR 00917  
Email: W.Rodriguez@vivienda.pr.gov

**RE: EPA Response to August 20, 2024 request for information of data on radon testing and levels in Puerto Rico**

Dear Honorable Secretary Rodriguez Rodriguez:

This communication is in response to your letter of August 20, 2024 addressed to the Puerto Rico Department of Natural and Environmental Resources (DNER) and referred to the U.S. Environmental Protection Agency (EPA) regarding available data on radon testing and levels within Puerto Rico.

EPA's National Radon Action Plan 2021–2025 sets a goal for the nation to find, fix and prevent high indoor radon levels in 8 million buildings by 2025 and prevent 3,500 lung cancer deaths per year. Under this Plan, leaders from across multiple sectors are working together to plan, guide, and sustain nationwide action to prevent exposure to radon.

Due to the lack of data in Puerto Rico, EPA undertook an investigation in collaboration with the University of Puerto Rico-Mayaguez (UPRM) Campus, Departments of Civil Engineering and Surveying and Mechanical Engineering, to find out if radon presented a problem in Puerto Rico. Up until 2021, the only data we had for Puerto Rico was a 1993-1995 mail-in radon screening study referred to by the U.S. Geological Survey report (USGS, 1995) in which the USGS concluded that several areas of Puerto Rico have the geologic potential to generate indoor radon levels exceeding the EPA Action Level of 4 pCi/L (picocuries per liter), perhaps locally reaching very high levels above 50 pCi/L, if a house construction and

ventilation allow for soil-gas radon to enter and concentrate within the structure.<sup>1</sup> According to the USGS report, most of these areas are located in the northwest part of the island. Please note that the actual 1993-1995 study documentation is not available to the EPA.

Typical radon testing technology used in mainland United States (charcoal canisters or electric-powered devices) are impractical in Puerto Rico because of high humidity and power outages. The recovery and rebuilding of communities following the aftermath of 2017 Hurricanes Irma and Maria presented an opportunity to develop radon prevention and mitigation strategies in 2019. Initially, EPA sampled indoor radon air in over 170 single-family residences in the municipalities of San Sebastian, Lares, Ciales, Arecibo, Morovis, Camuy, and Hatillo and later expanded the project to other municipalities such as Rincon, Aguada, Aguadilla, Isabela, Quebradillas, Barceloneta and Vega Baja. The quality assurance protocols were anchored in American National Standards Institute/American Association of Radon Scientists and Technologists (ANSI/AARST) standards of practice (ANSI/AARS, 2019). The sampling was designed in two stages: scoping and confirmatory sampling. The scoping sampling was conducted using Corentium Home (CH) electronic monitors and E-Perm systems. Locations measuring above the EPA Action Level of 4 pCi/L with CH were measured at the second stage of the sampling using RAD7 and Corentium Pro Continuous Radon Monitors (CRMs). Nationally certified radon sampling professionals led by one such professional from the UPRM conducted confirmatory sampling in the second stage. Also, during the study, the nationally certified radon mitigation professionals inspected several homes with elevated indoor radon levels.

Mapping radon in Puerto Rico proved to be a complicated endeavor given the COVID-19 pandemic in 2020. EPA and UPRM continue to work on the project, however, results have not been finalized, and no scientific report has been published yet. Unfortunately, EPA cannot share preliminary data at this time because it contains privileged information. Nevertheless, preliminary data from the study does show homes with levels over 4 pCi/L (EPA Action Level) that might need mitigation to protect the health of their inhabitants.

Although many states have developed laws and regulations governing radon disclosure, certification, and mitigation, Puerto Rico lacks legislation or mandatory radon testing provisions for new construction, remodeling, selling or buying homes. Given this loophole and aiming to answer your request, the EPA can provide information on Best Management Practices for sampling indoor radon in Puerto Rico.

<sup>1</sup> Reference: USGS. Geologic Radon Potential of Guam and Puerto Rico, Report 93-292-K. Washington, DC: USGS. Retrieved 9/11/2024, from <https://pubs.usgs.gov/of/1993/0292k/report.pdf>.

