

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

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

Project Information

Project Name: PR-SBF-09519

HEROS Number: 90000010363971

State / Local Identifier:

Project Location: , Luquillo, PR 00773

Additional Location Information:

The project is located at latitude 18.379572, longitude -65.743639 at the address given above. Tax ID Number: 092-071-011-18-001

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 EXOTICA VIDAL ESTHETIC & SPA INCORPORATED, a Beauty Salons business, at Carr #3 (Marginal) Comm Fortuna 1 Solar 153 A, Luquillo, PR 00773. The specific scope of work for this project includes payment of rent/mortgage, utilities, purchase of inventory, and the purchase of equipment including: Laser machine, fat burning machine, replacement pedicure chairs. 2 A/C unit 24,000 BTU, 1A/C unit 18,000 BTU, Table set and chairs, helmet steamer for hairdressing (on wheels), vacuum roller. The requested pedispa chairs are replacement items, 2 of the A/C units are replacement items and 1 unit is new equipment. There will be no ground disturbance associated with the work.

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)(iii)

Funding Information

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

Estimated Total HUD Funded Amount: \$28,651.59

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$28,651.59

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non- loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A	Buyer must purchase flood insurance because the grant exceeds \$5,000 and the site is located in a Special Flood Hazard Area.
Floodplain Management	Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required.	N/A	Buyer must purchase flood insurance because the grant exceeds \$5,000 and the site is located in a Special Flood Hazard Area.

Determination:

	This categorically excluded activity/project converts to EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR	
	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR	
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).	
Prepa	rer Signature: Date:11/21/2023	

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

Responsible Entity Agency Official Signature: ______ Date: Nov. 29, 2023

Name/ Title: I. Lorenzo, 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).



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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-09519

HEROS Number: 900000010363971

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

State / Local Identifier:

RE Preparer: Priscilla Toro Rivera

Certifying Officer: IVELISSE LORENZO

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): Horne LLP

Point of Contact: Ana Martin

Project Location: , Luquillo, PR 00773

Additional Location Information:

The project is located at latitude 18.379572, longitude -65.743639 at the address given above. Tax ID Number: 092-071-011-18-001

Direct Comments to: environmentCDBG@VIVIENDA.PR.GOV

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 EXOTICA VIDAL ESTHETIC & SPA INCORPORATED, a Beauty Salons business, at Carr #3 (Marginal) Comm Fortuna 1 Solar 153 A, Luquillo, PR 00773. The specific scope of work for this project includes payment of

rent/mortgage, utilities, purchase of inventory, and the purchase of equipment including: Laser machine, fat burning machine, replacement pedicure chairs. 2 A/C unit 24,000 BTU, 1A/C unit 18,000 BTU, Table set and chairs, helmet steamer for hairdressing (on wheels), vacuum roller. The requested pedispa chairs are replacement items, 2 of the A/C units are replacement items and 1 unit is new equipment. There will be no ground disturbance associated with the work.

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

Level of Environmental Review Determination: Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:

Determination:

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

Approval Documents:

09515-SIG-PAGE.pdf

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project	HUD Program	Program Name
Identification		

Number			
B-17-DM-72-0001	Community Planning and	Community Development Block Grants (Disaster	
	Development (CPD)	Recovery Assistance)	
B-18-DE-72-0001	Community Planning and	Community Development Block Grants (Disaster	
	Development (CPD)	Recovery Assistance)	
B-18-DP-72-0001	Community Planning and	Community Development Block Grants (Disaster	
	Development (CPD)	Recovery Assistance)	
B-19-DP-78-0002	Community Planning and	Community Development Block Grants (Disaster	
	Development (CPD)	Recovery Assistance)	

Estimated Total HUD Funded, Assisted \$28,651.59 or Insured Amount:

Estimated Total Project Cost:

