

# Environmental Assessment

## Determinations and Compliance Findings for HUD-assisted Projects

### 24 CFR Part 58

#### **Project Information**

**Project ID:** PR-RGRW-01600

**Project Name:** Finca El Legado LLC

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

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

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

**Preparer:** Gabriela Rodríguez

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

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

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

#### **Project Location:**

The property is a 136.89-acre site located at Bo. Río Arriba Carr. 109 R420 Km 1.8 in the Municipality of Añasco, Puerto Rico (Parcel ID# 156-000-007-51-000). The proposed project parcel is located at 18.290950, -67.040020.

This land has been used for agricultural purposes with the cultivation of the harvesting of *recao* and cow pasture with two existing greenhouses, water reserve tanks, a corral, and an access road.

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

The intent use of funds includes the reconstruction of two greenhouses, and the construction of a corral and two shade shelters for livestock. The funds would also be used for the purchase of trees for shade, computers, heifers, *recao* seedlings, and a utility task vehicle (UTV).

Consultation under Section 106 for this project was initiated in March of 2023, with a concurrence with the finding of no historic properties affected received in a letter dated March 29, 2023. Also on August 16, 2023 the EA ERR Final document was approved and

signed by a certifying officer. However, on November 14, 2023 case was put on hold regarding the shade structure and corral locations within a 100- year floodplain area. A review of flood zone mapping found that the original planned locations for activities in Areas 3 and 4 were located within a flood zone, The applicant had agreed to move the proposed locations to the west to higher ground. In addition, the original consultation did not include reference to proposed tree plantings in Areas 3, 4, and 5. Due to the change in the scope of the proposed undertaking and the relocation of proposed actions, consultation was re-initiated on February 2, 2024 with a SHPO response on February 6, 2024.

The proposed activities for Finca El Legado LLC are the reconstruction of two greenhouses with Saran plastic, one measuring 80-foot (') by 16' and the other 100' by 60', and the construction of a new 50' by 50' corral and two 24' by 14' shade shelters for livestock. In addition, the applicant plans to plant a total of 70 trees at the shade shelters and corral to provide additional shade for the cattle. All activities will require ground disturbance.

Areas 1 and 2: Activities in Areas 1 and 2 include the demolition of existing damaged greenhouse structures and the construction of 2 new greenhouses. The two new structures will include an 80' by 16' greenhouse with Saran plastic at 18.29078° N, - 67.03991° W (Area 1) and a 100' by 60' greenhouse with Saran plastic at 18.29095° N, - 67.04002° W (Area 2). The greenhouses will be anchored to the ground with posts to a depth not to exceed 3 feet below ground surface.

Area 3: Construction of new 50' by 50' corral for livestock to be located out of the flood zone at 18.2913424° N, -67.040262° W (Area 3); The corral will be constructed using metal posts of 2 ½" diameter on a round base with a 10-inch diameter. Ground disturbance in the concrete bases should not exceed a depth of three feet. Trees will be planted to provide shade for the cattle.

Area 4: Construction of a 24' by 14' shade shelter for livestock at to be located outside of the flood zone at 18.291325° N, -67.040582° W. The new shade house will have 6 metal posts. The posts of the houses will be set to ground using a base of concrete of 12 inches by 12 inches. The floor of the shade house will be plain soil. Trees will be planted to provide shade for the cattle.

Area 5: and construction of a second 24' by 14' shade shelter for livestock at 18.29222° N, 67.04064° W (Area 5). The new shade house will have 6 metal posts. The posts of the houses will be set to ground using a base of concrete of 12 inches by 12 inches. The floor of the shade house will be plain soil. Trees will be planted to provide shade for the cattle.

No new water or electric connection to local utility services is required. A nearby stream is used as water supply and the proposed rebuilding and operation of greenhouses does not need electricity connection. Water collection and distribution includes a water tank that serve as holding tank. The tank receives the water from stream by gravity via a 3/4 inches PVC pipe. From the tank, water conveys by gravity via a 3/4 inches PVC pipe to the cattle water feeders. The feeders are equipped with a fill valve with float to prevent

overflow. All PVC connections are underground to protect them from the cattle. The proposed activities involve the demolition of existing damaged greenhouse structures and the construction of 2 new greenhouses. Therefore, the water supply and connections needed are in place.

The project site will require clearing, grading, and vegetation removal. However, proposal does not contemplate cutting, pruning or transplanting of trees. The area of potential effects (APE) for this project will be centered on the areas potentially impacted by ground disturbance related to the five proposed scope of work areas described above. The direct APE includes a 15-meter buffer to the rear and sides of each scope location. The visual APE is the viewshed of the proposed project. The APE for the proposed project is approximately 0.31 acres.

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

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

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

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

The land proposed for the reconstruction of two greenhouses, construction of a corral and two shade shelters for livestock, is used for agricultural purposes. Therefore, there is no change in land use associated with the project. Some ground disturbance will be required.

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

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

Appendix A – Site Inspection

Appendix B – Maps

Appendix C – Additional Documentation

**Funding Information**

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

**Estimated Total HUD Funded Amount:** \$49,516.00

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$49,516.00

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

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

| <b>Compliance Factors:</b><br>Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6 | Are formal compliance steps or mitigation required?                       | Compliance determinations  |
|--|---|--|
| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>                                   |   |  |
| <b>Airport Hazards</b><br><br>24 CFR Part 51 Subpart D   | Yes    No<br><input type="checkbox"/> <input checked="" type="checkbox"/> | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The nearest civil airport, “Aeropuerto Eugenio María de Hostos”, is approximately 36,813 feet from the proposed site. The nearest military airport, “Aeropuerto Internacional Luis Muñoz Marín”, is approximately 359,459 feet from the proposed site. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport |

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|  |   | Hazards requirements. Refer to Figure 2 in <b>Appendix B.</b>  |
| <p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>          | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in the west region of Puerto Rico. The distance to the nearest CBRS unit is 60,682 feet. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in <b>Appendix B.</b></p> |
| <p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The Project is located in Zone X, area of minimal flood hazard, as per Floodplain Insurance Map 72000C0545H, effective date April 19, 2005. This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in <b>Appendix B.</b>)</p>   |

| <b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b>  |   |   |
|---|---|---|
| <p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p> | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The Project site is not located in a county or air quality management district that is non-attainment status for any criteria pollutants. The Municipio of Añasco is not listed in the EPA Green Book “Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants”. The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. Project would have no impact on air quality. The project is in compliance with Clean Air Act. Refer to EPA listing in <b>Appendix C.</b></p> |
| <p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>                     | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>The project is located 42,297 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the PR Coastal Zone Management Plan. The project is in compliance with the Coastal Zone Management Act. See Figure 7 in <b>Appendix B.</b></p>   |
| <p><b>Contamination and Toxic Substances</b></p>  | <p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> | <p>A site visit conducted on November 18, 2022, and a second visit was conducted on November 15, 2023, no debris or rubbish or visible signs</p>  |

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| <p>24 CFR Part 58.5(i)(2)</p>   |   | <p>vegetative stress, contamination, or toxic substances were identified at the project site. The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV.</p> <p>Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project.</p> <p>There are no sites of environmental concern identified within 3,000 feet of the project site.</p> <p>Refer to Figures 8 and 9 in <b>Appendix B</b> and the Site inspection report and photos in <b>Appendix A</b>. The project is in compliance with Contamination and Toxic Substances.</p>  |
| <p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7;<br/>50 CFR Part 402</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed location of project is an area that has been used for agricultural purposes.</p> <p>According to EPA NEPAAssist Enviromapper, the nearest critical or proposed critical habitat is 37,242 feet to the south of the project location. The Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website lists the Puerto Rican Boa and the Puerto Rican Harlequin Butterfly as being able to be found in the area, but there are no critical habitats for them at this location.</p> <p>A site-specific review of endangered species was conducted in accordance with the Fish and Wildlife Act (47 Stat. 401, as amended: 16 U.S.C. 661 et seq.) (See <b>Appendix D</b>).</p> <p>The proposed project will have No Effect on listed species or habitats. Based on the nature of the project, scope of work, information available, and a careful analysis of the Project Site, and IPaC</p> |

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|  |  | <p>species list, it was determined that there would be No Effect for any of the listed species.</p> <p>If a Puerto Rican Boa is encountered, work will cease until it moves off the site or, failing that, the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers will be notified for safe capture and relocation of the animal, in accordance with the USFWS Puerto Rican Boa Conservation Measures guidelines.</p> <p>Refer to Figures 10 and 11 in <b>Appendix B</b> and the Endangered Species Package in <b>Appendix D</b>. This project is in compliance with the Endangered Species Act.</p>   |
| <p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>  | <p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p> | <p>The project does not include development, construction, or rehabilitation that will increase residential density.</p> <p>The project is in compliance with Explosive and Flammable Hazard requirements.</p> <p>Refer to site visit report in <b>Appendix A</b>.</p>   |
| <p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p> | <p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p> | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The project parcel is designated as farmland of statewide importance and prime farmland. The project does not include any activities that could potentially convert agricultural land to nonagricultural use. Although the project includes new construction, the project is exempt from review under the Farmland Protection Policy Act (FFPA) as the project is limited to construction of on-farm structures needed for farm operations. No further review is required.</p> <p>This project is in compliance with the Farmland Protection Policy Act. Refer to Figure 12 in <b>Appendix B</b>.</p> |
| <p><b>Floodplain Management</b></p>  | <p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p> | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of</p>   |

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| <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>   |   | <p>livestock, seedlings, computers, and UTV. The location for the corral and the shade areas have been relocated to ensure the proposed actions are not in special flood hazard areas. Proposed; locations for the greenhouses, the two shade areas and the corral are not located in a 100-year floodplain as per Floodplain Insurance Map 72000C0545H, effective date April 19, 2005. The project site is not located in an Advisory Base Flood Elevation (ABFE) special flood hazard area. The proposed project is located in the municipality of Añasco; therefore, PFIRM information was not available for the area and therefore not considered in the review.</p> <p>This project is in compliance with Executive Order 11988. See Figures 4, 5, and 6 in <b>Appendix B</b>.</p>   |
| <p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p> | <p>Yes    No<br/> <input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>Consultation under Section 106 for this project was initiated in March of 2023, with a concurrence with the finding of no historic properties affected received in a letter dated March 29, 2023. However, on November 14, 2023 case was put on hold regarding the shade structure and corral locations within a 100- year floodplain area. A review of flood zone mapping found that the original planned locations for some of the activities were located within a flood zone, Applicant had agreed to relocate these proposed locations to ensure the proposed activities are located outside of floodplain area. In addition, the original consultation did not include reference to proposed tree plantings in Areas 3, 4, and 5. Due to the change in the scope of the proposed undertaking and the relocation of proposed actions, consultation was re-initiated.</p> <p>The site has been evaluated on January 15, 2023, March, 15, 2023, and January 3, 2024 by three SOI Qualified Archaeologist. SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project’s Area of Potential on Effects on February 6, 2024.</p> <p>Refer to Figure 13 in <b>Appendix B</b> and the Section 106 Consultation Package in <b>Appendix E</b>. This</p> |

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|   |   | project is in compliance with Historic Preservation requirements.  |
| <p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. HUD's noise regulations protect residential properties from excessive noise exposure. HUD noise regulations do not apply as the project does not include new construction for residential use or rehabilitation of an existing residential property. The proposed project is in compliance with Noise Abatement and Control.</p>  |
| <p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>                  | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>There are no EPA sole source aquifers in Puerto Rico. The nearest Sole Source Aquifer is 5,176,578 feet to the northwest of the project site. The project is in compliance with Sole Source Aquifer requirements.</p> <p>Refer to Figure 17 in <b>Appendix B</b>.</p>   |
| <p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>   | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV.</p> <p>The proposed project is approximately 57,552 feet from the west coast of Puerto Rico, and the closest body of fresh-water body, Río Grande de Añasco, borders the north, east, and west boundaries of parcel and project site areas. The Alto Sana and Balza creeks, both tributaries of the Río Grande de Añasco are located 420 ft northeast and 1,688 ft feet to the west, respectively.</p> <p>The Río Grande de Añasco and the Alto Sana and Balza creeks are identified as a riverine wetland in the NWI map. Proposal activities and location for the reconstruction of two greenhouses; the construction of a corral and two shade shelters had been moved to ensure proposed locations does not affect any wetlands or water bodies. Standard construction BMPs would be used to control erosion and runoff during construction. An undisturbed natural buffer equal or greater</p> |

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|   |   | <p>than 50 feet, supplemented by standard construction BMPs, and erosion and sediment controls will be kept at all times during ground disturbance activities. APE will be clearly delimited prior to the initiation of the construction activities. With these mitigations the reconstruction of two greenhouses; the construction of a corral and two shade shelters would not impact the wetlands and includes no activities that would require further evaluation under this section. The purchase of livestock, seedlings, computers, and UTV have no effect on wetlands.</p> <p>The project is in compliance with Executive Order 11990. Refer to Figure 14 in <b>Appendix B</b>.</p> |
| <p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 432,699 feet. The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in <b>Appendix B</b>.</p>  |

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| <b>ENVIRONMENTAL JUSTICE</b>                                     |   |   |
| <p><b>Environmental Justice</b></p> <p>Executive Order 12898</p> | <p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p> | <p>No adverse environmental impacts were identified in any other compliance review portion of this project that may disproportionately be high for low-income and/or minority communities. Therefore, this topic complies with Executive Order 12898.</p> |

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

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

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

| Environmental Assessment Factor  | Impact Code | Impact Evaluation  |
|--|-------------|--|
| <b>LAND DEVELOPMENT</b>  |             |  |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project is located on a private farm. The project site is not zoned. The proposed action is compliant with the current agricultural land use of the Project area and will not contribute to urban sprawl.   |
| Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff                   | 2           | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project is located in relatively terrain, used for recao harvesting and cow pasture.</p> <p>Soils in the proposed project area are classified as Toa silty clay loam, (ToA), with 0 to 2 percent slopes, surrounded by farmland with secondary forest vegetation cover surroundings, 55 meters above mean sea level.</p> <p>Projects larger than 1 acre must comply with the CWA and develop a SWPPP with the NPDES. The proposed project area is approximately 0.31 acres.</p> <p>The project site will require clearing, grading, and vegetation removal. However, proposal does not contemplate cutting, pruning or transplanting of trees.</p> <p>The project site area is rated “low to moderate” for landslide susceptibility (see Figure 16 in <b>Appendix B</b>).</p> <p>There will be little to no additional runoff associated with the project.</p> |

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| Hazards and Nuisances including Site Safety and Noise | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. During implementation of the project, construction activities may result in temporary elevation of ambient noise levels in immediate areas around active construction areas. The only nearby receptors are the residents of the farm. There is no access to the project area by the public.   |
| Environmental Assessment Factor                       | Impact Code | Impact Evaluation   |
| <b>SOCIOECONOMIC</b>                                  |             |   |
| Employment and Income Patterns                        | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. Temporary employment of workers related to construction activities would result, but no new permanent jobs would be created as a result of this project. These workers are expected to come from the local region. However, since the project will include an economic component, it may aid in restoring some employment opportunities and increase income.<br><br>The proposed project would not negatively impact employment or income patterns. |
| Demographic Character Changes, Displacement           | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project would not result in demographic character changes or displacement. Given the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.   |
| Environmental Justice                                 | 2           | In the area (one mile radius) in which project will occur.<br>98% are people of color compared to PR average of 96%<br>89% are low income compared to PR average of 70%<br>15% are unemployed compared to PR average of 15%<br><br>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers,   |

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|  |  | and UTV. This project will result in restoration and increase in income and potential employment opportunities in the local area. The impacts would be beneficial.<br><br>See EJScreen Report in <b>Appendix C</b> |
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| Environmental Assessment Factor          | Impact Code | Impact Evaluation   |
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| <b>COMMUNITY FACILITIES AND SERVICES</b> |             |   |
| Educational and Cultural Facilities      | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.   |
| Commercial Facilities                    | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The agricultural activity of the project property will improve. Other commercial facilities would not be impacted by the proposed project.  |
| Health Care and Social Services          | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. Health care and social services facilities would not be impacted by the proposed project. The project would not increase demand for health care and social services facilities.   |
| Solid Waste Disposal / Recycling         | 2           | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV.<br><br>Waste vegetation from clearing activities will either be composted on site or at regional composting centers. Soil from grading would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., piping, structural materials, greenhouse covering fabrics) would be stored for later use. The remaining construction solid waste materials would be collected for transport to the local landfill. The amount of impact of solid waste resulting from the construction of the proposed project would be minor. During operations, the products and by-products would be agricultural, which waste would be biodegradable. Other waste components |

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|  |   | related to the operation of the proposed project includes recyclable materials such as plastics and cardboard. Recyclables will be set aside and dispose according to the local recycling management plan. The remaining municipal solid waste would be collected for the transport to the local landfill.   |
| Wastewater / Sanitary Sewers                       | 2 | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project would not include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged.  |
| Water Supply                                       | 2 | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The SOW does not involve water connections. Greenhouses water use is minimal, and the applicant has stated his intention to maintain the current water distribution system. The proposed project does not represent an increase in current water demand. However, the applicant is responsible for any permits or actions to ensure legalization (if needed) of existing water withdrawal from stream. |
| Public Safety – Police, Fire and Emergency Medical | 2 | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project would not create any new demand for emergency or health services.   |
| Parks, Open Space and Recreation                   | 2 | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project would not create or destroy any new parks, open space, or recreational activities. It also would not increase use of those facilities.  |
| Transportation and Accessibility                   | 2 | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project would not involve the creation of new roads nor any increase in long-term traffic on existing roads. There would be some minor use of the existing road during construction. All residents and businesses would retain access to their properties during and after the project.   |

| Environmental Assessment Factor          | Impact Code | Impact Evaluation   |
|--|-------------|---|
| <b>NATURAL FEATURES</b>                  |             |   |
| Unique Natural Features, Water Resources | 2           | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The proposed project will be situated on land previously used for agricultural purposes.</p> <p>The parcel is bounded by north, east, and west by the Río Grande de Añasco. Activities and location of proposed shade shelters and the corral had been moved to ensure they are not located in or close to any water body. Natural vegetation buffer zone of equal or greater than 15 meters (50 ft) will be maintained, at all times. No clearing, cortex removal, ground disturbances, earth movement, or constructions activities are contemplated nearby a unique natural features or water resources.</p> |
| Vegetation, Wildlife                     | 2           | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV.</p> <p>The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity.</p> <p>All vegetative exceedance material resultant from the clearing activities will be disposed as per the Municipal vegetative material management and diversion plan. No vegetative material will be stored or left at site. Proposal does not contemplate cutting, pruning or transplanting of trees. The proposed project will have minimal impact on vegetation and no impact on wildlife.</p>   |

| Environmental Assessment Factor | Impact Code | Impact Evaluation   |
|---------------------------------|-------------|---|
| <b>CLIMATE AND ENERGY</b>       |             |   |
| Climate Change Impacts          | 2           | <p>The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The project area is rural and does not have urban heat island effects. There would be no changes to the site configuration or structure that would specifically address the possibility and uncertainty of rising sea levels or the possibility of increases in rainfall</p> |

|                                      |   |   |
|--------------------------------------|---|---|
|                                      |   | intensity. With respect to climate change impact on the project, agricultural activities could be affected by drought. This is a small agricultural project with no measurable impact on climate change factors.  |
| Energy Efficiency/Energy Consumption | 2 | The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV.<br><br>The proposed project is an agricultural project that does not involve energy use. There would be no change in energy demand in the area. |

**Additional Studies Performed:** None required.

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

Site inspection was conducted on November 18, 2022 and on November 15, 2023 by Josue Troche.