CITY VIEW PLAZA II BUILDING, 7TH FLOOR  
ROUTE 185 GUAYNABO, PR 00988

2

If you have any questions or need any additional information, please contact me at 787-977-5865 or [guerrero.carmen@epa.gov](mailto:guerrero.carmen@epa.gov) or have your staff contact Reyes, Brenda at [reyes.brenda@epa.gov](mailto:reyes.brenda@epa.gov) or (787) 977-5869.

Sincerely,

**CARMEN  
GUERRERO  
PEREZ**

Carmen R. Guerrero Pérez  
Director

Digitally signed by  
CARMEN GUERRERO PEREZ  
Date: 2024.09.23 09:41:39  
-04'00'

cc: Roberto Mendez, Esq (Acting Secretary, PR Department of Natural and Env. Resources)  
Melany Medina: [mmedina@vivienda.pr.gov](mailto:mmedina@vivienda.pr.gov)  
Elaine Dume Mejia: [Edume@vivienda.pr.gov](mailto:Edume@vivienda.pr.gov)  
Luz S Colon Ortiz: [Lcolon@vivienda.pr.gov](mailto:Lcolon@vivienda.pr.gov)  
Aldo A. Rivera-Vazquez: [arivera@vivienda.pr.gov](mailto:arivera@vivienda.pr.gov)  
Cesar O. Rodriguez: [cesarrodriiguez@drna.pr.gov](mailto:cesarrodriiguez@drna.pr.gov)  
Marita Rosa Olivares: [maritzarosaolivares@drna.pr.gov](mailto:maritzarosaolivares@drna.pr.gov)

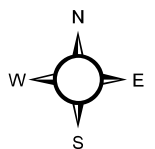
# PR-SBF-02014-E ABFE



## Legend

- Limit of Moderate Wave Action (LiMWA)
- Streamline (zoom in to make visible)
- Zone/BFE Boundary
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood
- A
- AO
- AE
- Coastal A Zone
- VE
- 0.2% Annual Chance Flood Zone
- A-Floodway
- AE-Floodway
- Coastal A Zone and Floodway
- Advisory Base Flood Elevation (zoom in to make visible)