\$28,651.59

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

Compliance Factors : Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	□ Yes ☑ No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 60,039 feet away. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	□ Yes ☑ No	This project is not located in a CBRS Unit. It is 2,506 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.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001- 4128 and 42 USC 5154a]	☑ Yes □ No	Flood Map Number 72000C0440J, effective on 11/18/2009: The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the

maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements. STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5 Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 Costal Zone Management Act, sections 307(c) & (d) Ves ☑ No The project is costal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities. Based on the project description the project does not include any activities that would affect a Cossatal Zone. The project is in compliance with the Coastal Zone Management Act. Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)] Ives ☑ No Site contamination was evalued as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and asfety of project occupants or conflict with the intended use of the project were not found. The project is in compliance with contamination and toxic substances requirements. Endangered Species Act E		1	1
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			the Endangered Species Act.

Above-Ground Tanks)[24 CFR Part 51 Subpart C project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 Image: Section 2(a); 24 CFR Part 658 This project des not include any agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55 Image: Section 2(a); 24 CFR Part 55 Image: Section 2(a); 24 CFR Part 55 Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 Image: Section 2(a); 24 CFR Part 55 Image: Section 2(a); 24 CFR Part 55 Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B Image: Section 106. The project is in compliance with Section 106. Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B Image: Section 106. The project is in compliance with HUD's Noise regulation. The project is in compliance with HUD's Noise regulation. Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 Image: 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.			
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		Li Yes No	
sections 2 and 5			
	sections 2 and 5		require further evaluation under this
section. The project is in compliance			
with Executive Order 11990.			with Executive Order 11990.
Wild and Scenic Rivers ActImage: YesImage: MoThis project is not within proximity of a	Wild and Scenic Rivers Act	🗆 Yes 🗹 No	This project is not within proximity of a

Wild and Scenic Rivers Act of 1968,		NWSRS river. The project is located	
particularly section 7(b) and (c)		468,574 feet from the nearest Wild and	
		Scenic River. The project is in	
		compliance with the Wild and Scenic	
		Rivers Act.	
HUD HOUSING ENVIRONMENTAL STANDARDS			
ENVIRONMENTAL JUSTICE			
Environmental Justice	🗆 Yes 🗹 No	No adverse environmental impacts were	
Executive Order 12898		identified in the project's total	
		environmental review. The project is in	
		compliance with Executive Order 12898.	

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

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

Law,	Mitigation Measure or Condition	Comments on	Mitigation	Complete
Authority, or		Completed	Plan	
Factor		Measures		
Flood	For loans, loan insurance or	N/A	Buyer	
Insurance	guarantees, the amount of flood		must	
	insurance coverage must at least		purchase	
	equal the outstanding principal		flood	
	balance of the loan or the		insurance	
	maximum limit of coverage made		because	
	available under the National Flood		the grant	
	Insurance Program, whichever is		exceeds	
	less. For grants and other non-loan		\$5 <i>,</i> 000	
	forms of financial assistance, flood		and the	
	insurance coverage must be		site is	
	continued for the life of the		located in	
	building irrespective of the		a Special	
	transfer of ownership. The amount		Flood	
	of coverage must at least equal		Hazard	
	the total project cost or the		Area.	
	maximum coverage limit of the			
	National Flood Insurance Program,			
	whichever is less.			
Floodplain	Mitigation/minimization measures	N/A	Buyer	
Management	not required as the project		must	

activities are not substantial	purchase
improvement and the building	flood
footprint is not being increased.	insurance
Flood insurance is required.	because
	the grant
	exceeds
	\$5,000
	and the
	site is
	located in
	a Special
	Flood
	Hazard
	Area.

Project Mitigation Plan

Buyer must purchase flood insurance because the grant exceeds \$5,000 and the site is located in a Special Flood Hazard Area.

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		24 CFR Part 51 Subpart D
prevent incompatible development		
around civil airports and military airfields.		

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 60,039 feet away. The project is in compliance with Airport Hazards requirements.

Supporting documentation

PR-SBF-09519_Airports.pdf

Are formal compliance steps or mitigation required?