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

Puerto Rico State Historic Preservation Office

FAA, National Plan for Integrated Airport Systems:

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

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

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

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

Programmatic Agreement among the Federal Emergency Management Agency, the Puerto Rico State Historic Preservation Office and the Central Office for Recovery, Reconstruction and Resilience – amended to include the Puerto Rico Department of Housing.

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

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

None

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

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

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

In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the proposed project. The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. The project would allow more shade area and the reconstruction of the production areas. The project does not involve water or power connection to electric or water local utilities. Therefore, water and power use would not increase and should have no impact on the local utilities supply or demand. The applicant is responsible for any permits or actions to ensure legalization (if needed) of existing water withdrawal from stream. Water consumption related to the operations is minimal. Cattle feeders are equipped with float to prevent overflowing and greenhouses water use is negligible. Water use during operations only impact the existing site water supply. There are no wells nearby to be affected.

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

The RGRW Program's goal is to increase agricultural capacity while promoting and increasing food security island-wide. This Program seeks to enhance and expand agricultural production related to economic revitalization and sustainable

development activities. Alternative locations off and on property may represent an impact to undisturbed and/or uneven ground, sloped terrain or within forested areas, which could require heavier clearing and grading activities. Any alternative that would involve an off-property location might require the purchase of land, the need for storage area, the movement of products, equipment, infrastructure, among others, representing an additional cost. An off-property alternative will not enhance and expand agricultural production or allow for the economic development for this applicant. Given the above-mentioned possible impacts of an alternative location, an off-property alternative was not selected.

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

The project consists of the reconstruction of two greenhouses; the construction of a corral and two shade shelters; and the purchase of livestock, seedlings, computers, and UTV. Under the No Action Alternative, the applicant would not receive federal funding for the proposed action, which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for the economic development for this applicant.

**Summary of Findings and Conclusions:**

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

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

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

The environmental review topics addressed in this environmental review include all formal compliance steps with federal agencies and mitigations (listed in table below) needed for compliance with 24 CFR 58.

Any permits or approvals that have been issued during the preparation of this environmental review have been included in the evaluation of impacts and mitigations. Any special permit conditions or requirements associated with these permits are listed in the Mitigation Measures and Conditions table below.

| Law, Authority, or Factor                   | Mitigation Measure   |
|---|--|
| Wetlands Protection                         | Standard construction BMPs would be used to control erosion and runoff during construction.  |
| Endangered Species                          | Implement Puerto Rican Boa conservation measures prior to and during construction to avoid or minimize impacts to this species. If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124. |
| <b>Permits or Agency Approvals Required</b> |  |
| Permit or Approval                          | Permit Conditions  |
| Ground disturbance                          | Projects whose earthworks are more than 40 m <sup>3</sup> must submit an Incidental Permit. The permit must be submitted via the Single Business Portal to the OGPe to be evaluated and physicalized by the Water Quality Division of the PRDNER. Any necessary permits should be obtained by the applicant and/or contractor prior to construction activities.  |
| Clearing activities                         | Activities involving the excavation or movement of any component of the terrestrial cortex material that exceeds five hundred (500) cubic meters and up to a maximum of five thousand (5,000) cubic meters require the submittal and approval of a Simple Terrestrial Cortex Removal Permit. Applications are submitted via the Single Business Portal of the OGPe to be evaluated and physicalized by terrestrial Cortex Extraction Permit Division of the PRDNER.                              |
| Well/Stream withdrawal                      | Well or water intake activities require a construction and operation permit from the Water Permits and Franchises Division (DPFA) of the PRDRNER. However, the applicant is responsible for any permits or actions to ensure legalization (if needed) of existing water withdrawal from stream. Any necessary permits should be obtained by the applicant and/or contractor prior to construction activities.  |

**Determination:**

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

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

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

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

Preparer Signature:  Date: 3/15/2024

Name/Title/Organization: Gabriela Rodríguez, Senior Environmental Scientist, Tetra Tech Inc.

Certifying Officer Signature:  Date: June 17, 2024

Name/Title: María T. Torres Bregón, CDBG-DR Permits and Environmental Compliance Manager

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

# **APPENDIX A**

## **Site Inspection and Photos**

## Environmental Field Observation - Puerto Rico Department of Housing

| APPLICANT INFORMATION   |   |                                     |  |
|---|---|-------------------------------------|--|
| Application ID  | PR-RGRW-01600   |                                     |  |
| Applicant Name  | Finca El Legado LLC                                   |                                     |  |
| Property Address  | Bo. Río Arriba Carr. 109 R420 Km 1.8 Añasco PR 00610  |                                     |  |
| Parcel ID   | 156-000-007-51-000                                    |                                     |  |
| Coordinates   | 18.291860, -67.041359                                 |                                     |  |
| Inspector Name  | Josue Troche  |                                     |  |
| Inspection Date   | 11/18/2022, Return to site for corrections 11/15/2023 |                                     |  |
| Building Type   | Concrete_Metal  |                                     |  |
| Number of Units   | 1   |                                     |  |
| Number of Stories   | 1   |                                     |  |
| Year Built; Data Source   | c1985; Historian                                      |                                     |  |
| ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers)   |   |                                     |  |
| OBSERVATION ITEMS   | YES   | NO                                  | COMMENTS   |
| A. Is the structure in use?   | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>            |  |
| B. Is structure a greenhouse?   | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>            |  |
| C. Is Electricity connected?  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |
| D. Is water connected? (Utilities or Well)  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |
| 1. Are there signs of <b>poor housekeeping</b> on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.) | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>            |  |
| 2. Are there any <b>55-gallon drums</b> visible on site? If yes, are they leaking?  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |
| 3. Are there any (or signs of any) <b>underground storage tanks</b> on the property?  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |
| 4. Are there signs of <b>ASTs</b> on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.   | <input checked="" type="checkbox"/>                   | <input type="checkbox"/>            | 250 gallons<br>250 gallons<br>250 gallons<br>250 gallons<br>250 gallons<br>250 gallons<br><br>Water reserve<br>Water reserve<br>Water reserve<br>Water reserve<br>Water reserve<br>Water reserve |
| 5. Is there any <b>stained soil or pavement</b> on the parcel?  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |
| 6. Is a water <b>drainage system</b> in use?  | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |
| 7. Is a warehouse in use for storage of <b>Fertilizer or Pesticides</b> ?   | <input type="checkbox"/>                              | <input checked="" type="checkbox"/> |  |

|   |                                     |                                     |  |
|---|-------------------------------------|-------------------------------------|--|
| 8. Are there any <b>groundwater monitoring wells</b> on the site or adjacent parcel?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 9. Is there evidence of a <b>faulty septic system</b> ?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 10. Is there <b>distressed vegetation</b> on the parcel?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 11. Is there any visible indication of <b>MOLD</b> ?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 12. Is there any visible evidence of <b>asbestos, chipping, flaking or peeling paint, or hazardous materials</b> present in or on the structure?                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 13. Are any <b>additional site hazards</b> observed?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 14. Is there any <b>permanent standing water</b> , such as a pond or stream, located on the site (do not include ponding from recent rain / weather events)?        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |  |
| 15. Does the subject property have <b>water frontage</b> ?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 16. Is there any indication of the presence of <b>Wetlands</b> ?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 17. Are there any obvious signs of <b>animals or birds nesting</b> on or near the site?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 18. Is the applicant aware of any <b>significant historical event or persons</b> associated with the structure, or of it being located in a historic district/area? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 19. Is a <b>historic marker</b> present?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |

Additional Notes:

Case: PR-RGRW-01600

Correct coordinates: 18.29182° N, -67.04137° W

Scope of Works:

Scope of work 1:

Reconstruction of Saran plastic for greenhouse. 80ft length x 16ft wide

18.29078° N, -67.03991° W

Scope of work 2:

Reconstruction of Saran plastic for greenhouse. 100ft length x 60ft wide

18.29095° N, -67.04002° W

Scope of work 3: Previously identified in the site visit of 11/18/2022

Construction of new corral for cow pasture

50ft length 50ft wide

18.29137° N, -67.03966° W

**Change of Scope of work 3: New location identified in the Site Visit Return of 11/15/2023:** Construction of new corral for pasture and plant trees in the perimeter for additional shade for the cattle.

50ft length 50ft wide

18.2913424° N, -67.040262° W

Scope of work 4: Previously identified in the site visit of 11/18/2022

Shade shelter for cattle.

24ft length x 14ft wide

18.29124° N, -67.03970° W

**Change of Scope of work 4: New location identified in the Site Visit Return of 11/15/2023:** Shade shelter and plant trees in the perimeter for additional shade for the cattle.

24ft length x 14ft wide

18.291325° N, -67.040582° W

Scope of work 5:

Shade shelter and plant trees in the perimeter for additional shade for the cattle.

24ft length x 14ft wide

18.29222° N, -67.04064° W

Land current in use: harvesting "recao" and cow pasture

Past land use was:

Empty lot, applicant have 17 acres

What the applicant plans to do:

Rebuild two greenhouses with the Saran plastic, the structure of the two greenhouse are sound(replacement of the Saran plastic) Build a corral and two shade shelters, in addition of plant around 70 trees for shade.

Where the applicant plans to do the ground disturbance for the new structures:

1. 18.29078° N, -67.03991° W
2. 18.29095° N, -67.04002° W
3. 18.291324° N, -67.040262° W
4. 18.291325° N, -67.040582° W
5. 18.29222° N, 67.04064° W

Any new water connection, well, cisterns or power connection:

No water, no electricity. Takes water from a stream.

**Front of Structure**

Photo Direction: North



**Facing Away From Front**

Photo Direction: South



**Side #1 of Structure**

Photo Direction: East



**Facing Away From Side #1**

Photo Direction: West



**Back of Structure**

Photo Direction: Southwest



**Facing Away From Back**

Photo Direction: Northeast



**Side #2 of Structure**

Photo Direction: Southeast



**Facing Away From Side #2**

Photo Direction: Northwest



**Streetscape #1**

Photo Direction: South



**Streetscape #2**

Photo Direction: North



**Address**

Photo Direction: North



Outbuildings

Photo Description: Greenhouses

Photo Direction: Southwest



Structural Details

Photo Description: Architectural details

Photo Direction: Southwest



Structural Details

Photo Description: Architectural details

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: Northeast



Structural Details

Photo Description: Architectural details

Photo Direction: North



Aboveground Storage Tanks

Photo Description: Water reserve

Photo Direction: Southeast



Standing Water

Photo Description: River

Photo Direction: Southeast



Scope of Work

Photo Description: Scoop of work 1

Photo Direction: West



Scope of Work

Photo Description: Scoop of work 1

Photo Direction: Southwest



Scope of Work

Photo Description: Scoop of work 1

Photo Direction: Northwest



Scope of Work

Photo Description: Scoop of work 1

Photo Direction: Northwest



Scope of Work

Photo Description: Scoop of work 1

Photo Direction: East



Scope of Work

Photo Description: Scoop of work 2

Photo Direction: West



Scope of Work

Photo Description: Scoop of work 2

Photo Direction: West



Scope of Work

Photo Description: Scoop of work 2

Photo Direction: Northwest



Scope of Work

Photo Description: Scoop of work 2

Photo Direction: Northwest



Scope of Work

Photo Description: Scoop of work 2

Photo Direction: East



Scope of Work

Photo Description: Scoop of work 2

Photo Direction: East



Scope of Work

Photo Description: Scoop of work 3

Photo Direction: West



Scope of Work

Photo Description: Scoop of work 3

Photo Direction: South



Scope of Work

Photo Description: Scoop of work 3

Photo Direction: Southeast



Scope of Work

Photo Description: Scoop of work 4

Photo Direction: Northwest



Scope of Work

Photo Description: Scoop of work 4

Photo Direction: Southwest



Scope of Work

Photo Description: Scoop of work 4

Photo Direction: North



Scope of Work

Photo Description: Scoop of work 4

Photo Direction: Northwest



Scope of Work

Photo Description: Scoop of work 5

Photo Direction: West



Scope of Work

Photo Description: Scoop of work 5

Photo Direction: Southwest



Scope of Work

Photo Description: Scoop of work 5

Photo Direction: South



Scope of Work

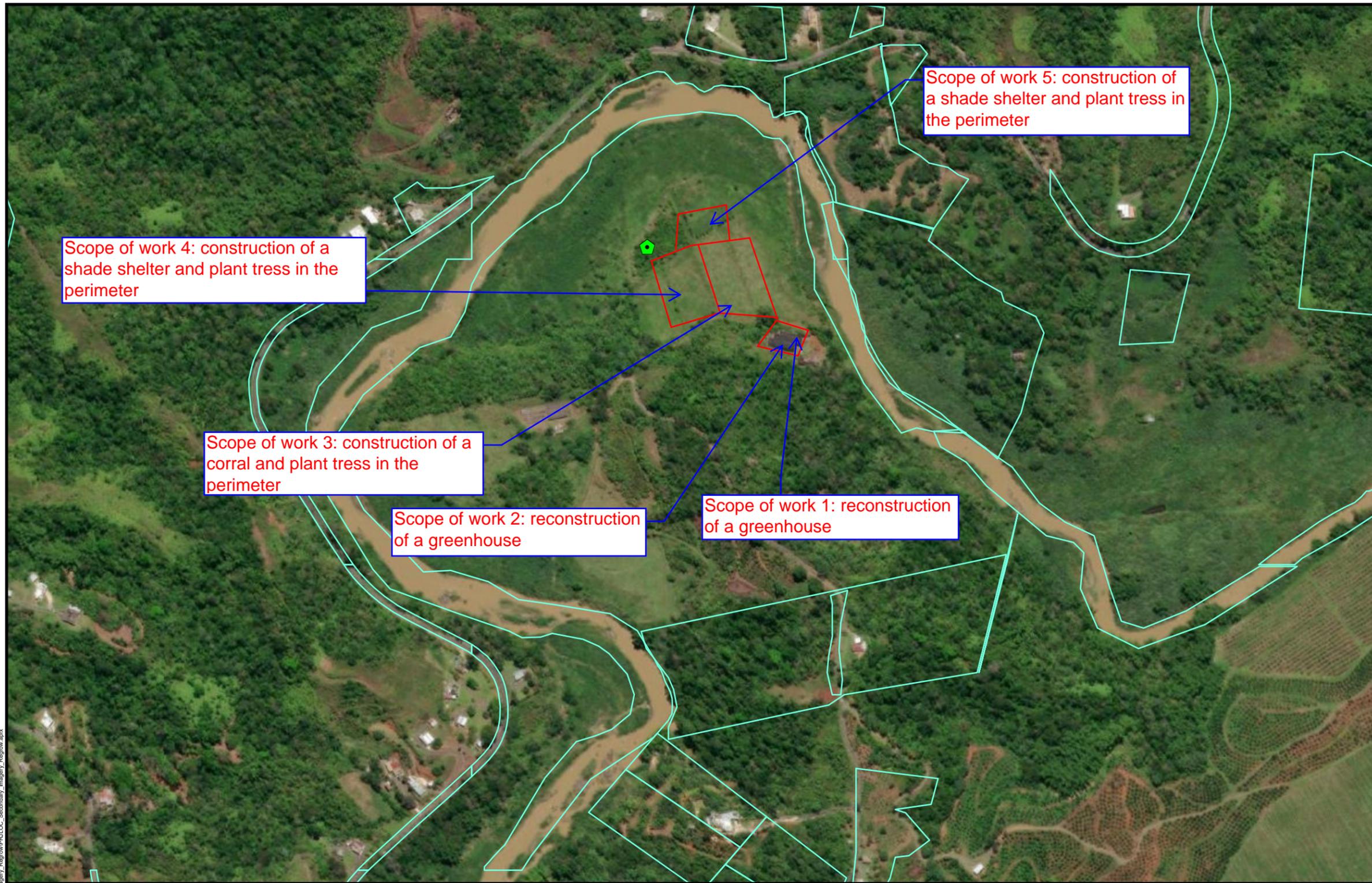
Photo Description: Scoop of work 5

Photo Direction: East



# APPENDIX B

## Maps



**Legend**

- ◆ Project Parcel
- Parcels
- Area of Potential Effect



File Path: Z:\data\USRT\TheRegion\PR\LOC\_Secondary\_Imagery\_Regrow\PR\LOC\_Secondary\_Imagery\_Regrow.aprx