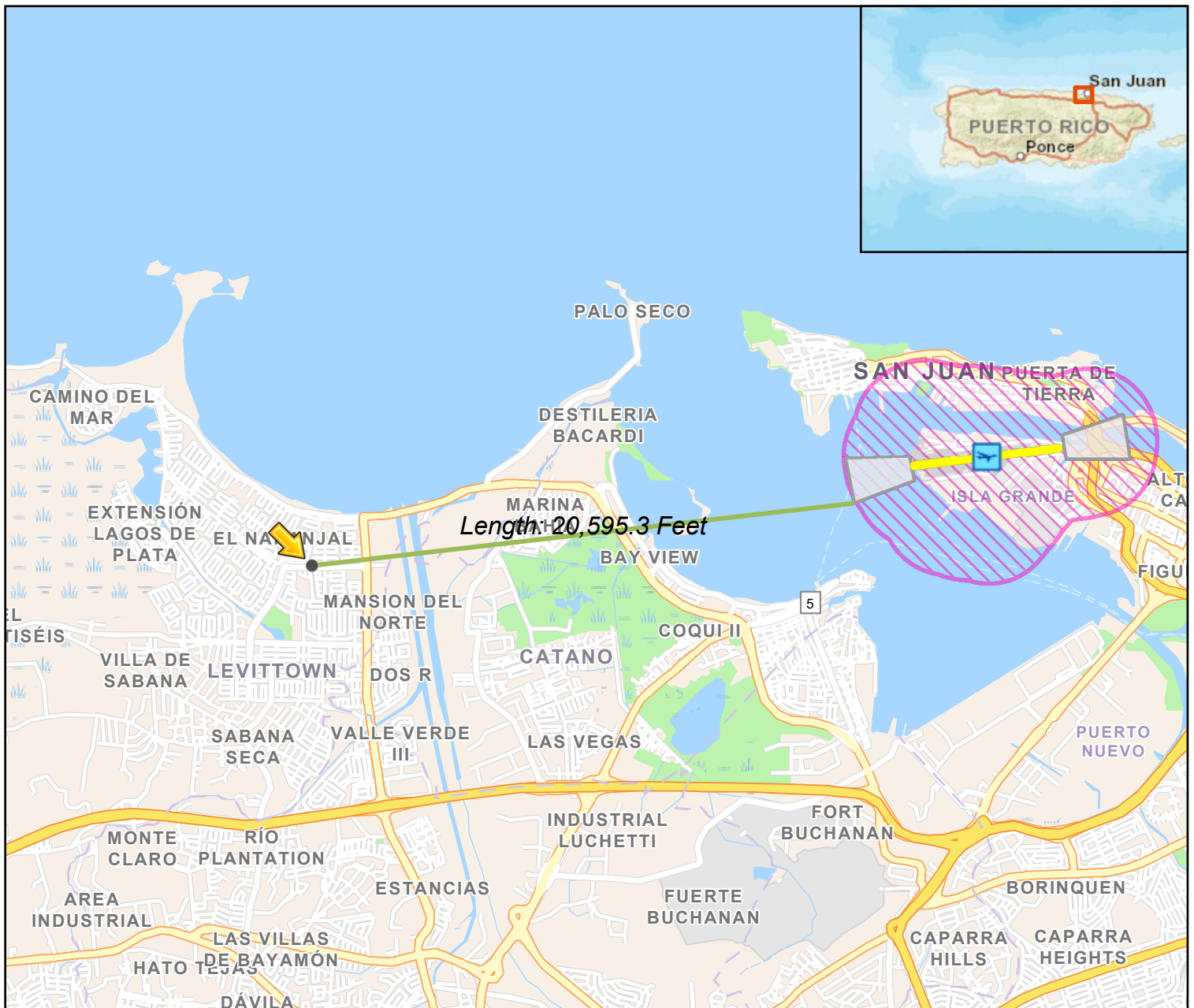
0 0.01 0.02 0.04 mi



FEMA Map Service

ABFE 1PCT

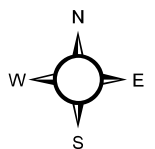
# PR-SBF-02014-E Airports



## Legend

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

0 0.5 1 2 mi



Runway Protection Zones

Major Civil and Military Airports

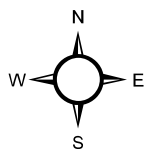
# PR-SBF-02014-E CBRS



## Legend

Otherwise Protected Area