Yes

Coastal Barrier Resources

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

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 2,506 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-09519 CBRS.pdf

Are formal compliance steps or mitigation required?

Yes

Flood Insurance

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

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

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-09519_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 FEMAdesignated Special Flood Hazard Area?

No

✓ Yes

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

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

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

Flood insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

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

Yes, less than one year has passed since FEMA notification of Special Flood Hazards. No. The community is not participating, or its participation has been suspended.

Screen Summary

Compliance Determination

Flood Map Number 72000C0440J, effective on 11/18/2009: The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

✓ Yes

No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered	Clean Air Act (42 USC 7401 et seq.)	40 CFR Parts 6, 51
by the U.S. Environmental	as amended particularly Section	and 93
Protection Agency (EPA), which	176(c) and (d) (42 USC 7506(c) and	
sets national standards on ambient	(d))	
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.		

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

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

✓ Yes

No

2. Does this project include new construction, conversion, major rehabilitation, or substantial improvement activities?

Yes

✓ No

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

Screen Summary

Compliance Determination

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. Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

PR-SBF-09519_CZM.pdf

Are formal compliance steps or mitigation required?

Yes

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being		24 CFR 58.5(i)(2)
proposed for use in HUD programs be free of		24 CFR 50.3(i)
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.		

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

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
 ASTM Phase II ESA
 Remediation or clean-up plan
 ASTM Vapor Encroachment Screening
 ✓ None of the Above

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

✓ No

Explain:

Based on ECHO reports for the facilities, there is no impact for the intended use of this project. See attached table. Additionally, the environmental site inspection performed on 11/02/2023 of the project parcel did not note any other items of concern. See the attached environmental field observation report.

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic,

12/07/2023 09:02

hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

PR-SBF-09519_Toxics(1).pdf PR-SBF-09519_Toxics table.xlsx PR-SBF-09519_EFOR.docx

Are formal compliance steps or mitigation required?

Yes

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA)	The Endangered	50 CFR Part
mandates that federal agencies ensure that	Species Act of 1973 (16	402
actions that they authorize, fund, or carry out	U.S.C. 1531 et seq.);	
shall not jeopardize the continued existence of	particularly section 7	
federally listed plants and animals or result in the	(16 USC 1536).	
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").		

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

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

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

Explain your determination:

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

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

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act.

Supporting documentation

PR-SBF-09519_USFWS Self-Certification Form_PRDOH.pdf PR-SBF-09519_Site Map.pdf PR-SBF-09519_Endangered Species.pdf

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PR-SBF-09519 USFWS Self-Certification Form.docx

Are formal compliance steps or mitigation required?

Yes

Explosive and Flammable Hazards

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

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

Farmlands Protection

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

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-09519 Farmlands.pdf

Are formal compliance steps or mitigation required?

Yes

Floodplain Management

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

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

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

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

PR-SBF-09519_Flood Map.pdf

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

Does your project occur in a floodplain?

No

✓ Yes

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

Floodway

Coastal High Hazard Area (V Zone)

✓ 100-year floodplain (A Zone)

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

8-Step Process

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

8-Step Process applies

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

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

- 55.12(a)(1)
- 55.12(a)(2)
- 55.12(a)(3)
- ✓ 55.12(a)(4)

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

Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen. Mitigation/minimization measures not required as the project activities are not substantial improvement and the building footprint is not being increased. Flood insurance is required. Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

Permeable surfaces

Natural landscape enhancements that maintain or restore natural hydrology

Planting or restoring native plant species

Bioswales

Evapotranspiration

Stormwater capture and reuse

Green or vegetative roofs with drainage provisions

Natural Resources Conservation Service conservation easements or similar easements Floodproofing of structures

Elevating structures including freeboarding above the required base flood elevations

✓ Other

Screen Summary Compliance Determination

Flood Map Number 72000C0440J, effective on 11/18/2009: This project is located in a 100-year floodplain. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988.

Supporting documentation

PR-SBF-09519 5-Step Process.docx PR-SBF-09519 ABFE.pdf

Are formal compliance steps or mitigation required?