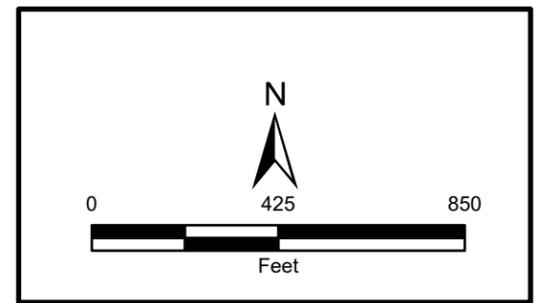


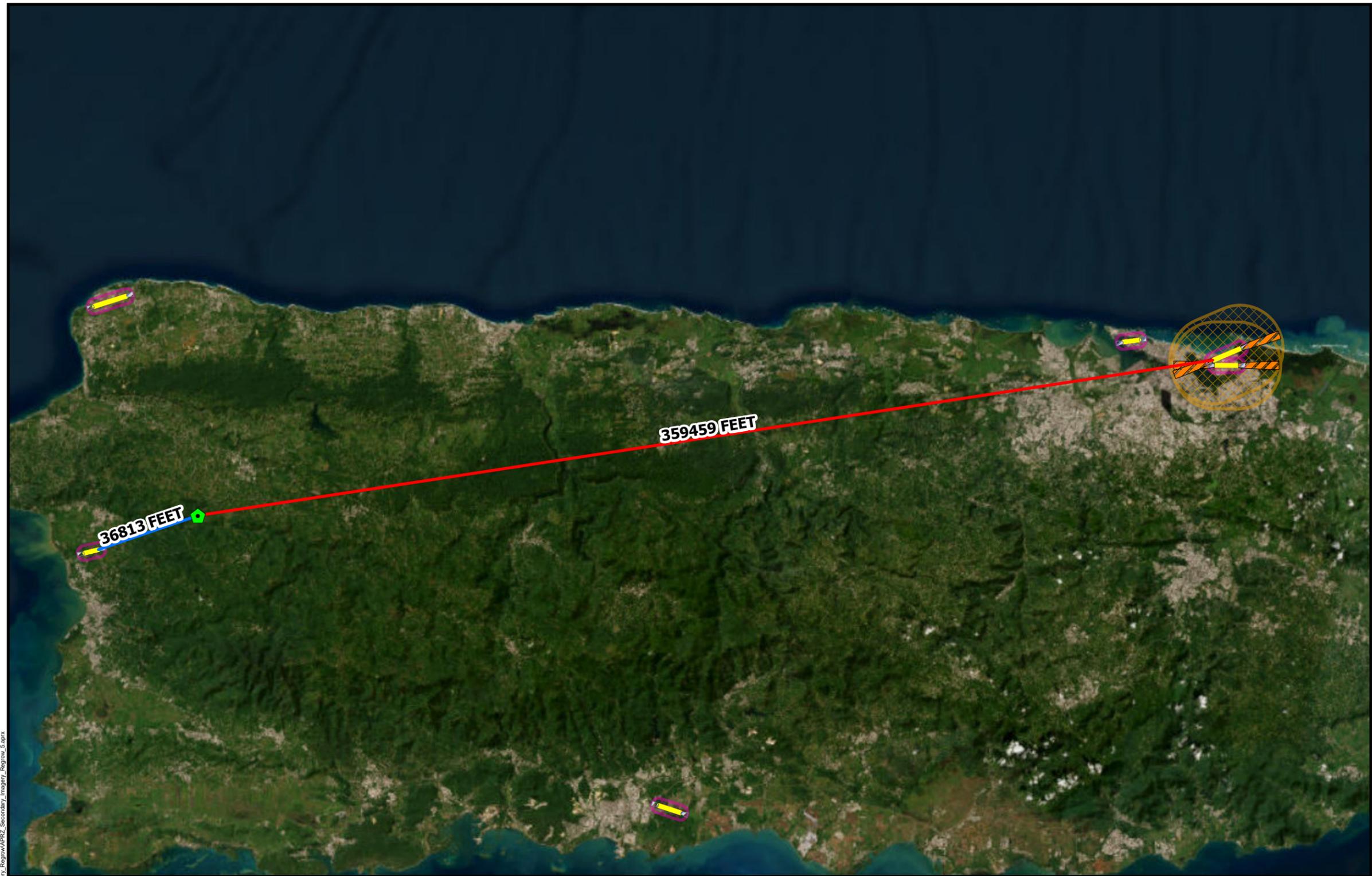
Source: CRIM  
<https://catastro.crimpr.net/cdprpc/>

Author: TG      Date: 2/13/2024

**Figure 1: PROJECT LOCATION**  
**APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610  
 Name of Development: Finca El Legado LLC  
 Parcel Coordinates: 18.291860, -67.041359





**Legend**

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

**Distance to Nearest Airport in Feet: 36,813**

**Distance to Nearest Civilian Airport in Feet: 36,813**

**Distance to Nearest Military Airport in Feet: 359,459**

**PUERTO RICO**



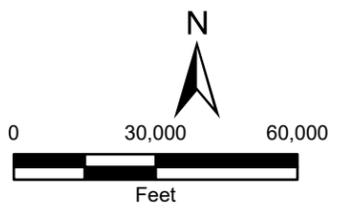
**Figure 2: AIRPORT ZONES**  
**APPLICANT ID: PR-RGRW-01600**

**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610**  
**Name of Development: Finca El Legado LLC**  
**Parcel Coordinates: 18.291860 , -67.041359**

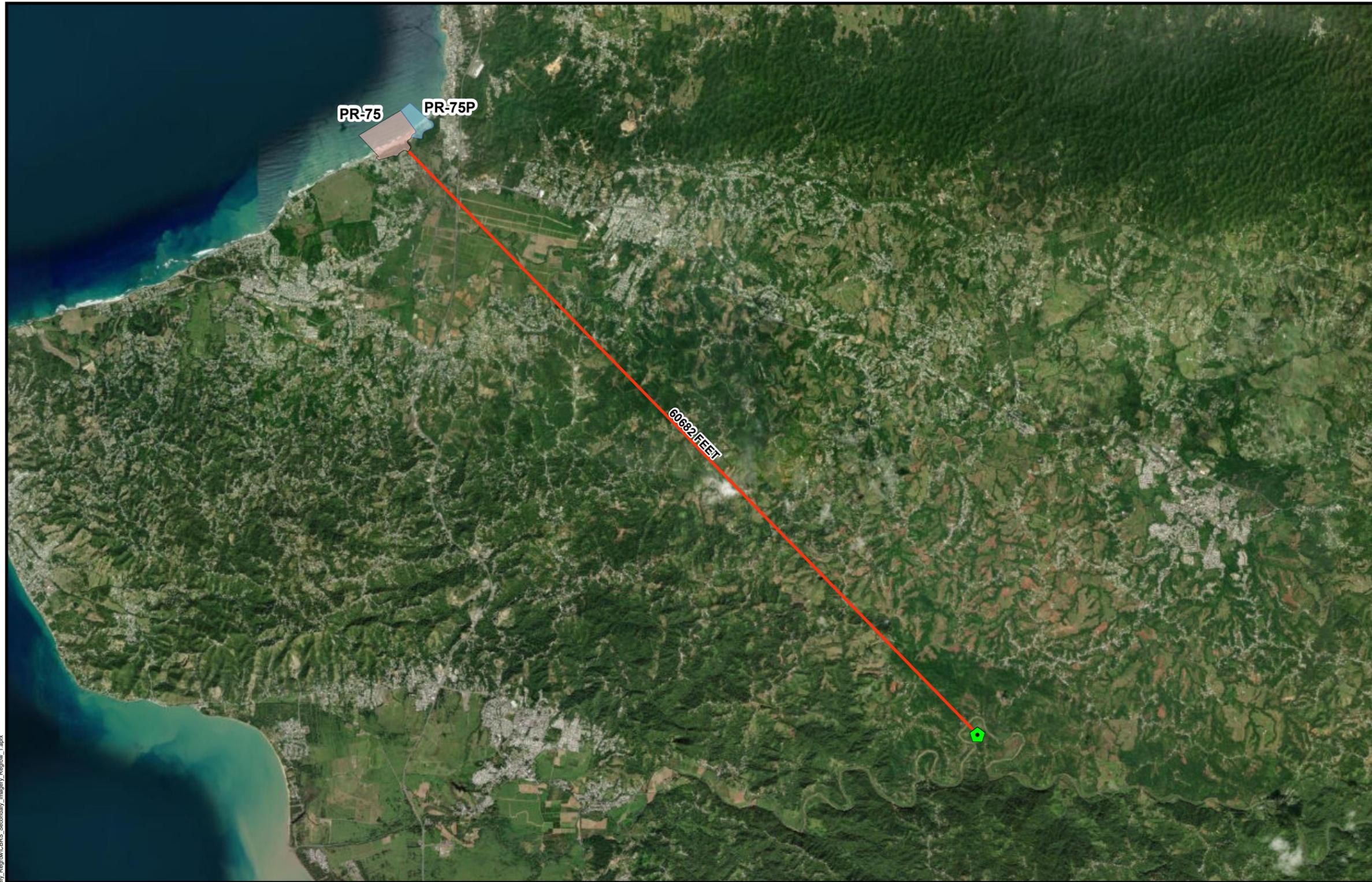


Source: USDOT  
<https://www.faa.gov>

Author: TG Date: 2/14/2024



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



**Legend**

Project Parcel

**Coastal Barrier Resources System Boundary**

**Unit**

PR-75

PR-75P

Distance to Nearest Coastal Barrier Resources System:  
60682 Feet

**PUERTO RICO**



60682 FEET

PR-75

PR-75P

**Figure 3: COASTAL BARRIERS IMPROVEMENT ACT**  
**APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610

Name of Development: Finca El Legado LLC

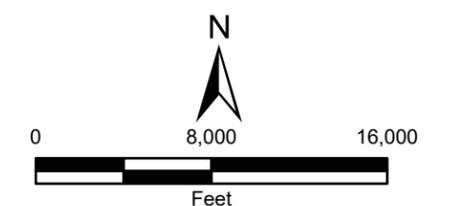
Parcel Coordinates: 18.291860, -67.041359



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

Author: TG

Date: 10/17/2023



File Path: Z:\data\USFWS\Tier2\Regrow\CBRS\_Secondary\_Imagery\_Regrow\_1.aprx



**Legend**

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

**PUERTO RICO**



**Figure 4: FLOODPLAIN MANAGEMENT  
APPLICANT ID: PR-RGRW-01600**

**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610**

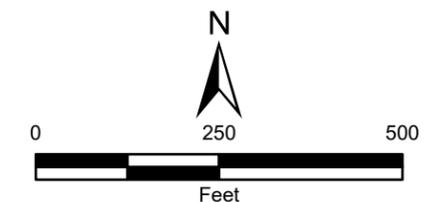
Name of Development: Finca El Legado LLC

Parcel Coordinates: 18.291860, -67.041359



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

Author: TG Date: 1/4/2024





**Legend**

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

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, AE
- With BFE or Depth Zone AE, AD, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- 20.2 Cross Sections with 1% Annual Chance
- 17.6 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

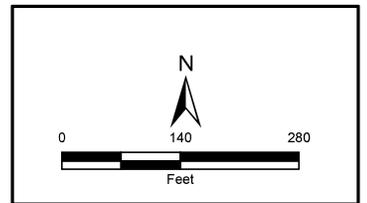
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

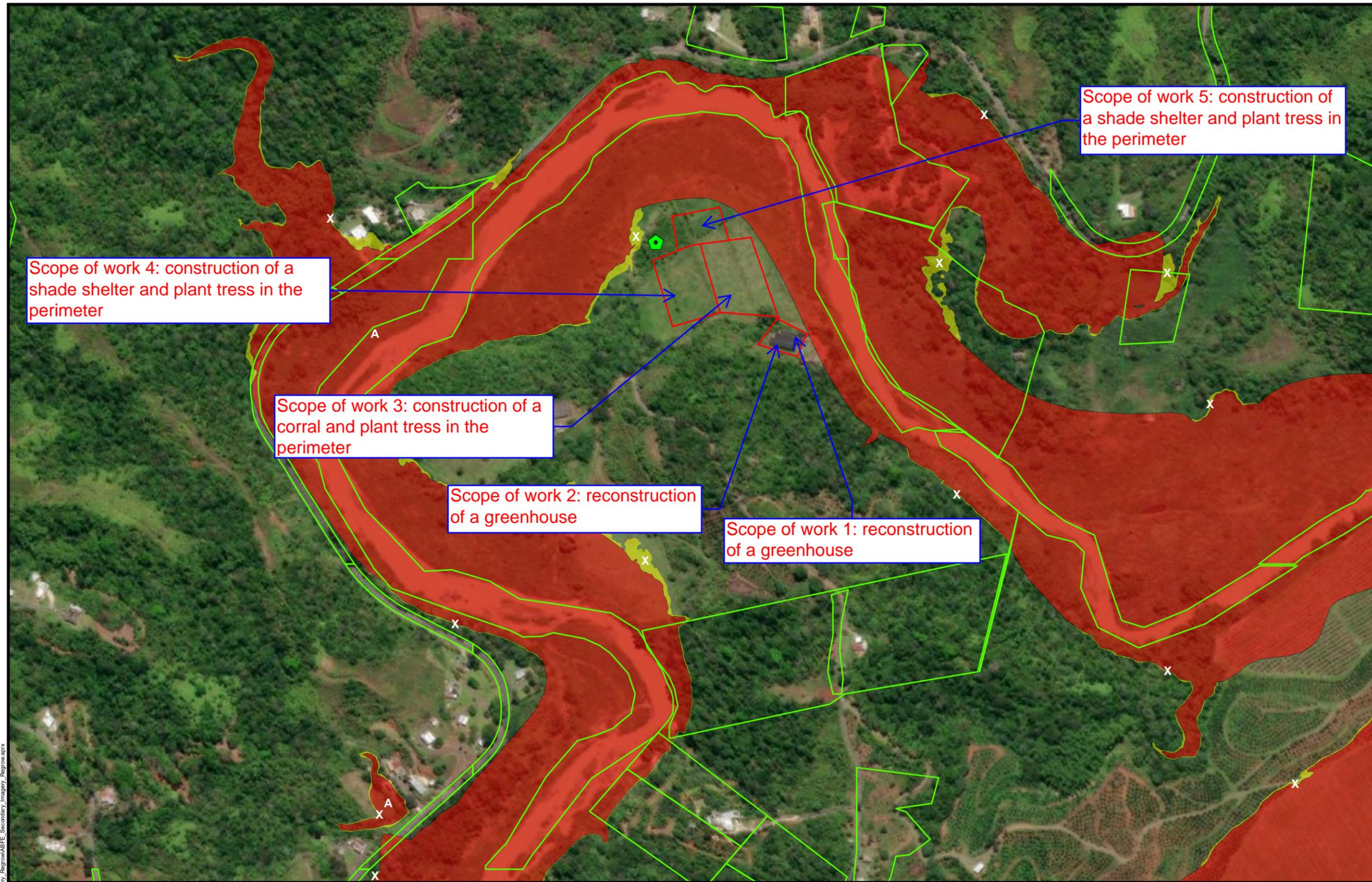


Figure 5: NATIONAL FLOOD HAZARD LAYER FIRMETTE  
 APPLICANT ID: PR-RGRW-01600  
 ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Rio Arriba, Añasco, PR 00610  
 Name of Development: Finca El Legado LLC  
 Parcel Coordinates: 18.291860, -67.041359

Source: FEMA  
<https://www.msc.fema.gov>  
 Author: TG Date: 5/31/2023



File Path: \\msk01\apps\GIS\Projects\2023\230531\230531\_01600\230531\_01600\_FIRM\_LAYER\230531\_01600\_FIRM\_LAYER.mxd



**Legend**

- Project Parcel
- Parcels
- PuertoRico\_ABF\_E\_1PCT
- Advisory Base Flood Elevation (zoom in to make visible)
- 
- Flood Hazard Boundary (zoom in to make visible)
- Limit of Moderate Wave Action (LMMA)
- ▲
- Flood Hazard Extent
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood
- Zone/BFE Boundary
- 
- Flood Hazard Area (zoom in to make visible)
- Flood Hazard Zone
- A
- AO
- AE
- Coastal A Zone
- VE
- X 0.2% Annual Chance Flood
- A-Floodway
- AE-Floodway
- Coastal A Zone and Floodway
- Area of Potential Effect



**Figure 6: ADVISORY BASE FLOOD ELEVATION**  
**APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610

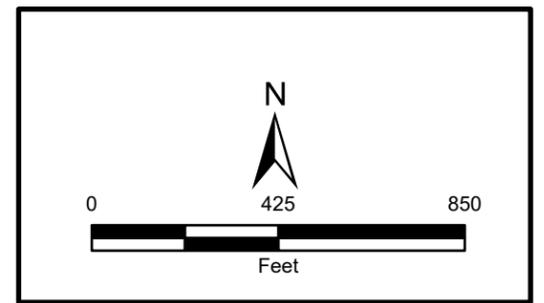
Name of Development: Finca El Legado LLC

Parcel Coordinates : 18.291860, -67.041359

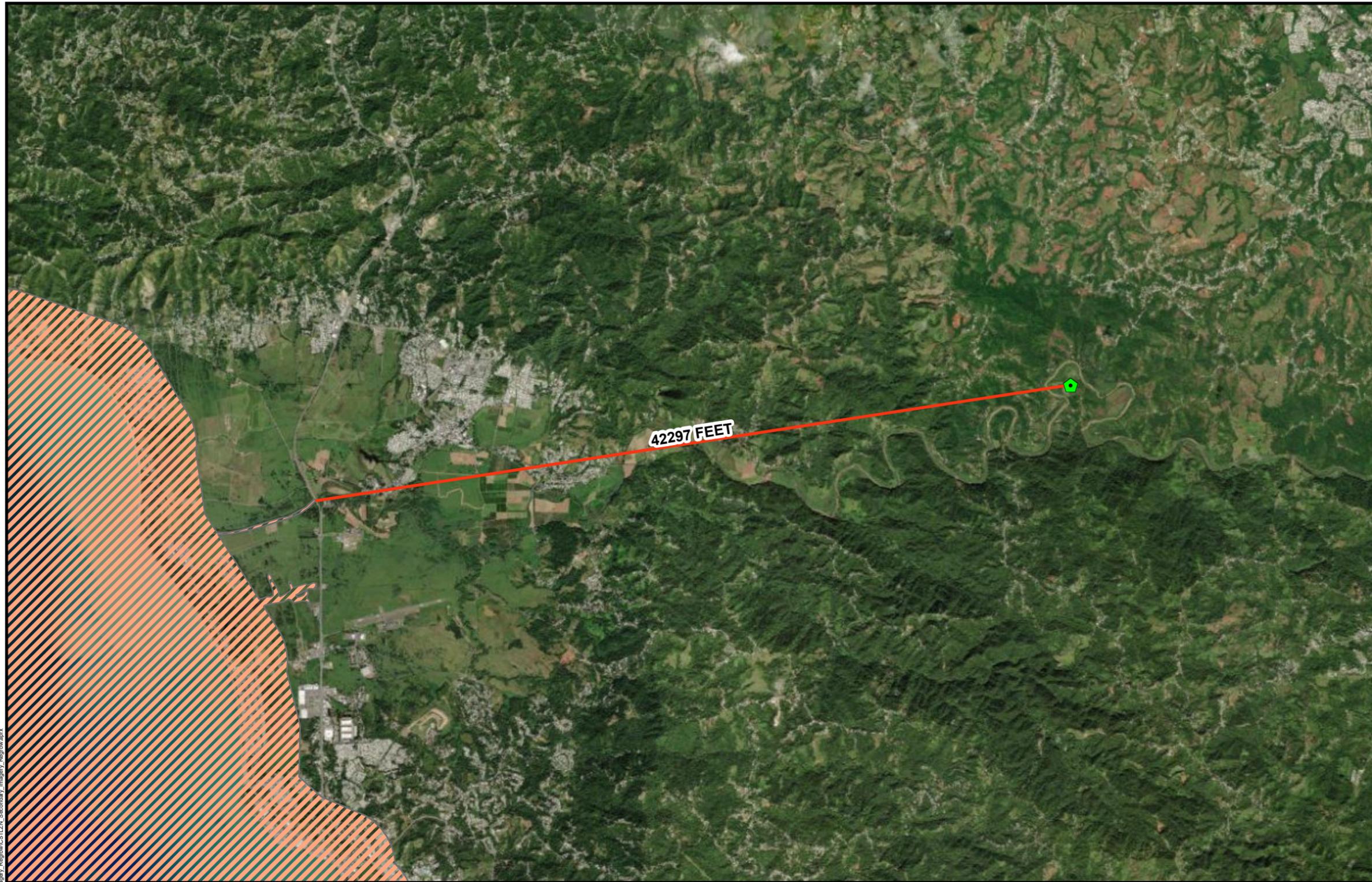


Source: FEMA  
<https://gis.fema.gov>

Author: TG      Date: 2/13/2024



File Path: Z:\data\USRT\TheRGRW\pr\ABFE\_Secondary\_Imagery\_RegrowABFE\_Secondary\_Imagery\_Regrow.prx