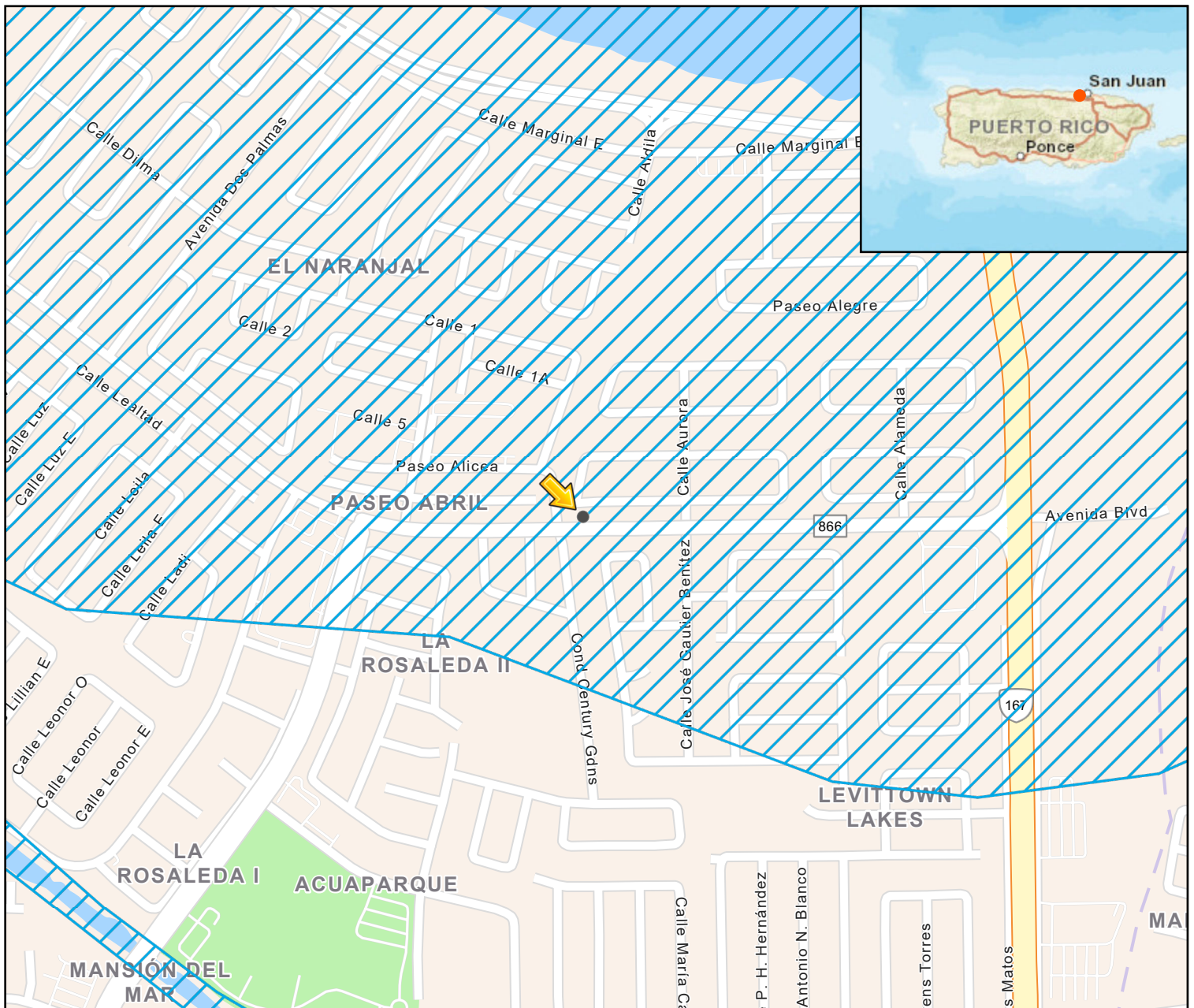
0 0.17 0.35 0.7 mi



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program

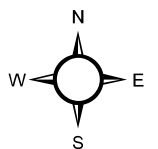
# PR-SBF-02014-E CZM



## Legend

 Coastal Zone Management Act Boundary

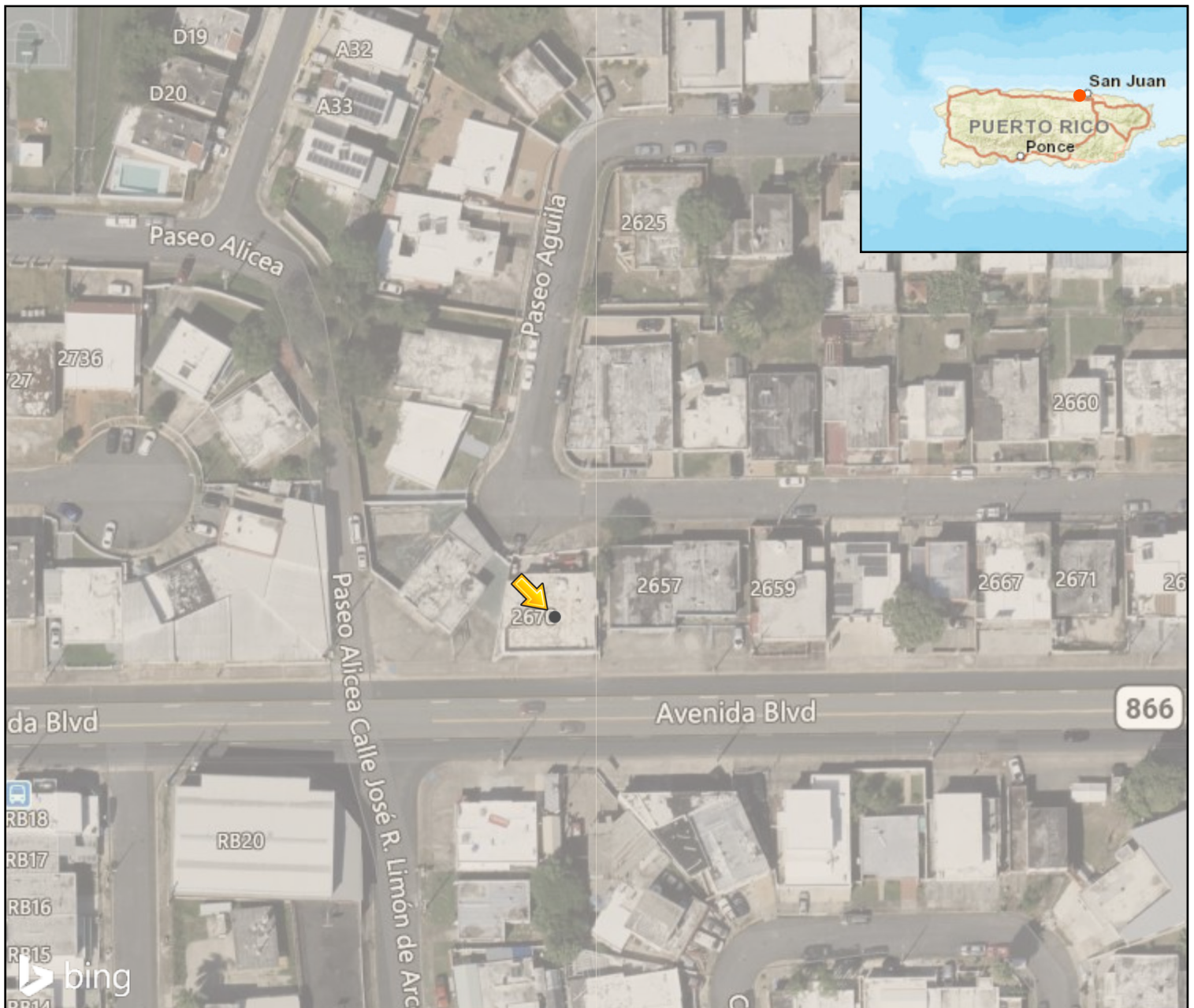
0 0.07 0.15 0.3 mi



NOAA

Coastal Zone Management Act

# PR-SBF-02014-E Farmlands

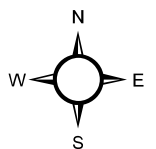


Legend

ClassName

Not Prime Farmland

0 0.01 0.02 0.04 mi



USGS USA Soils

Farmland dataset

# PR-SBF-02014-E FIRM

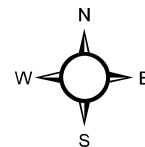


## Legend

### FEMA Flood Zones - Effective

- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee
- X, Area of Minimal Flood Hazard
- FEMA Flood Zone Panel