✓ Yes

No

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Historic Preservation

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

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).

Threshold (a). Either upload the PA below or provide a link to it here:

https://www.hudexchange.info/sites/onecpd/assets/File/PR-FEMA-Prototype-2019-PA-Section-106.pdf

Upload exemption(s) below or copy and paste all applicable text here:

Architecture: Appendix B, Tier II, B.2.a (Repair or replacement of building contents that are not character defining features of a historic property): Architecture- Appendix B, Tier II, Allowance B.2.a: B. BUILDINGS AND STRUCTURES 2. Building Contents a. Repair or replacement of building contents including furniture, movable partitions, computers, cabinetry, supplies, and equipment and any other moveable items which are not character defining features of a historic property Appendix B, Tier II, B.3.a (replacement/limited upgrading of air conditioning units on the interior of the building): II. Second Tier Allowances B. BUILDINGS AND STRUCTURES 3. Utilities and Mechanical, Electrical, and Security Systems A. In-kind repair or replacement, or limited upgrading of interior or exterior utility systems, including mechanical (e.g., heating, ventilation, air conditioning), electrical, and plumbing systems (water tanks, freshwater and drainage). This

allowance does not provide for the installation of new exposed ductwork.

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

Screen Summary

Compliance Determination

ca. 1970. Tier II Architecture Programmatic Allowance applied by Lauren B. Poche, M.A. Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

Supporting documentation

PR-SBF-09519 Historic.pdf

Are formal compliance steps or mitigation required?

Yes

Noise Abatement and Control

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

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

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Sole Source Aquifers

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

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.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or	Executive Order	24 CFR 55.20 can be
indirect support of new construction impacting	11990	used for general
wetlands wherever there is a practicable		guidance regarding
alternative. The Fish and Wildlife Service's		the 8 Step Process.
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.		

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

✓ No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

PR-SBF-09519 NWI.pdf

Are formal compliance steps or mitigation required?

Yes

Wild and Scenic Rivers Act

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

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 468,574 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

PR-SBF-09519 Wild and Scenic Rivers.pdf

Are formal compliance steps or mitigation required?

Yes

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates	Executive Order 12898	
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.		

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

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

- Yes
- ✓ No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

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-09519 Municipality of EXOTICA VIDAL ESTHETIC & SPA INCORPORATED

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

The proposed project is intended to renovate the building as part of the Economic Development portion of the CDBG-DR grant. The renovation is intended to install two replacement A/C units and a new A/C unit for the Small Business. The project is located at Carr #3 (Marginal) Comm Fortuna 1 Solar 153 A, Luquillo, PR 00773. The Tax Parcel ID of the site is 092-071-011-18-001. The Latitude is 18.379572 and the Longitude is -65.743639. The project is located entirely within the 100-year floodplain. The property is shown as being within Zone AE on the Official Flood Insurance Rate Map (FIRM) Panel no. 72000C0440J, effective November 18, 2009. The project is located is completely within the Advisory Base Flood Elevation (ABFE). The property is shown as being within Zone A on the ABFE.

Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. The purpose of EO 11988 is "to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The project is located within the 100-year floodplain and for this reason, EO 11988 applies. The subject unit occupies 3,809 square feet of the floodplain. An evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the floodplain is required.

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

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

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

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

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

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

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

 Option A (Proposed Action) – This option would involve renovation of the non-residential building. The building is not undergoing substantial improvement and the footprint is not being increased; therefore, elevation is not required. The proposal does include a minor renovation of installing two replacement A/C units and a new A/C unit with no ground disturbance.

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

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

Step 6: Reevaluate the Proposed Action.

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

Step 7: Determination of No Practicable Alternative.