- Legend**
-  Project Parcel
  -  Coastal Zone Management Boundary

Distance to Nearest Coastal Zone:  
42297 Feet

**PUERTO RICO**



**Figure 7: COASTAL ZONE MANAGEMENT  
APPLICANT ID: PR-RGRW-01600**

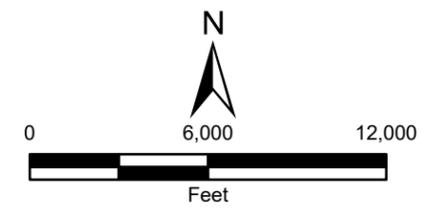
**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610**

Name of Development: Finca El Legado LLC  
Parcel Coordinates: 18.291860, -67.041359

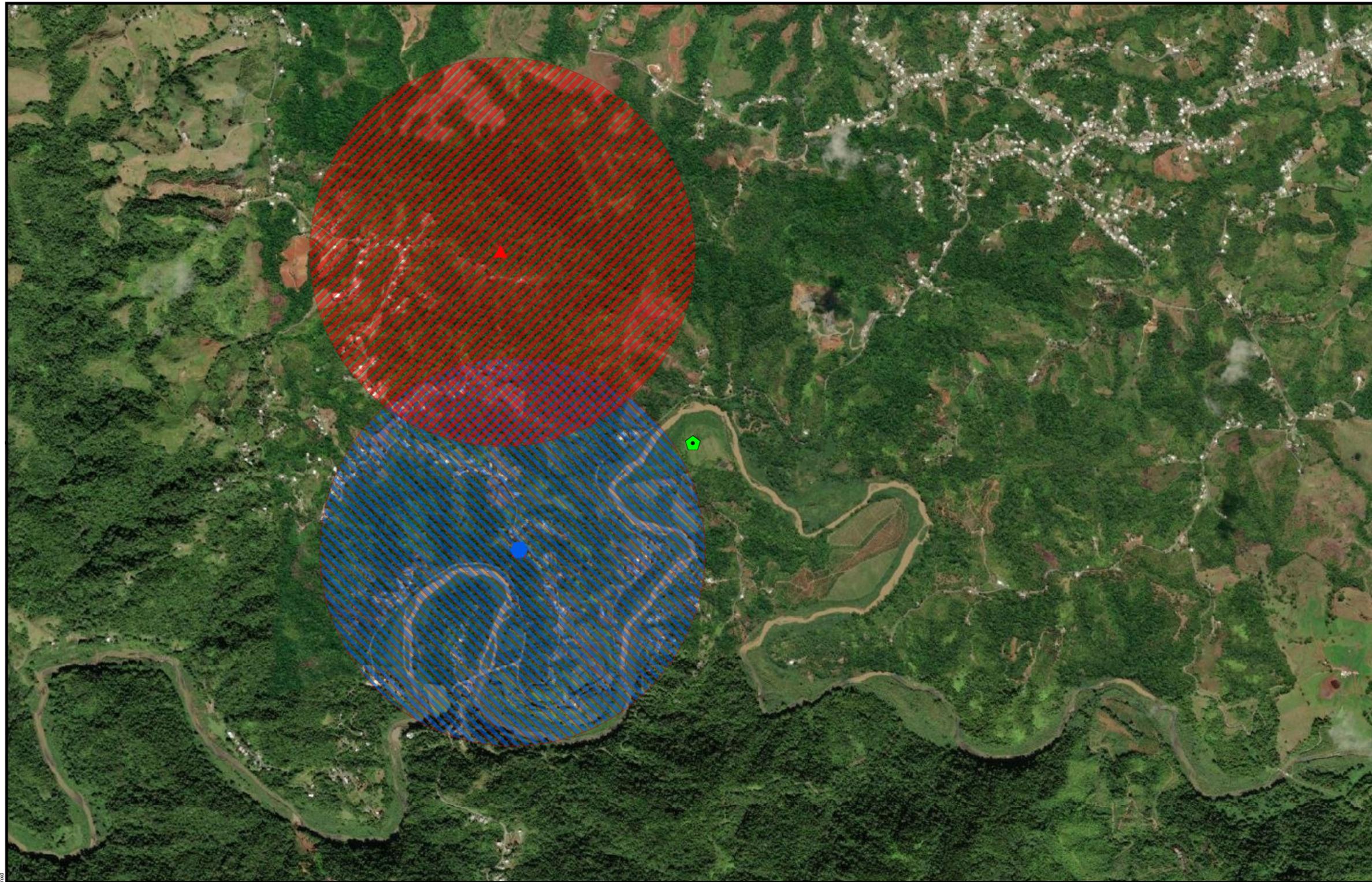


Source: NOAA's Ocean Service  
<https://data.noaa.gov>

Author: TG Date: 10/17/2023



File Path: Z:\data\USRT\Tier2\Regrow\pr\CS12\N\_Secundary\_Imagery\_Regrow\CS12\N\_Secundary\_Imagery\_Regrow.prx



- Legend**
- ◆ RCRA
  - ▲ Toxic Release Inventory Site
  - ⬠ Project Parcel
  - Superfund Site
  - Brownfield Sites
  - Project\_Parcel
  - 3000 Ft Buffer TRI
  - 3000 Ft Buffer Superfund
  - 3000 Ft Buffer RCRA
  - 3000 Ft Buffer Brownfield

**PUERTO RICO**

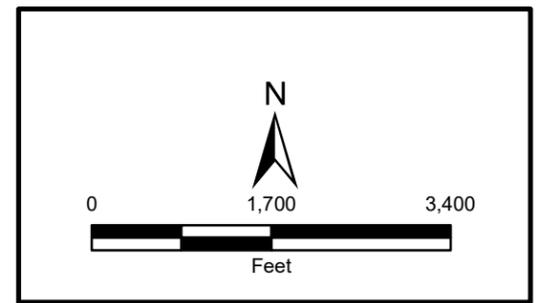


**Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS,  
CONTAMINATION, AND RADIOACTIVE SUBSTANCES  
APPLICANT ID: PR-RGRW-01600**

**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba Añasco, PR 00610**

Name of Development: Finca El Legado LLC

Parcel Coordinates: 18.291860, -67.041359



Source: E.P.A.

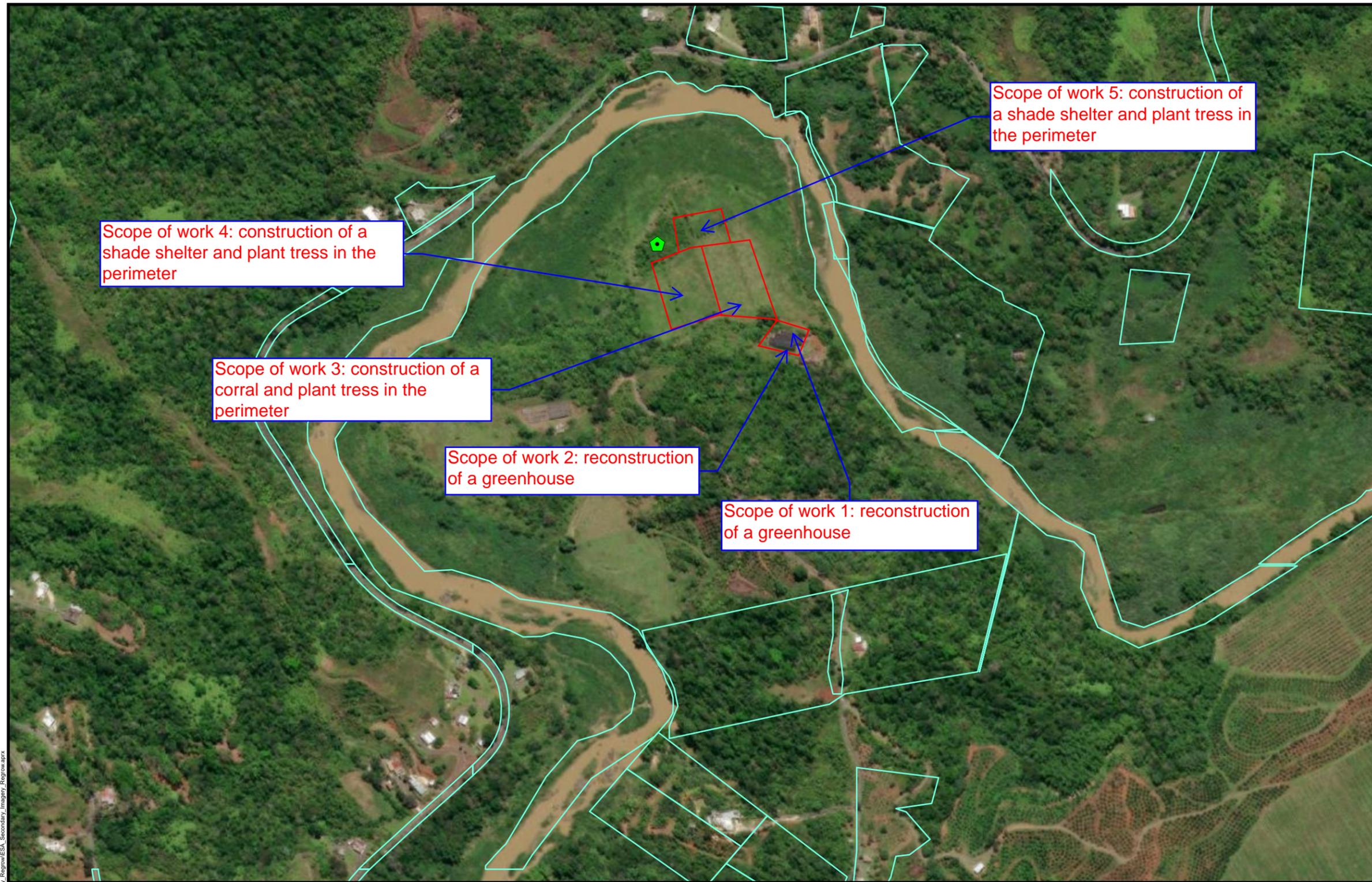
<https://www.epa.gov/frs/geospatial-data-download-service>

Author: JB/AK

Date: 11/17/2023

File Path: Z:\data\USPR\Tier1\TOXIC\_Secundary\_Images\_Regional.mxd





**Legend**

-  Project Parcel
-  Parcels
-  Area of Critical Habitat
-  Area of Potential Effect

**PUERTO RICO**



**Figure 10: ENDANGERED SPECIES ACT  
APPLICANT ID: PR-RGRW-01600**

**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610**

Name of Development: Finca El Legado LLC

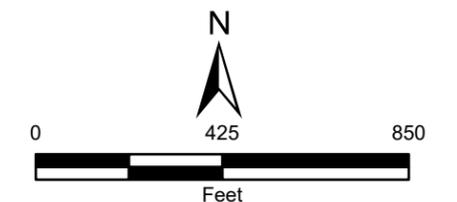
Parcel Coordinates: 18.291860, -67.041359



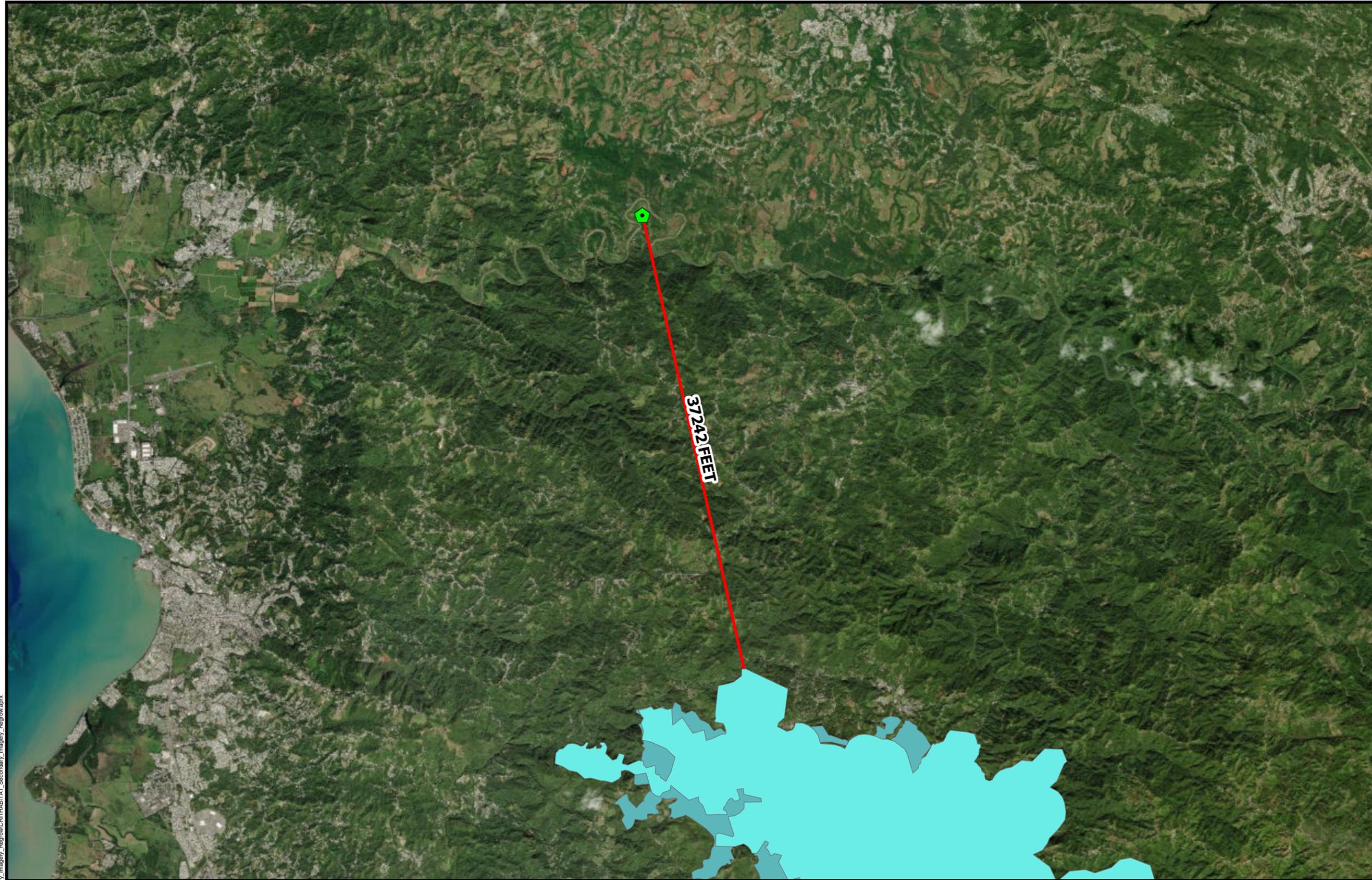
Source: U.S. FISH & WILDLIFE SERVICE  
<https://ecos.fws.gov>

Author: TG

Date: 2/13/2024



File Path: Z:\data\USFWS\Tier2\Regrow\ESA\_Secundary\_Imagery\_Regrow.aprx



- Legend**
-  Project Parcel
  - Common Name**
  -  Elfin-woods warbler
  -  Puerto Rico harlequin butterfly

Distance to Nearest Critical Habitat:  
37242 Feet

**PUERTO RICO**



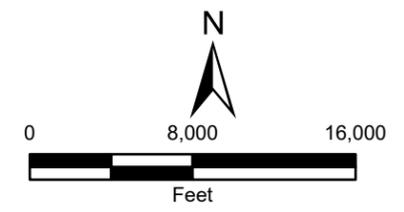
**Figure 11: CRITICAL HABITATS**  
**APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610  
Name of Development: Finca El Legado LLC  
Parcel Coordinates: 18.291860, -67.041359