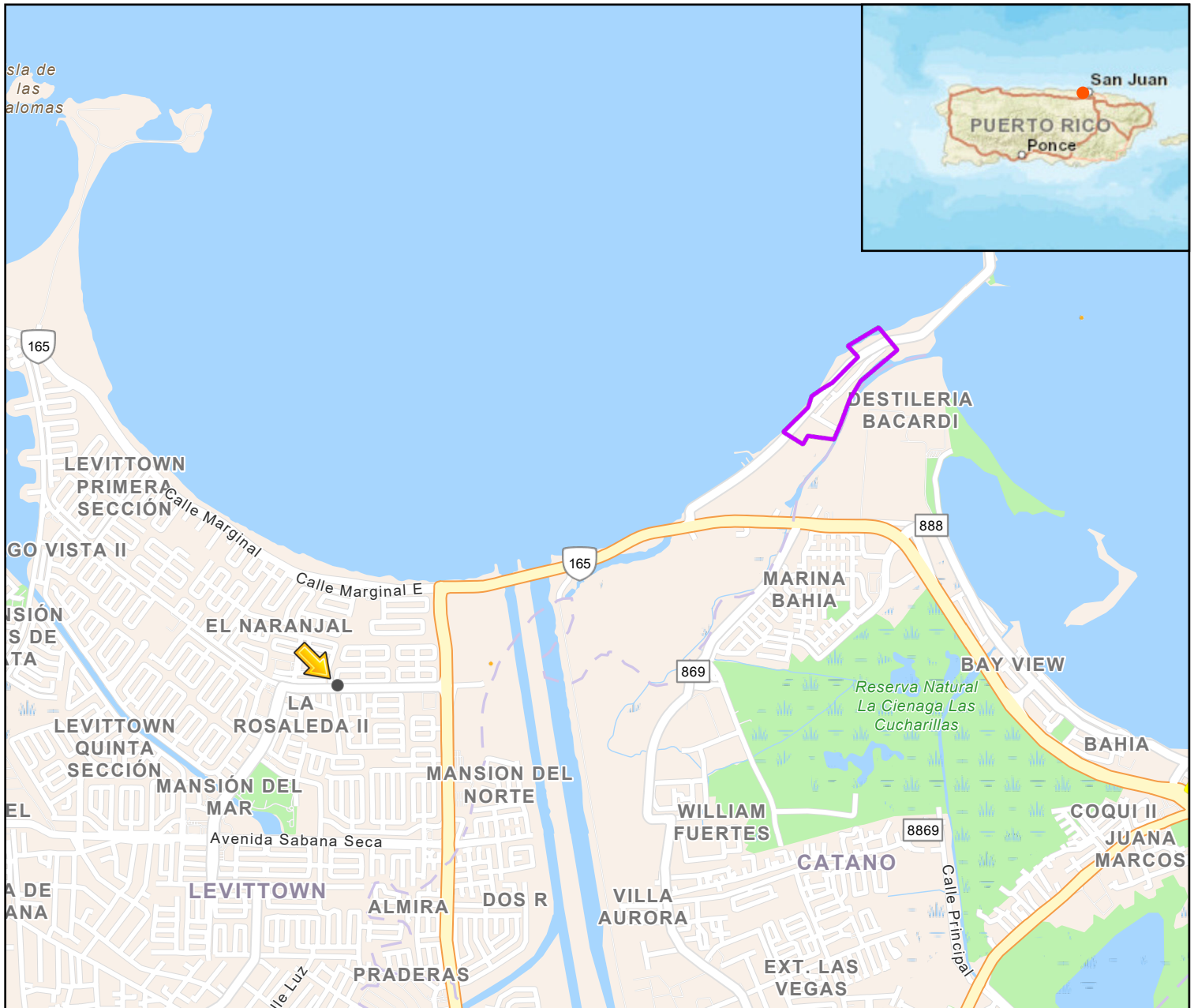
0 0.01 0.02 0.04 mi



FEMA Map Service

Flood Insurance Rate Maps

# PR-SBF-02014-E Historic Map

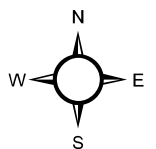


## Legend

- Historic Communities
- Traditional Urban Centers
- National Historic Landmark
- National Register of Historic Places
- Removed from National Register of Historic Places