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

Step 8: Implement the Proposed Action

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



Self-Certification

COBG-DR FUND

OBC-MIT FU

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

Endangered Species Act Certification

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

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

Puerto Rico Department of Housing (PRDOH) certifies that the following project **EXOTICA VIDAL ESTHETIC & SPA INCORPORATED (PR-SBF-09519)** consisting of payment of rent/mortgage, utilities, purchase of inventory, and the purchase of equipment including: laser machine, fat burning machine, replacement pedicure chairs, 2 A/C unit 24,000 BTU, 1A/C unit 18,000 BTU, 2 of the A/C units are replacement items and 1 unit is new equipment with no ground disturbance associated with the work, table set and chairs, helmet steamer for hairdressing (on wheels), and vacuum roller, located at Carr #3 (Marginal) Comm Fortuna 1 Solar 153 A, Luquillo, PR 00773, complies with:

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

CDBG-DR FUNDS

USFWS Self-Certification SBF-09519

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

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

Nov. 27, 2023

Date

USFWS Self-Certification SBF-09519

Office of Disaster Recovery

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



PR-SBF-09519 Endangered Species



Endangered Species Habitat

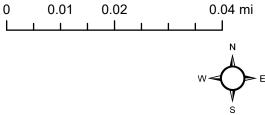
U.S. Fish and Wildlife Service



PR-SBF-09519 Site Map



Legend





PR-SBF-09519 ABFE



Legend	0 0.01 0.02	0.04 mi
A		М
AE		Å
Coastal A Zone		W - E
VE		V s
0.2% Annual Chance Flood Zone		FEMA Map Service
Zone/BFE Boundary		
Advisory Base Flood Elevation		ABFE 1PCT



PR-SBF-09519 Airports





PR-SBF-09519 CBRS

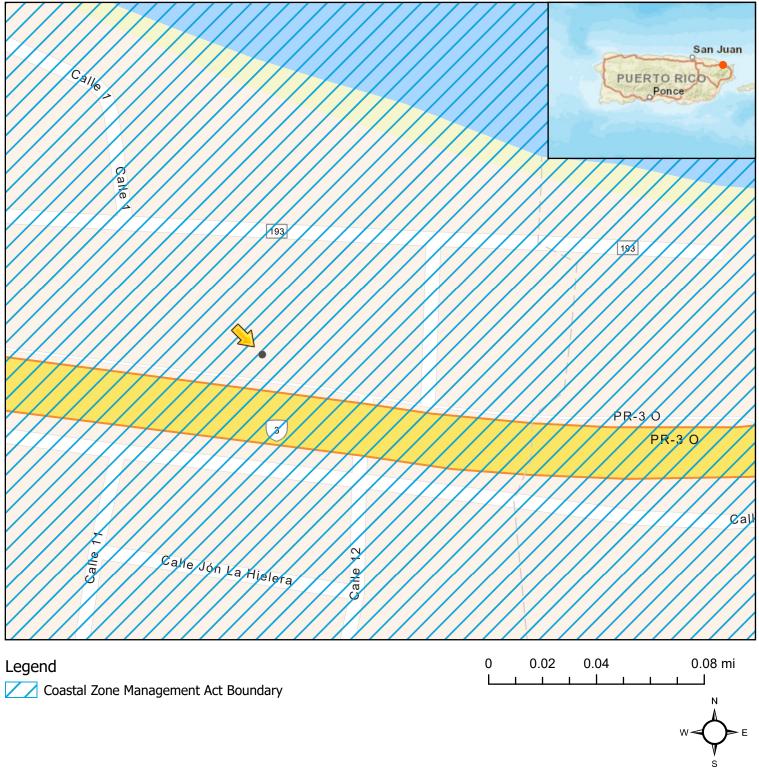


U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program



PR-SBF-09519 CZM



NOAA

Coastal Zone Management Act



PR-SBF-09519 Endangered Species



Endangered Species Habitat

U.S. Fish and Wildlife Service



PR-SBF-09519 Farmlands



Legend 0 0.01 0.02 0.04 mi Image: Prime Farmland Farmland of Local Importance Image: Not Prime Farmland Image: Not Prime Farmland 0 0.01 0.02 0.04 mi Image: Not Prime Farmland Farmland of Unique Importance Image: Not Prime Farmland Image: Not Prime Farmland</t