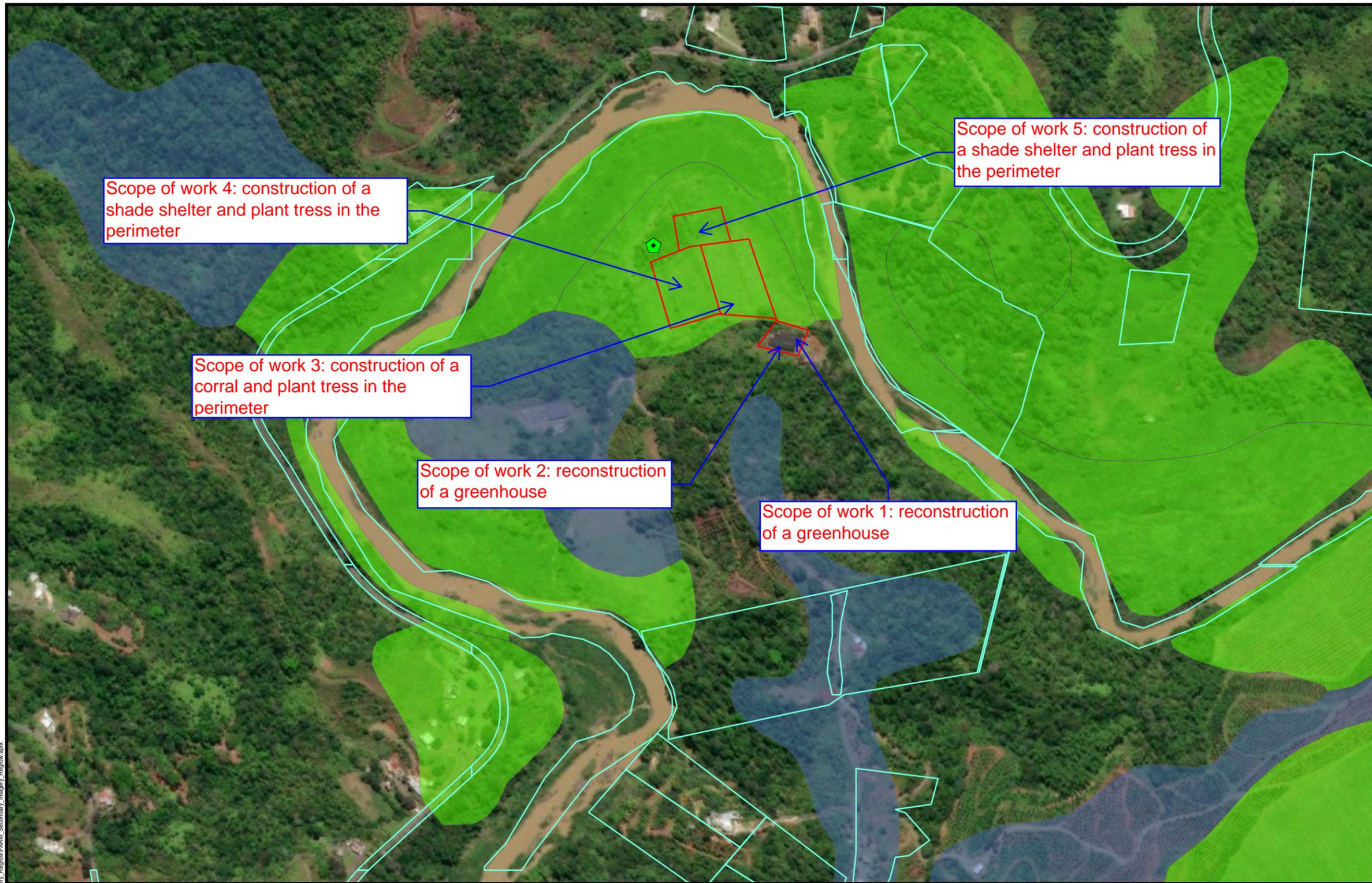


Source: U.S. FISH & WILDLIFE SERVICE  
<https://ecos.fws.gov>

Author: TG Date: 11/3/2023



File Path: Z:\data\USFWS\PR\Regrow\PR-CRITICAL\_HABITAT\_Secondary\_Imagery\_Regrow.aprx



**Legend**

Project Parcel

**Farm Class**

- All areas are prime farmland
- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Prime farmland if drained
- Prime farmland if irrigated
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Prime farmland if protected from flooding or not frequently flooded during the growing season

Area of Potential Effect

**PUERTO RICO**



**Figure 12: FARMLAND PROTECTION**  
**APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610

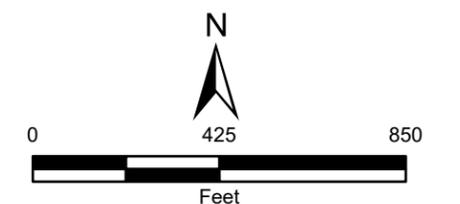
Name of Development: Finca El Legado LLC

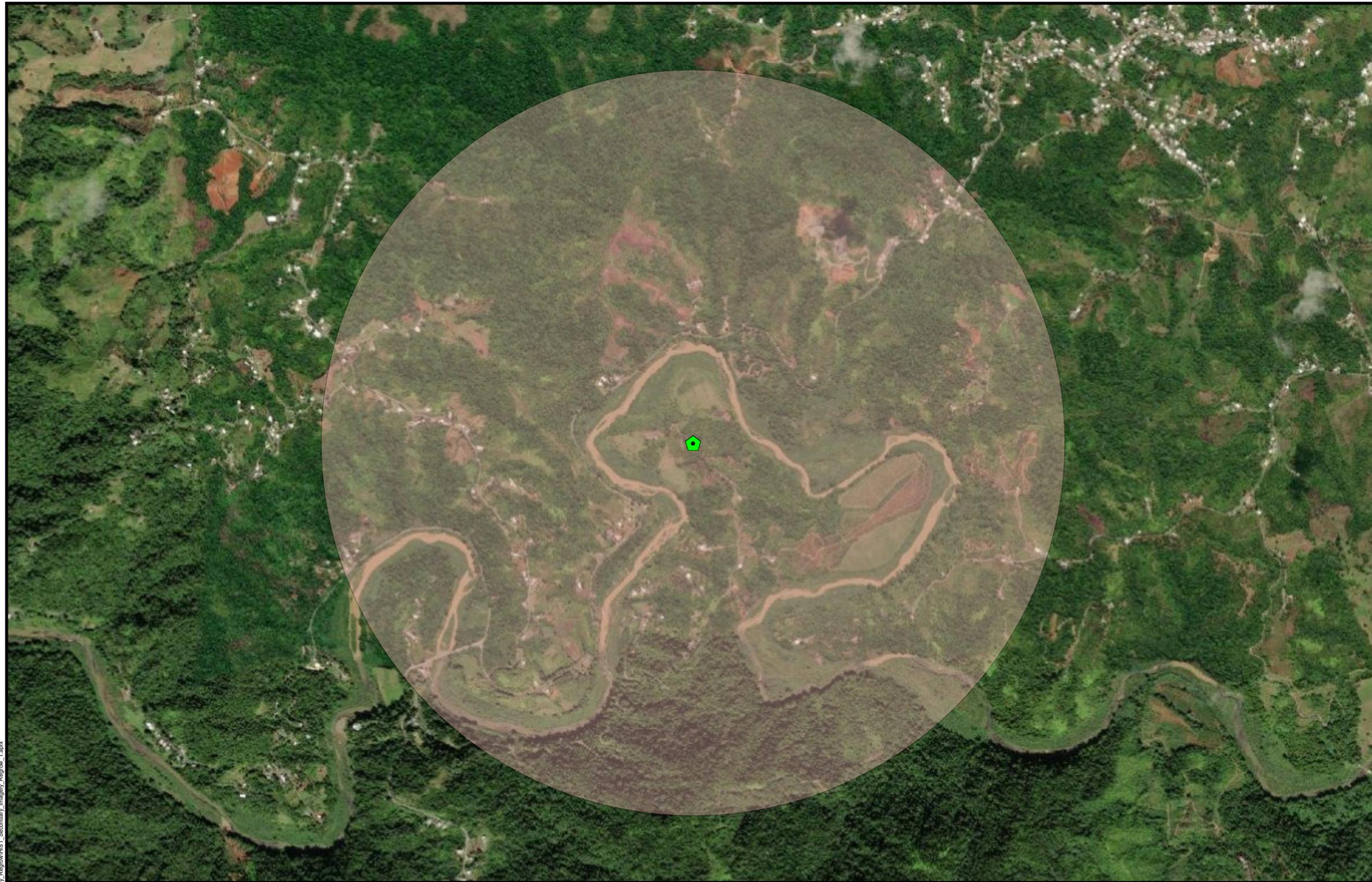
Parcel Coordinates: 18.291860, -67.041359



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

Author: TG Date: 11/3/2023





**Legend**

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

**PUERTO RICO**



**Figure 13: HISTORIC PRESERVATION  
 APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610

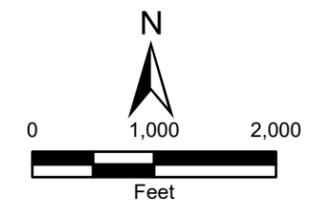
Name of Development: Finca El Legado LLC

Parcel Coordinates: 18.291860, -67.041359



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

Author: TG Date: 11/3/2023





**Legend**

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

**PUERTO RICO**



**Figure 14: WETLANDS**  
**APPLICANT ID: PR-RGRW-01600**

ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610

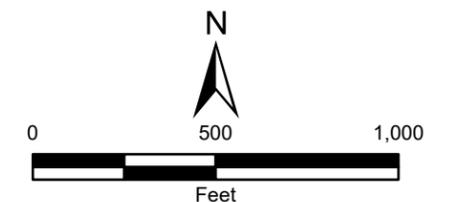
Name of Development: Finca El Legado LLC

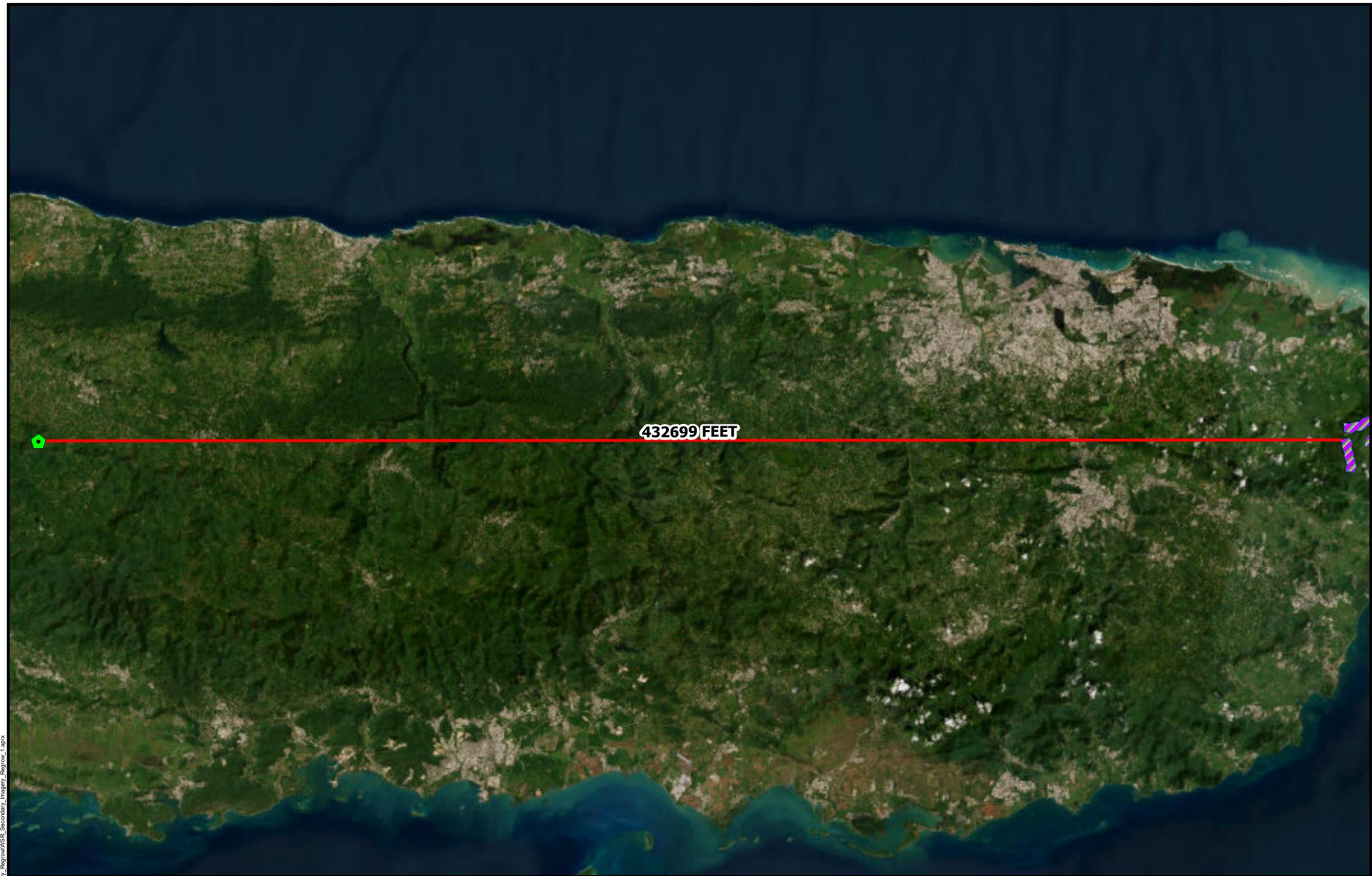
Parcel Coordinates: 18.291860, -67.041359



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

Author: TG Date: 11/3/2023





**Legend**

-  Project Parcel
-  Wild and Scenic Rivers

Distance to Nearest Wild and Scenic River: 432699 Feet

**PUERTO RICO**



File Path: Z:\data\USFR\Tier2\Regrow\SR\_Secondary\_Imagery\_Regrow\_1.aprx

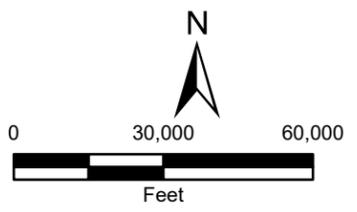


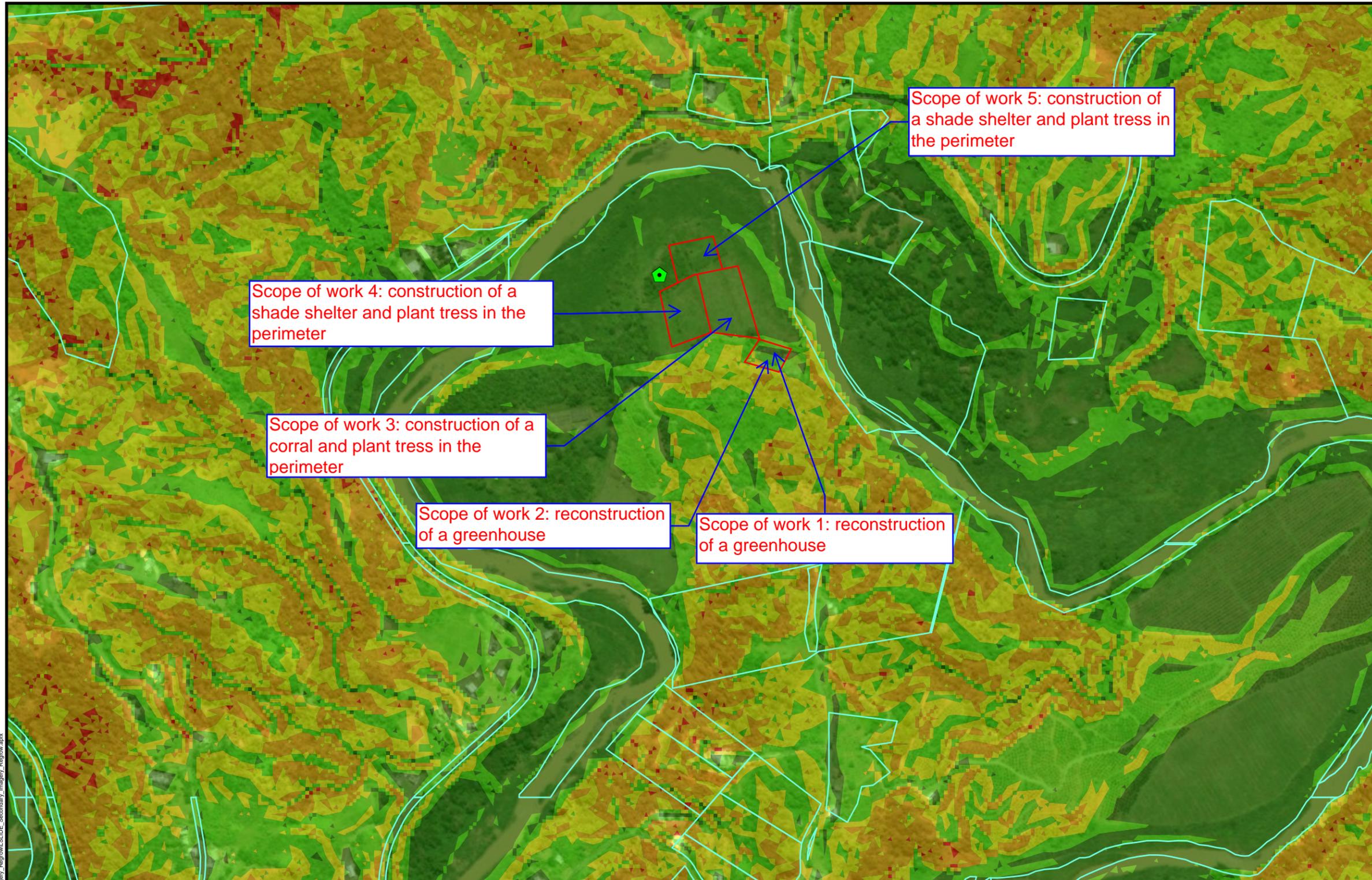
Source: U. S. Forest Service  
<https://www.fs.usda.gov>

Author: TG      Date: 10/23/2023

**Figure 15: WILD AND SCENIC RIVERS ACT  
 APPLICANT ID: PR-RGRW-01600**

**ADDRESS:** CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610  
 Name of Development: Finca El Legado LLC  
 Parcel Coordinates: 18.291860, -67.041359