National Register Of Historic Places Points

0 0.35 0.7 1.4 mi



National Register of Historic Places

Local Historic Areas digitized by Horne

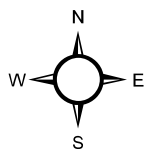
# PR-SBF-02014-E SSA



## Legend

Sole Source Aquifers - EPA August 2019

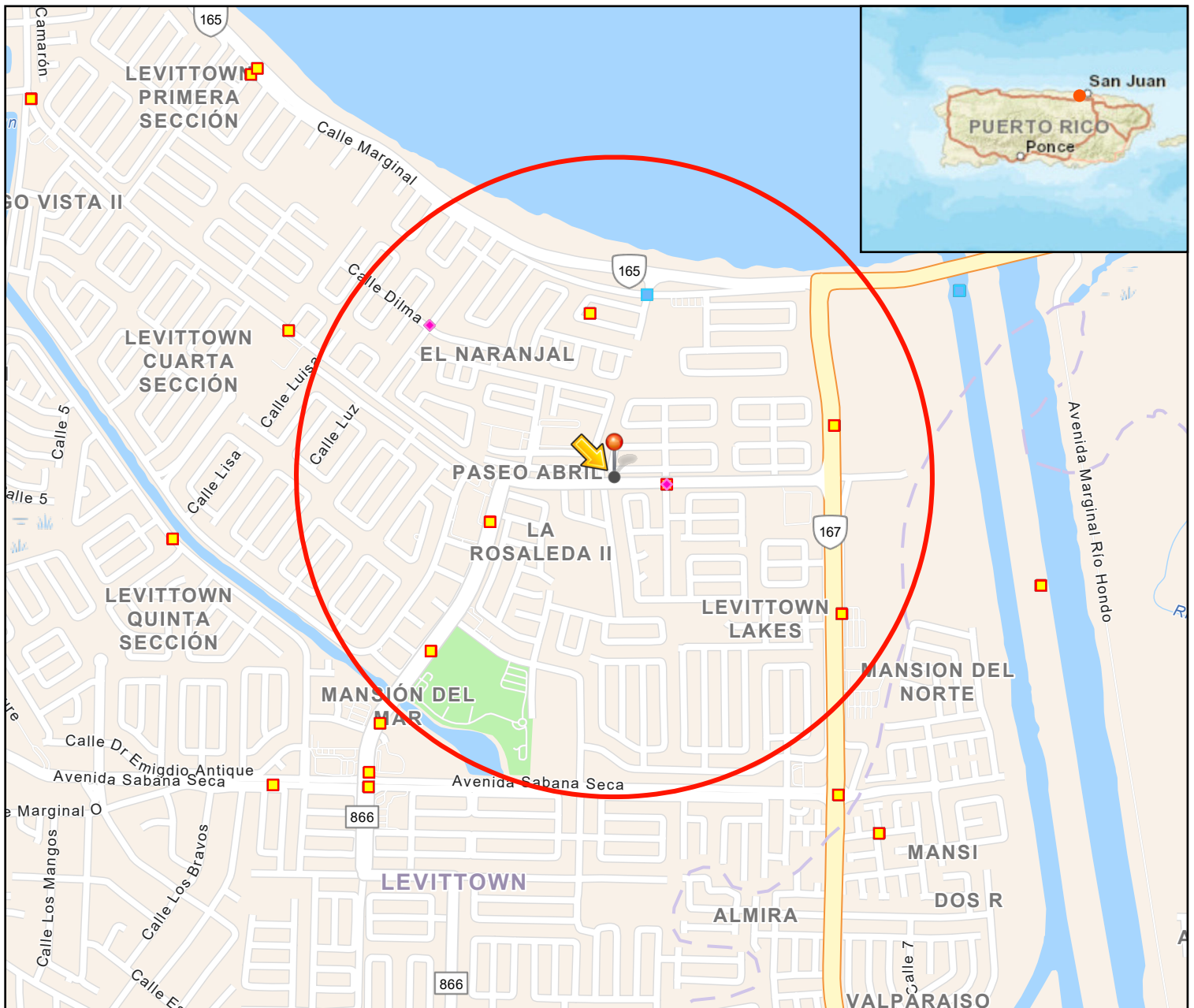
0 180 360 720 mi



Sole Source Aquifers

EPA

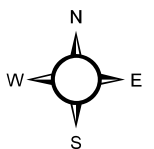
# PR-SBF-02014-E Toxics Map



## Legend

- 3000ft Buffer
- Hazardous waste
- Air pollution
- Water dischargers

0 0.17 0.35 0.7 mi



Envirofacts Facility Locations

EPA