Farmland dataset



PR-SBF-09519 Flood Map



Legend	
FEMA Flood Zones - Effective	N
1% Annual Chance Flood Hazard	Ä
Kegulatory Floodway	W - () - E
Special Floodway	\checkmark
Area of Undetermined Flood Hazard	S
0.2% Annual Chance Flood Hazard	FEMA Map Service
Future Conditions 1% Annual Chance Flood Hazard	Flood Insurance Rate Maps
Z Area with Reduced Risk Due to Levee	
X, Area of Minimal Flood Hazard	
FEMA Flood Zone Panel	



PR-SBF-09519 Flood Map



Legend	
FEMA Flood Zones - Effective	N
1% Annual Chance Flood Hazard	Ä
Kegulatory Floodway	W- () =
Special Floodway	\checkmark
Area of Undetermined Flood Hazard	S
0.2% Annual Chance Flood Hazard	FEMA Map Service
Future Conditions 1% Annual Chance Flood Hazard	Flood Insurance Rate Maps
Z Area with Reduced Risk Due to Levee	
X, Area of Minimal Flood Hazard	
FEMA Flood Zone Panel	



PR-SBF-09519 Historic



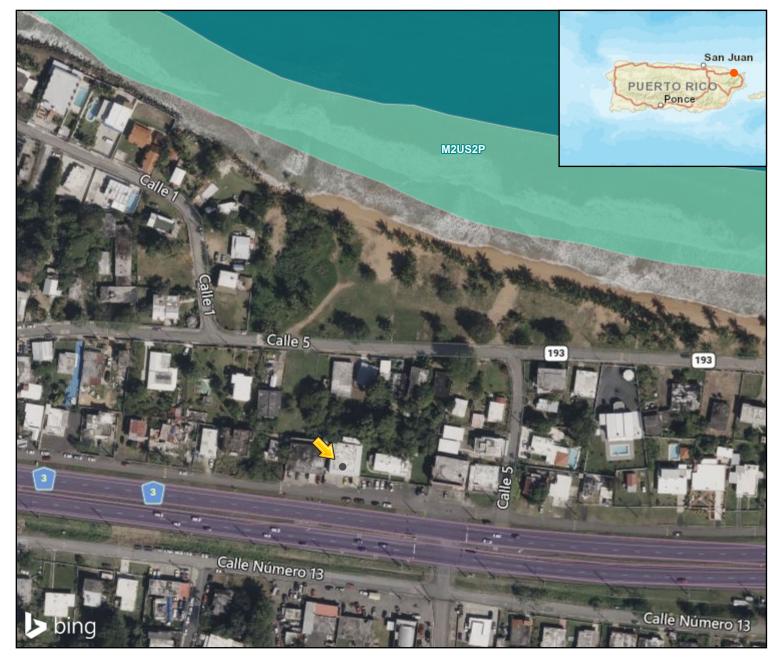
Local Historic Areas digitized by Horne

https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466

https://sigejp.pr.gov/portal/apps/webappviewer/index.html?id=b36c00df6e064b6a8f70a6593cf64b7e https://arcgis.horne.com/portal/apps/experiencebuilder/experience/?id=883eb165a91d411996af67b92f45a429 10/23/2023 12:30 PM



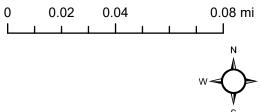
PR-SBF-09519 NWI



Legend



Estuarine and Marine Deepwater Estuarine and Marine Wetland



National Wetlands Inventory

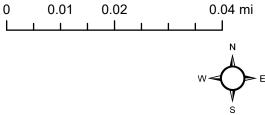
U.S. Fish and Wildlife Service



PR-SBF-09519 Site Map



Legend





PR-SBF-09519 Toxics



Envirofacts Facility Locations



PR-SBF-09519 Wild and Scenic Rivers



National Wild and Scenic River System

National Park Service