**Legend**

- ◆ Project Parcel
- Parcels

**Landslide Susceptibility**

- Extremely High
- Very High
- High
- Moderate
- Low

Area of Potential Effect

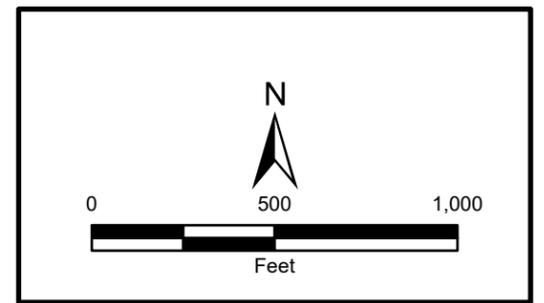
**PUERTO RICO**



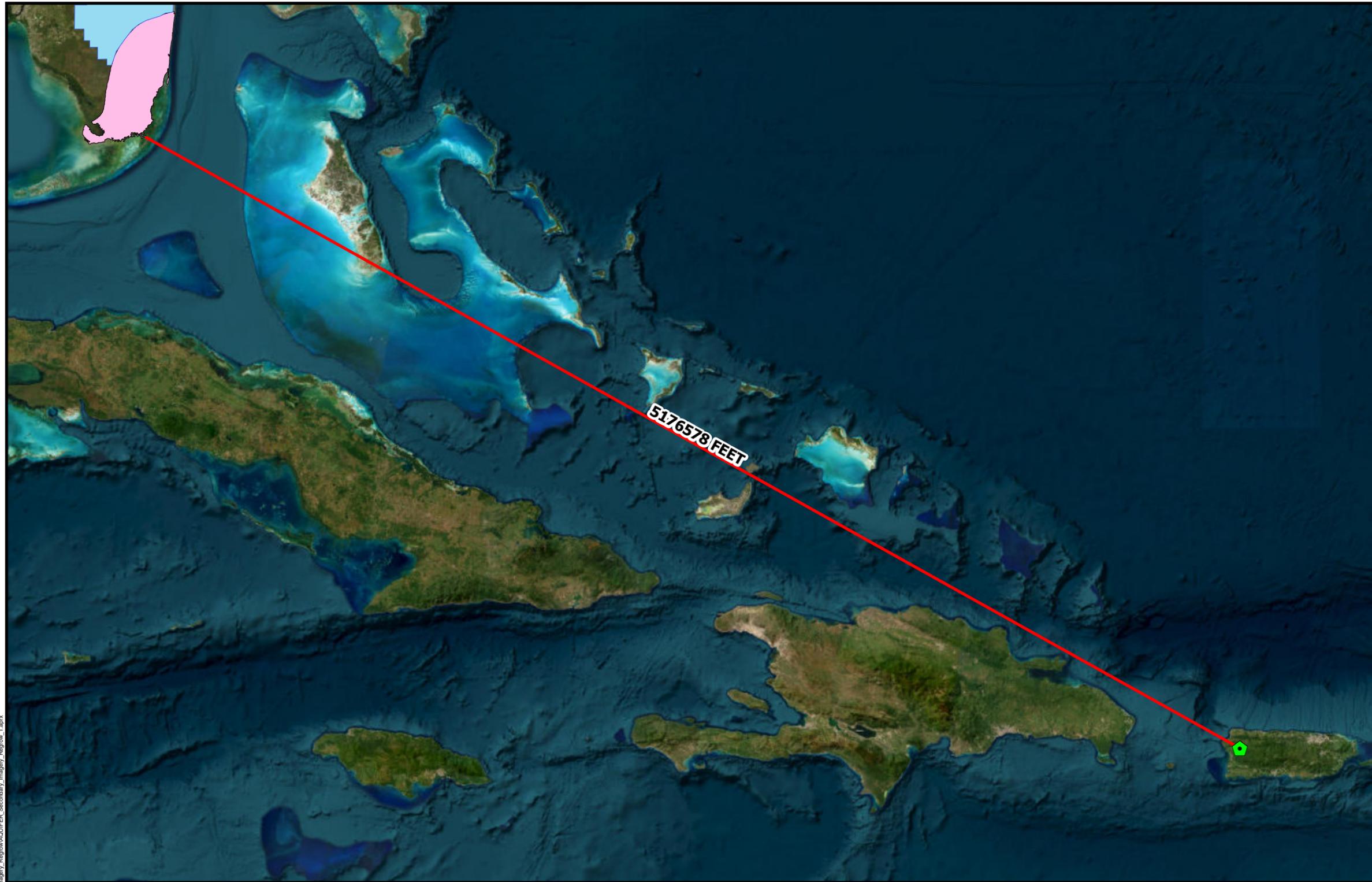
**Figure 16: SLOPE AND EROSION  
APPLICANT ID: PR-RGRW-01600**

**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610**

Name of Development: Finca El Legado LLC  
Parcel Coordinates: 18.291860, -67.041359



Source: PRDOH  
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=10506ecc7f15491daee17647f19248ee>  
 Author: TG Date: 11/3/2023



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

Distance to Nearest Aquifer:  
5,176,578 FT

**PUERTO RICO**



File Path: Z:\data\USPT\TheR\Regw\pr\AQUIFER\_Secondary\_Imagery\_Regrow\_1.aprx



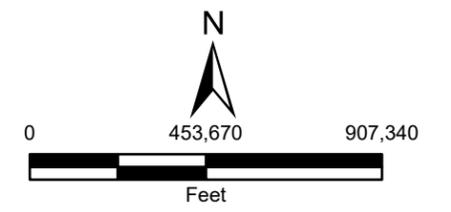
Source: USGS  
<https://catalog.data.gov/dataset/epa-sole-source-aquifers>  
 Author: TG Date: 2/21/2024

**Figure 17: SOLE SOURCE AQUIFERS**  
**APPLICANT ID: PR-RGRW-01600**

**ADDRESS: CAR 109 R420 K1 8 Bo Corcobada y Río Arriba, Añasco, PR 00610**

Name of Development: Finca El Legado LLC

Parcel Coordinates: 18.291860, -67.041359



# **APPENDIX C**

## **Additional Information**



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

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

Data is current as of February 29, 2024

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

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

Change the State:

PUERTO RICO

Important Notes

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

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

Important Notes

# EJScreen Community Report

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

## Añasco Municipio, PR

1 mile Ring around the Area  
Population: 616  
Area in square miles: 3.82

A3 Landscape



March 5, 2024  
PR-RGRW-01600  
Search Result (point)  
1:27,028  
0 0.1 0.2 0.4 mi  
0 0.15 0.3 0.6 km  
Esp, NESE, German, PC, Maxar

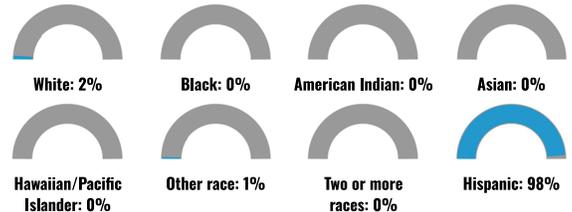
### COMMUNITY INFORMATION



### LANGUAGES SPOKEN AT HOME

| LANGUAGE                    | PERCENT |
|-----------------------------|---------|
| No language data available. |         |

### BREAKDOWN BY RACE



### BREAKDOWN BY AGE



### LIMITED ENGLISH SPEAKING BREAKDOWN



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

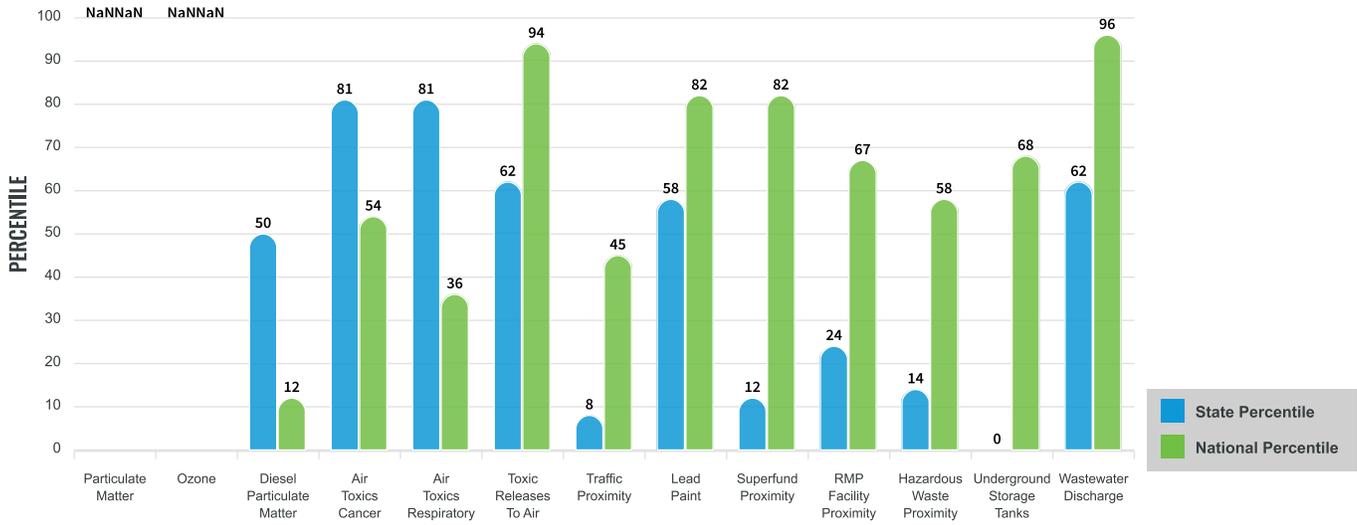
# Environmental Justice & Supplemental Indexes

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

## EJ INDEXES

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

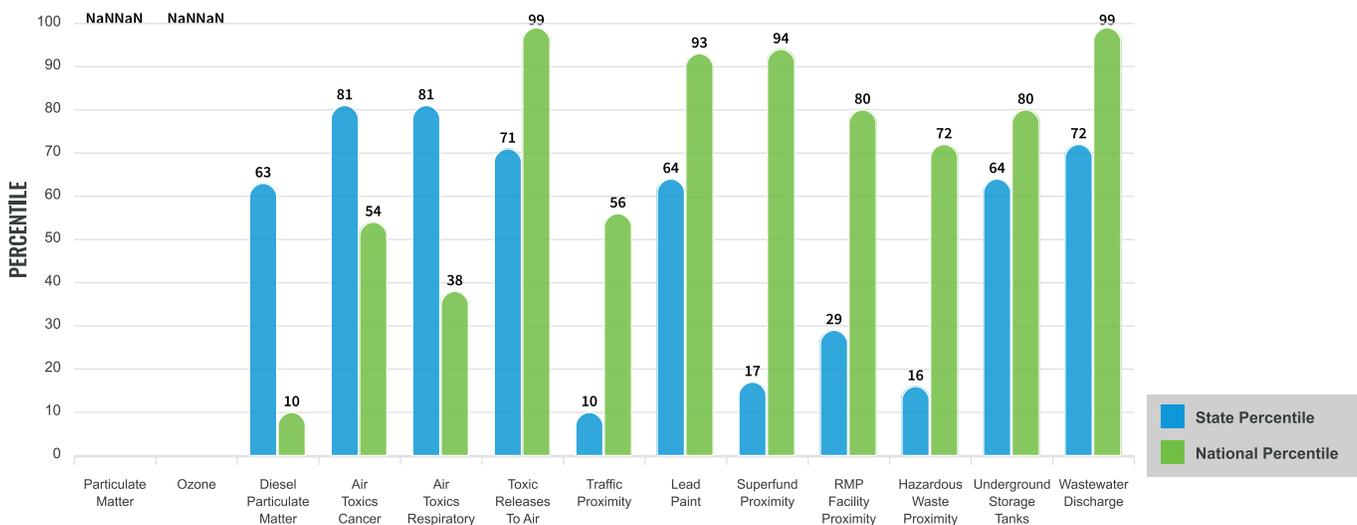
### EJ INDEXES FOR THE SELECTED LOCATION



## SUPPLEMENTAL INDEXES

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

### SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



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

Report for 1 mile Ring around the Area

# EJScreen Environmental and Socioeconomic Indicators Data

| SELECTED VARIABLES  | VALUE  | STATE AVERAGE | PERCENTILE IN STATE | USA AVERAGE | PERCENTILE IN USA |
|---|--------|---------------|---------------------|-------------|-------------------|
| <b>POLLUTION AND SOURCES</b>                                      |        |               |                     |             |                   |
| Particulate Matter ( $\mu\text{g}/\text{m}^3$ )                   | N/A    | N/A           | N/A                 | 8.08        | N/A               |
| Ozone (ppb)   | N/A    | N/A           | N/A                 | 61.6        | N/A               |
| Diesel Particulate Matter ( $\mu\text{g}/\text{m}^3$ )            | 0.0336 | 0.0667        | 44                  | 0.261       | 2                 |
| Air Toxics Cancer Risk* (lifetime risk per million)               | 20     | 20            | 15                  | 25          | 5                 |
| Air Toxics Respiratory HI*  | 0.2    | 0.19          | 17                  | 0.31        | 4                 |
| Toxic Releases to Air   | 1,000  | 4,300         | 58                  | 4,600       | 59                |
| Traffic Proximity (daily traffic count/distance to road)          | 5.8    | 180           | 8                   | 210         | 12                |
| Lead Paint (% Pre-1960 Housing)                                   | 0.11   | 0.16          | 55                  | 0.3         | 37                |
| Superfund Proximity (site count/km distance)                      | 0.042  | 0.15          | 10                  | 0.13        | 38                |
| RMP Facility Proximity (facility count/km distance)               | 0.084  | 0.47          | 22                  | 0.43        | 23                |
| Hazardous Waste Proximity (facility count/km distance)            | 0.091  | 0.76          | 14                  | 1.9         | 18                |
| Underground Storage Tanks (count/km <sup>2</sup> )                | 0.23   | 1.7           | 60                  | 3.9         | 33                |
| Wastewater Discharge (toxicity-weighted concentration/m distance) | 0.3    | 2.3           | 79                  | 22          | 87                |
| <b>SOCIOECONOMIC INDICATORS</b>                                   |        |               |                     |             |                   |
| Demographic Index   | 94%    | 83%           | 79                  | 35%         | 99                |
| Supplemental Demographic Index                                    | 54%    | 43%           | 80                  | 14%         | 99                |
| People of Color   | 98%    | 96%           | 19                  | 39%         | 95                |
| Low Income  | 89%    | 70%           | 81                  | 31%         | 99                |
| Unemployment Rate   | 15%    | 15%           | 57                  | 6%          | 90                |
| Limited English Speaking Households                               | 78%    | 67%           | 69                  | 5%          | 99                |
| Less Than High School Education                                   | 35%    | 21%           | 85                  | 12%         | 94                |
| Under Age 5   | 6%     | 4%            | 78                  | 6%          | 60                |
| Over Age 64   | 28%    | 22%           | 74                  | 17%         | 86                |
| Low Life Expectancy   | N/A    | N/A%          | N/A                 | 20%         | N/A               |

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

## Sites reporting to EPA within defined area:

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

## Other community features within defined area:

|                         |   |
|-------------------------|---|
| Schools .....           | 0 |
| Hospitals .....         | 0 |
| Places of Worship ..... | 0 |

## Other environmental data:

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

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

Report for 1 mile Ring around the Area

# EJScreen Environmental and Socioeconomic Indicators Data

## HEALTH INDICATORS

| INDICATOR                 | VALUE | STATE AVERAGE | STATE PERCENTILE | US AVERAGE | US PERCENTILE |
|---------------------------|-------|---------------|------------------|------------|---------------|
| Low Life Expectancy       | N/A   | N/A           | N/A              | 20%        | N/A           |
| Heart Disease             | N/A   | N/A           | N/A              | 6.1        | N/A           |
| Asthma                    | N/A   | N/A           | N/A              | 10         | N/A           |
| Cancer                    | N/A   | N/A           | N/A              | 6.1        | N/A           |
| Persons with Disabilities | 30.3% | 21.6%         | 87               | 13.4%      | 98            |

## CLIMATE INDICATORS

| INDICATOR     | VALUE | STATE AVERAGE | STATE PERCENTILE | US AVERAGE | US PERCENTILE |
|---------------|-------|---------------|------------------|------------|---------------|
| Flood Risk    | N/A   | N/A           | N/A              | 12%        | N/A           |
| Wildfire Risk | N/A   | N/A           | N/A              | 14%        | N/A           |

## CRITICAL SERVICE GAPS

| INDICATOR                | VALUE | STATE AVERAGE | STATE PERCENTILE | US AVERAGE | US PERCENTILE |
|--------------------------|-------|---------------|------------------|------------|---------------|
| Broadband Internet       | 56%   | 32%           | 87               | 14%        | 98            |
| Lack of Health Insurance | 6%    | 7%            | 42               | 9%         | 42            |
| Housing Burden           | No    | N/A           | N/A              | N/A        | N/A           |
| Transportation Access    | No    | N/A           | N/A              | N/A        | N/A           |
| Food Desert              | No    | N/A           | N/A              | N/A        | N/A           |

Report for 1 mile Ring around the Area

**APPENDIX D**  
Endangered Species

Date: October 17, 2023

Applicant ID: PR-RGRW-01600

Street Address: Bo. Río Arriba Carr. 109 R420 Km 1.8

Municipality: Añasco

### Subject – Endangered Species No Effect Determination for PR-RGRW-01600 Site #1

Tetra Tech conducted a site-specific review of endangered species in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed project located at Bo. Río Arriba Carr. 109 R420 Km 1.8, in the Municipality of Añasco, Puerto Rico (Parcel ID# 156-000-007-51-000).

The proposed project is for the partial demolition and replacement of a greenhouse located at 18.29078, -67.03991. The new greenhouse will measure 10-feet by 16-feet with Saran plastic measuring 10-feet by 20-feet. The proposed project area is located on a previously disturbed area with the remnants of a greenhouse.

The parcel is used for raising cattle and growing recao. Landscape surrounding the proposed project area includes relatively flat pastureland, with garden plots to the north and west and an isolated forested section directly south of the proposed project area (Figure 1).

The National Wetlands Inventory indicated that wetlands are located within the parcel, but not within site #1 (Figure 14). A river borders the northern section of the parcel.

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

| Species   | Status     |
|---|------------|
| Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )          | Endangered |
| Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> ) | Threatened |

No Critical Habitats were noted within the project area (Figure 10). Based on site review and site photos, no suitable habitat was found within the proposed project area for the listed species. Based on the nature of the project, previous site disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

---

| Species  | Effect Determination | Conservation Measures to be implemented (if needed) |
|--|----------------------|---|
| Puerto Rican Boa<br>( <i>Chilabothrus inornatus</i> )          | No Effect            | No Conservation Measures                            |
| Puerto Rican Harlequin<br>Butterfly ( <i>Atlantea tulita</i> ) | No Effect            | No Conservation Measures                            |

A 'No Effect' determination has been made based on the lack of suitable habitat for the listed species, as well as previous disturbance and current land use of the proposed project area.

If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

**Attachments:**

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

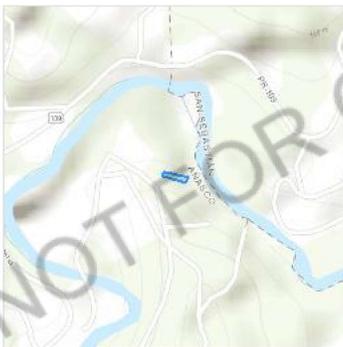
# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Añasco County, Puerto Rico



## Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📠 (787) 851-7440

✉ [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

### MAILING ADDRESS

Post Office Box 491  
Boqueron, PR 00622-0491

### PHYSICAL ADDRESS

Office Park I  
State Road #2 Km 156.5, Suite 303  
Mayaguez, PR 00680

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Reptiles

| NAME   | STATUS     |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> | Endangered |

## Insects

| NAME  | STATUS     |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i><br>Wherever found<br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br><a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> | Threatened |

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

# Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

**What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?**

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

**How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

**What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

**Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

**Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in

knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

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

There are no refuge lands at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

### Wetlands in the National Wetlands Inventory (NWI)

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

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

#### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Date: October 17, 2023

Applicant ID: PR-RGRW-01600

Street Address: Bo. Río Arriba Carr. 109 R420 Km 1.8

Municipality: Añasco

## Subject – Endangered Species No Effect Determination for PR-RGRW-01600 Site #2

Tetra Tech conducted a site-specific review of endangered species in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed project located at Bo. Río Arriba Carr. 109 R420 Km 1.8, in the Municipality of Añasco, Puerto Rico (Parcel ID# 156-000-007-51-000).

The proposed project is for the demolition and replacement of a greenhouse located at 18.29095, -67.04002. The new greenhouse will measure 100-feet by 60-feet with Saran plastic measuring 100-feet by 20-feet. The proposed project area is located on a previously disturbed area with the remnants of a greenhouse.

The parcel is used for raising cattle and growing recao. Landscape surrounding the proposed project area includes relatively flat pastureland, with garden plots to the north and west and an isolated forested section south of the proposed project area (Figure 1).

The National Wetlands Inventory indicated that wetlands are located within the parcel, but not within site #2 (Figure 14). A river borders the northern section of the parcel.

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

| Species   | Status     |
|---|------------|
| Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )          | Endangered |
| Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> ) | Threatened |

No Critical Habitats were noted within the project area (Figure 10). Based on site review and site photos, no suitable habitat was found within the proposed project area for the listed species. Based on the nature of the project, previous site disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

---

| Species  | Effect Determination | Conservation Measures to be implemented (if needed) |
|--|----------------------|---|
| Puerto Rican Boa<br>( <i>Chilabothrus inornatus</i> )          | No Effect            | No Conservation Measures                            |
| Puerto Rican Harlequin<br>Butterfly ( <i>Atlantea tulita</i> ) | No Effect            | No Conservation Measures                            |

A 'No Effect' determination has been made based on the lack of suitable habitat for the listed species, as well as previous disturbance and current land use of the proposed project area.

If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

**Attachments:**

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

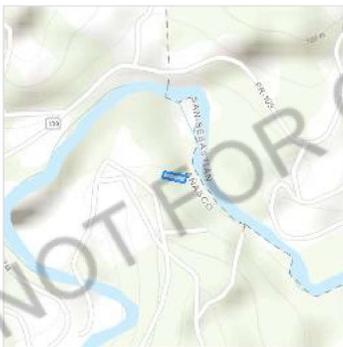
# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Añasco County, Puerto Rico



## Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📠 (787) 851-7440

✉ [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

### MAILING ADDRESS

Post Office Box 491  
Boqueron, PR 00622-0491

### PHYSICAL ADDRESS

Office Park I  
State Road #2 Km 156.5, Suite 303  
Mayaguez, PR 00680

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Reptiles

| NAME   | STATUS     |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> | Endangered |

## Insects

| NAME  | STATUS     |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i><br>Wherever found<br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br><a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> | Threatened |

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

# Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

**What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?**

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#), and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

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The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

### Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in

knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

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

There are no refuge lands at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

### Wetlands in the National Wetlands Inventory (NWI)

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

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

#### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Date: October 17, 2023

Applicant ID: PR-RGRW-01600

Street Address: Bo. Río Arriba Carr. 109 R420 Km 1.8

Municipality: Añasco

### Subject – Endangered Species No Effect Determination for PR-RGRW-01600 Site #3

Tetra Tech conducted a site-specific review of endangered species in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed project located at Bo. Río Arriba Carr. 109 R420 Km 1.8, in the Municipality of Añasco, Puerto Rico (Parcel ID# 156-000-007-51-000).

The proposed project is for the construction of a corral located at 18.29137, -67.03966. The corral will measure 50-feet by 50-feet, built with metal posts and wire.

The parcel is used for raising cattle and growing recao. Landscape surrounding the proposed project area includes relatively flat pastureland, with garden plots to the north and west, an isolated forested section to the south, and a river to the east of the proposed project area (Figure 1).

The National Wetlands Inventory indicated that wetlands are located within the parcel, but not within site #3 (Figure 14). A river borders the northern section of the parcel.

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

| Species   | Status     |
|---|------------|
| Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )          | Endangered |
| Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> ) | Threatened |

No Critical Habitats were noted within the project area (Figure 10). Based on site review and site photos, no suitable habitat was found within the proposed project area for the listed species. Based on the nature of the project, previous site disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

---

| Species  | Effect Determination | Conservation Measures to be implemented (if needed) |
|--|----------------------|---|
| Puerto Rican Boa<br>( <i>Chilabothrus inornatus</i> )          | No Effect            | No Conservation Measures                            |
| Puerto Rican Harlequin<br>Butterfly ( <i>Atlantea tulita</i> ) | No Effect            | No Conservation Measures                            |

A 'No Effect' determination has been made based on the lack of suitable habitat for the listed species, as well as previous disturbance and current land use of the proposed project area.

If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

**Attachments:**

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Añasco County, Puerto Rico



## Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📠 (787) 851-7440

✉ [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

### MAILING ADDRESS

Post Office Box 491  
Boqueron, PR 00622-0491

### PHYSICAL ADDRESS

Office Park I  
State Road #2 Km 156.5, Suite 303  
Mayaguez, PR 00680

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

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1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Reptiles

| NAME   | STATUS     |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> | Endangered |

## Insects

| NAME  | STATUS     |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i><br>Wherever found<br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br><a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> | Threatened |

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

# Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
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**What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?**

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#), and other species that may warrant special attention in your project location.

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**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

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The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

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**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

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Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

**How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

**What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

**Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

**Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in

knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

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

There are no refuge lands at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

### Wetlands in the National Wetlands Inventory (NWI)

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

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

#### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Date: October 17, 2023

Applicant ID: PR-RGRW-01600

Street Address: Bo. Río Arriba Carr. 109 R420 Km 1.8

Municipality: Añasco

### Subject – Endangered Species No Effect Determination for PR-RGRW-01600 Site #4

Tetra Tech conducted a site-specific review of endangered species in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed project located at Bo. Río Arriba Carr. 109 R420 Km 1.8, in the Municipality of Añasco, Puerto Rico (Parcel ID# 156-000-007-51-000).

The proposed project is for the construction of a shade shelter located at 18.29124, -67.03970. The shade shelter will measure 24-feet by 14-feet and will have six metal posts set to ground using a base of concrete measuring 12 inches by 12 inches. The floor of the shade house will be soil.

The parcel is used for raising cattle and growing recao. Landscape surrounding the proposed project area includes relatively flat pastureland, with garden plots to the north and west, an isolated forested section to the south, and a river to the east of the proposed project area (Figure 1).

The National Wetlands Inventory indicated that wetlands are located within the parcel, but not within site #4 (Figure 14). A river borders the northern section of the parcel.

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

| Species   | Status     |
|---|------------|
| Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )          | Endangered |
| Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> ) | Threatened |

No Critical Habitats were noted within the project area (Figure 10). Based on site review and site photos, no suitable habitat was found within the proposed project area for the listed species. Based on the nature of the project, previous site disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

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| Species  | Effect Determination | Conservation Measures to be implemented (if needed) |
|--|----------------------|---|
| Puerto Rican Boa<br>( <i>Chilabothrus inornatus</i> )          | No Effect            | No Conservation Measures                            |
| Puerto Rican Harlequin<br>Butterfly ( <i>Atlantea tulita</i> ) | No Effect            | No Conservation Measures                            |

A 'No Effect' determination has been made based on the lack of suitable habitat for the listed species, as well as previous disturbance and current land use of the proposed project area.

If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

**Attachments:**

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

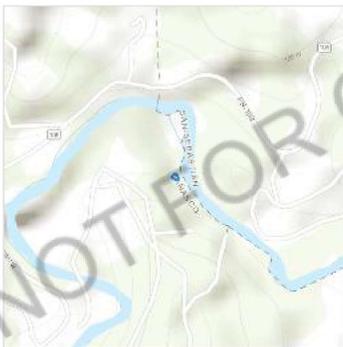
# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Añasco County, Puerto Rico



## Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📠 (787) 851-7440

✉ [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

### MAILING ADDRESS

Post Office Box 491  
Boqueron, PR 00622-0491

### PHYSICAL ADDRESS

Office Park I  
State Road #2 Km 156.5, Suite 303  
Mayaguez, PR 00680

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Reptiles

| NAME   | STATUS     |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> | Endangered |

## Insects

| NAME  | STATUS     |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i><br>Wherever found<br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br><a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> | Threatened |

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

# Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

**What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?**

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

**How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

**What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

**Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

**Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in

knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

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

There are no refuge lands at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

### Wetlands in the National Wetlands Inventory (NWI)

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

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

#### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Date: October 17, 2023

Applicant ID: PR-RGRW-01600

Street Address: Bo. Río Arriba Carr. 109 R420 Km 1.8

Municipality: Añasco

### Subject – Endangered Species No Effect Determination for PR-RGRW-01600 Site #5

Tetra Tech conducted a site-specific review of endangered species in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed project located at Bo. Río Arriba Carr. 109 R420 Km 1.8, in the Municipality of Añasco, Puerto Rico (Parcel ID# 156-000-007-51-000).

The proposed project is for the construction of a shade shelter located at 18.29222, -67.04064. The shade shelter will measure 24-feet by 14-feet and will have six metal posts set to ground using a base of concrete measuring 12 inches by 12 inches. The floor of the shade house will be soil.

The parcel is used for raising cattle and growing recao. Landscape surrounding the proposed project area includes relatively flat pastureland, with garden plots to the southwest and a river to the north of the proposed project area (Figure 1).

The National Wetlands Inventory indicated that wetlands are located within the parcel, but not within site #5 (Figure 14). A river borders the northern section of the parcel.

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

| Species   | Status     |
|---|------------|
| Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )          | Endangered |
| Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> ) | Threatened |

No Critical Habitats were noted within the project area (Figure 10). Based on site review and site photos, no suitable habitat was found within the proposed project area for the listed species. Based on the nature of the project, previous site disturbance, scope of work, information available, and a careful analysis of the Project Site, and IPaC species list, we have made the following effects determinations:

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| Species  | Effect Determination | Conservation Measures to be implemented (if needed) |
|--|----------------------|---|
| Puerto Rican Boa<br>( <i>Chilabothrus inornatus</i> )          | No Effect            | No Conservation Measures                            |
| Puerto Rican Harlequin<br>Butterfly ( <i>Atlantea tulita</i> ) | No Effect            | No Conservation Measures                            |

A 'No Effect' determination has been made based on the lack of suitable habitat for the listed species, as well as previous disturbance and current land use of the proposed project area.

If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa.

**Attachments:**

IPaC Resource List

Shelby McDowell



B.S. Biologist, Tetra Tech

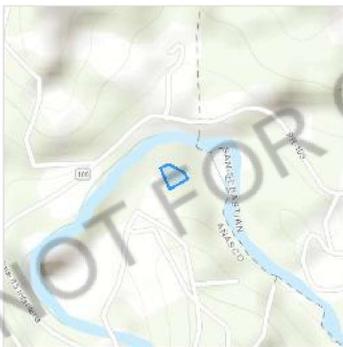
# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Añasco County, Puerto Rico



## Local office

Caribbean Ecological Services Field Office

☎ (787) 834-1600

📠 (787) 851-7440

✉ [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

### MAILING ADDRESS

Post Office Box 491  
Boqueron, PR 00622-0491

### PHYSICAL ADDRESS

Office Park I  
State Road #2 Km 156.5, Suite 303  
Mayaguez, PR 00680

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Reptiles

| NAME   | STATUS     |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i><br>Wherever found<br>No critical habitat has been designated for this species.<br><a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> | Endangered |

## Insects

| NAME  | STATUS     |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i><br>Wherever found<br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br><a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> | Threatened |

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

# Bald & Golden Eagles

There are no documented cases of eagles being present at this location. However, if you believe eagles may be using your site, please reach out to the local Fish and Wildlife Service office.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

**What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?**

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#), and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The [data](#) in this location indicates there are no migratory [birds of conservation concern](#) expected to occur in this area.

There may be migratory birds in your project area, but we don't have any survey data available to provide further direction. For additional information, please refer to the links above for recommendations to minimize impacts to migratory birds or contact your local FWS office.

### Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in

knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

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

There are no refuge lands at this location.

### Fish hatcheries

There are no fish hatcheries at this location.

### Wetlands in the National Wetlands Inventory (NWI)

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

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

#### Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

#### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



## United States Department of the Interior



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

In Reply Refer To:  
Project Code: 2024-0060547  
Project Name: PR-RGRW-01600

March 11, 2024

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

To Whom It May Concern:

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

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

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

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

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

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

Attachment(s):

- Official Species List

## **OFFICIAL SPECIES LIST**

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

This species list is provided by:

**Caribbean Ecological Services Field Office**

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

## PROJECT SUMMARY

Project Code: 2024-0060547

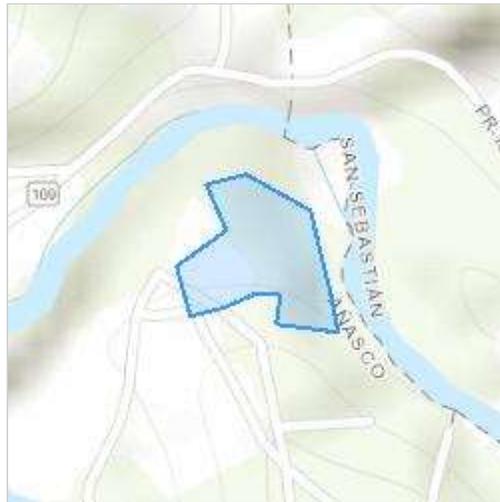
Project Name: PR-RGRW-01600

Project Type: Restoration / Enhancement - Agricultural

Project Description: The intent use of funds includes the reconstruction of two greenhouses, and the construction of a corral and two shade shelters for livestock. The funds would also be used for the purchase of trees for shade, computers, heifers, recao seedlings, and a utility task vehicle (UTV).

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.2916386,-67.04060001835067,14z>



Counties: Añasco County, Puerto Rico

## ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

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

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

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

## REPTILES

| NAME   | STATUS     |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a><br>General project design guidelines:<br><a href="https://ipac.ecosphere.fws.gov/project/KZZGRPBKV5D2HAFISKUE6HLAZQ/documents/generated/7159.pdf">https://ipac.ecosphere.fws.gov/project/KZZGRPBKV5D2HAFISKUE6HLAZQ/documents/generated/7159.pdf</a> | Endangered |

## INSECTS

| NAME  | STATUS     |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i><br>There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a><br>General project design guidelines:<br><a href="https://ipac.ecosphere.fws.gov/project/KZZGRPBKV5D2HAFISKUE6HLAZQ/documents/generated/7168.pdf">https://ipac.ecosphere.fws.gov/project/KZZGRPBKV5D2HAFISKUE6HLAZQ/documents/generated/7168.pdf</a> | Threatened |

## CRITICAL HABITATS

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

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

## **IPAC USER CONTACT INFORMATION**

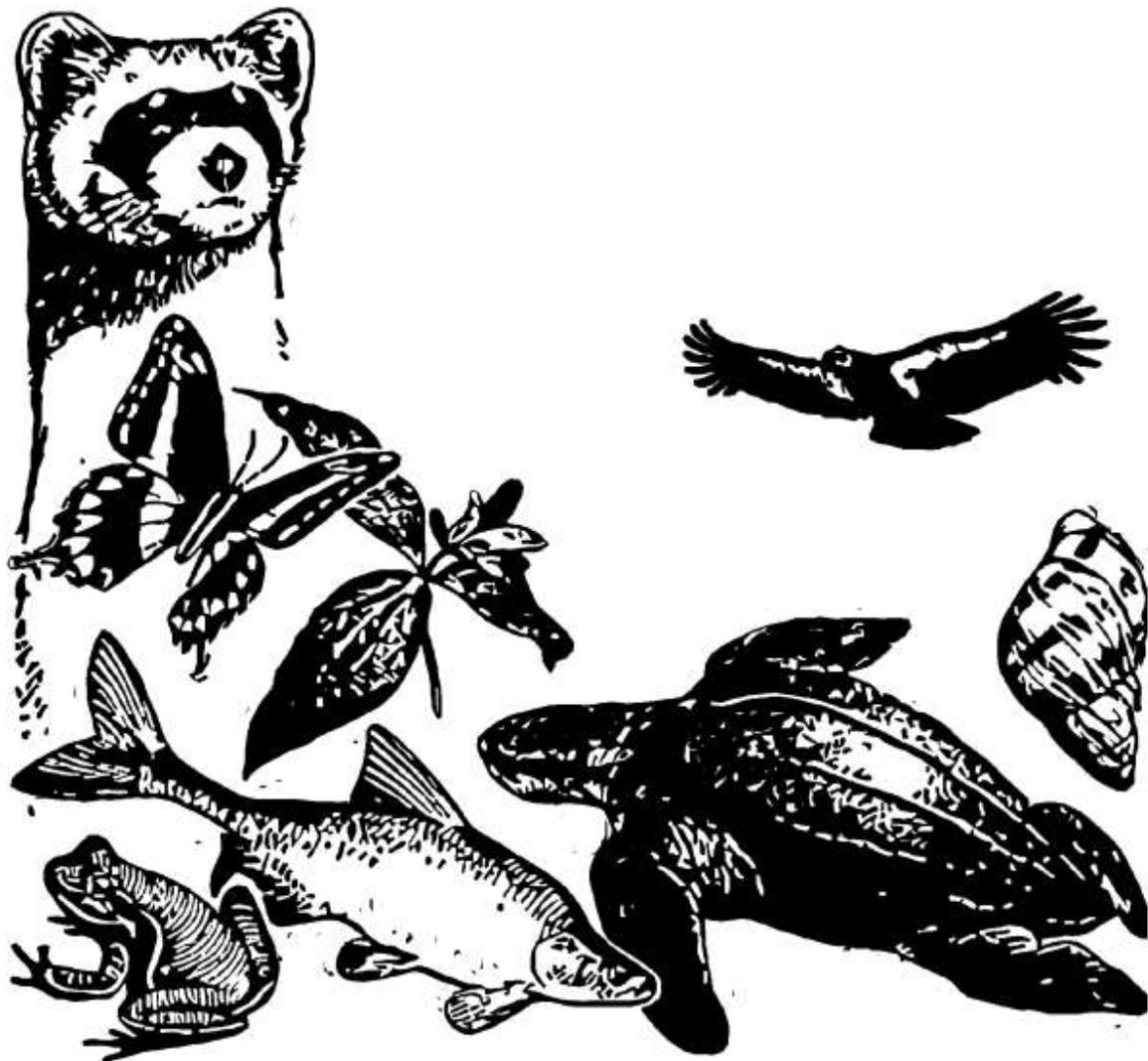
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# USFWS Puerto Rican boa Conservation Measures

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## *Puerto Rican Boa*

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

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

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

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



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

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

#### Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. The PR boa is considered more active at night. Thus, in order to maximize its detection, the species should be searched at nights prior to habitat disturbance.
5. Once the area has been searched for PR boas, vegetation should first be cleared by hand to the maximum extent possible. Vegetation should be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow boas present on site to move away on their own to adjacent available habitat. Any stone walls or naturally occurring rock piles must be carefully dismantled by hand as these are refuges for the snake. This will allow any boas present to vacate the site without injury.
6. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

7. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #6). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at this area must stop until the boa moves out of harm's way on its own. Activities at other work sites, where no boas have been found after surveying the area, may continue.
8. If a PR boa is captured by the PRDNER, record the name of the PRDNER staff and information on where the PR boa will be taken. This information should be reported to the Service.
9. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #7). If not possible, the animal should be left alone until it leaves the vehicle on its own.
10. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
11. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #6). If the PR boa was accidentally? killed as part of the project actions, please include information on what conservation measures had been implemented and what actions that will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
12. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

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

- Marelisa Rivera, Deputy Field Supervisor
  - Email: [marelisa\\_rivera@fws.gov](mailto:marelisa_rivera@fws.gov)
  - Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator
  - Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)
  - Office phone (786) 244-0081 or mobile (305) 304-1386

## Guidelines for Puerto Rican Plain Pigeon

The Puerto Rican plain pigeon is a large pigeon about the size and shape of a domestic pigeon. At a distance the species appears pale blue-gray. The head, hindneck, breast, and the top central part of the folded wing are washed with a wine color. The wing coverts are margined with white. Legs and feet are dark red. A variety of fruits and seeds, and livestock feed provide nourishment for this species. Approximately 70 percent of the foods come from tree branches, and 30 percent from the ground. Principal foods at Cidra are royal palm (*Roystonea borinquena*); mountain immortelle (*Erythrina poeppigiana*); West Indies trema (*Trema lamarckiana*); and white prickly (*Zanthoxylum martinicense*). Water is usually taken from the axils of bromeliads or from water-retaining blossoms of the African tulip-tree. Nesting occurs primarily in bamboo groves and the hardwood canyons of Cidra.

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

6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.
7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.
8. Projects must comply with all state laws and regulations. Please contact PRDNER for further guidance.

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



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

## 2.2 Species Description

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

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



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



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

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

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



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

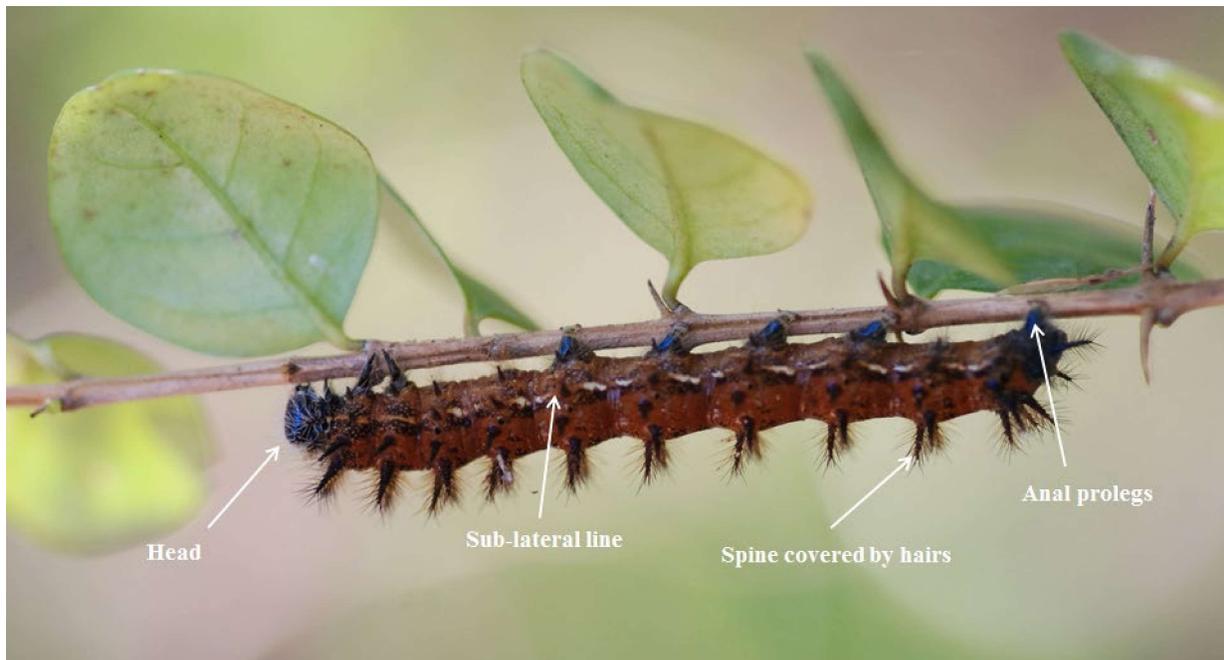


Figure 2-5. *Atlantea tulita* caterpillar. Photo by C. Pacheco, Service.

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



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

### 2.3. Life History

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

#### 2.3.1 Life Cycle

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

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

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

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

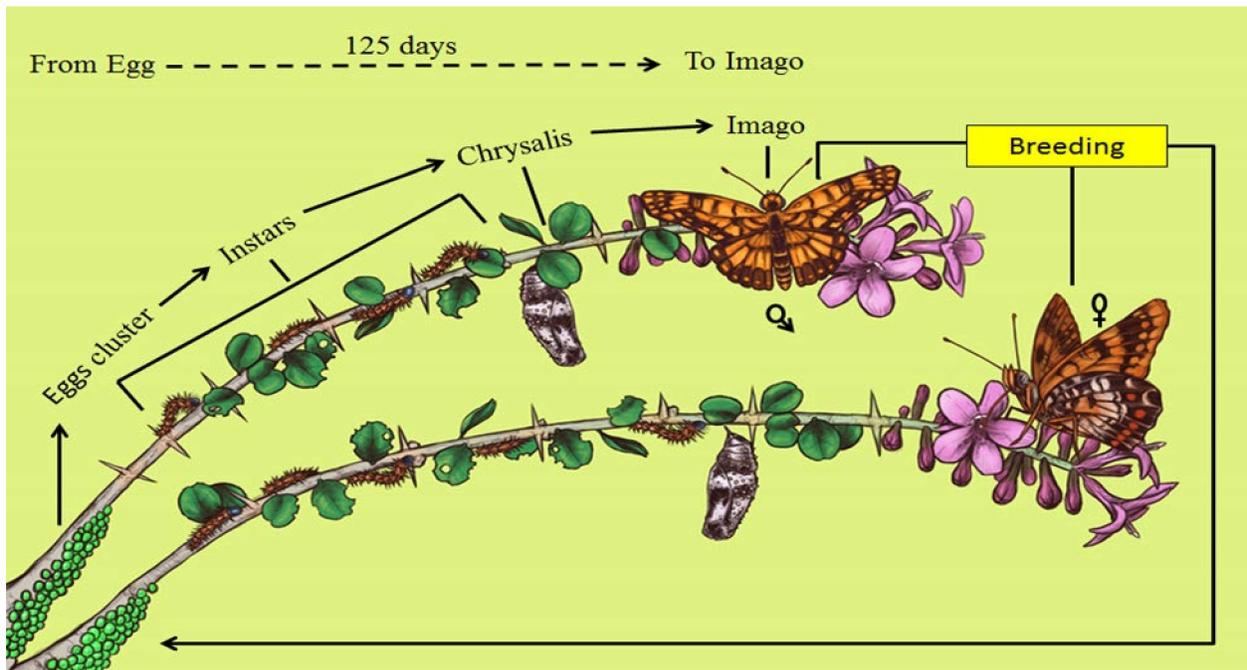


Figure 2-7. Conceptual diagram of the Puerto Rican harlequin life cycle.

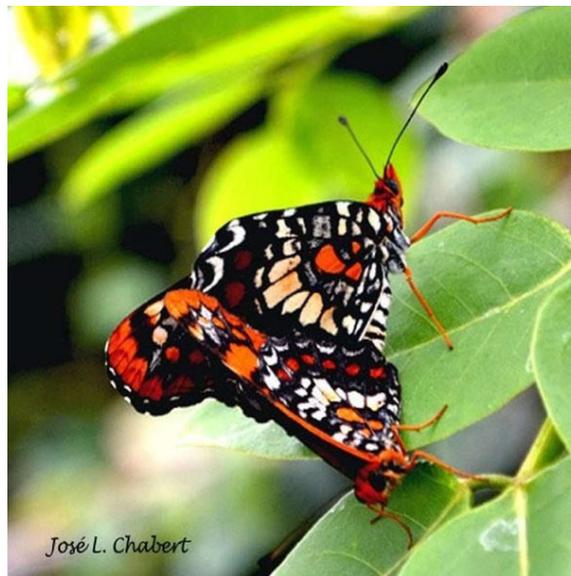


Figure 2-8. Photo of Puerto Rican Harlequin butterfly mating. Photo by José Chabert (President of “Fundación EL Pastillo”) at El Pastillo in the municipality Isabela.

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

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

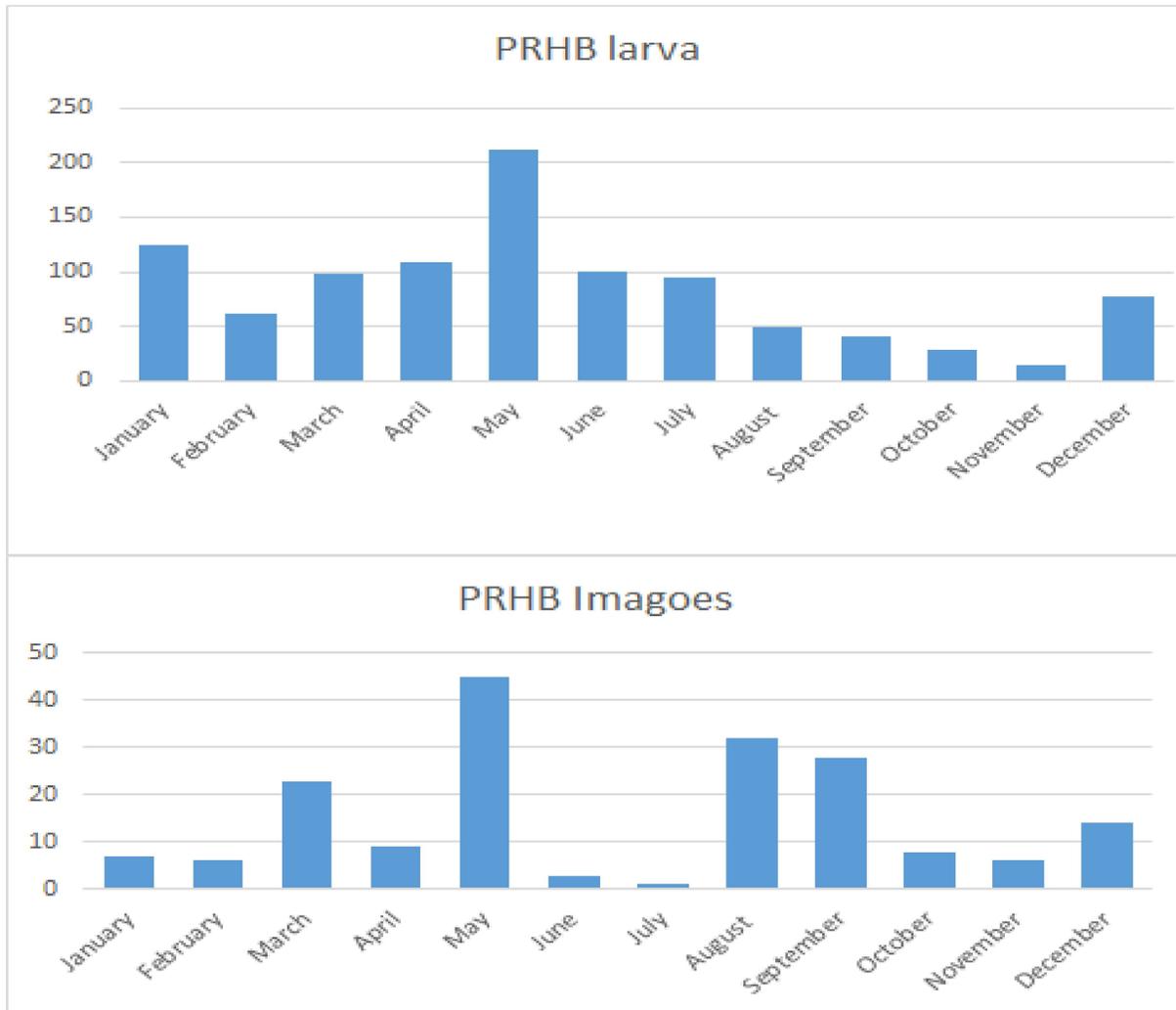


Figure 2-9. Number of observed PRHB larvae (top) and imagoes (bottom) per month throughout the year. Based on information provided by Carrion-Cabreear 2003, Monzon 2007, Biaggi-Caballero 2010, and Barber 2018.

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

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



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



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

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

# **APPENDIX E**

## **Section 106 Consultation**



## GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

February 6, 2024

### Lauren Bair Poche

HORNE

10000 Perkins Rowe, Suite 610, Bldg G  
Baton Rouge, LA 70810

SHPO CF-02-02-24-12 (03-20-23-02) SECTION 106 NHPA EFFECT  
DETERMINATION SUBMITTAL: PR-RGRW-01600 – FINCA EL LEGADO LLC – BO.  
RÍO ARRIBA, CARR. 109 R420 KM 1.8, AÑASCO, PUERTO RICO

Dear Ms. Poche,

Our Office has received and reviewed the above referenced project in accordance with 54 U.S.C. 306108 (commonly known as Section 106 of the *National Historic Preservation Act*) and 36 CFR Part 800: *Protection of Historic Properties*.

Our records support your finding of **no historic properties affected** for this undertaking.

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

Sincerely,

Carlos A. Rubio-Cancela  
State Historic Preservation Officer

CARC/GMO/MB



February 5, 2024

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

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

**Section 106 NHPA Effect Determination Submittal: PR-RGRW-01600 (SHPO ID: 03-20-23-02) – Finca El Legado LLC – Bo. Río Arriba Carr. 109 R420 Km 1.8, Añasco, Puerto Rico – *No Historic Properties Affected***

Dear Architect Rubio Cancela,

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

In a letter dated March 29, 2023, your office concurred with the finding of no historic properties affected for the proposed project activities (SHPO ID: 03-20-23-02). On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is reinitiating consultation for activities proposed by Finca El Legado LLC located at Bo. Río Arriba Carr. 109 R420 Km 1.8, in the municipality of Añasco due to a change in the scope of the proposed undertaking. A review of flood zone mapping found that the original planned locations for two activities (corral and shade shelter) were located within a flood zone, these proposed locations have been moved to the west to higher ground. In addition, the original consultation did not include reference to proposed tree plantings in proposed in three locations (corral and two shade shelters).

The undertaking for this project includes the reconstruction of two greenhouses with Saran plastic, one measuring 80' by 16' and the other 100' by 60', and the construction of a new 50' by 50' corral and two new 24' by 14' shade shelters for livestock. In addition, the applicant plans to plant a total of 70 trees at the shade shelters and corral to provide additional shade for the cattle. All activities will require ground disturbance. No new water utilities connections are required (a nearby stream supplies water) and no electricity connection is needed to rebuild and/or operate the proposed scope of works.

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

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

Kindest regards,



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

Architectural Historian, EHP Senior Manager  
LBP/JLE

Attachments

|   |  |   |
|---|--|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>REGROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  |  |
| <b>Subrecipient:</b> Finca El Legado LLC  |  |   |
| <b>Case ID:</b> PR-RGRW-01600   |  | <b>City:</b> Añasco   |

|   |                                      |
|---|--------------------------------------|
| <b>Project Location:</b> Bo. Río Arriba Carr. 109 R420 Km 1.8, Añasco, PR 00610   |                                      |
| <b>Project Coordinates:</b> 18.291860, -67.041359   |                                      |
| <b>TPID (Número de Catastro):</b> 156-000-007-51-000  | <b>SHPO ID:</b> 03-20-23-02          |
| <b>Type of Undertaking:</b><br><input checked="" type="checkbox"/> Substantial Repair<br><input checked="" type="checkbox"/> New Construction |                                      |
| <b>Construction Date (AH est.):</b> c1985   | <b>Property Size (acres):</b> 136.89 |

|  |
|--|
| <b>SOI-Qualified Archaeologist:</b> Jesus E. Vega, Ph.D./ Roberto G. Munoz Pando, MA/ Jennifer Evans, M.A. |
| <b>Date Reviewed:</b> January 15, 2023/ March, 15, 2023/ January 3, 2024                                   |

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

### Project Description (Undertaking)

Consultation for this project was initiated in March of 2023, with a concurrence with the finding of no historic properties affected received in a letter dated March 29, 2023. Consultation is being re-initiated due to a change in the scope of the proposed undertaking. A review of flood zone mapping found that the original planned locations for activities in Areas 3 and 4 were located within a flood zone, these proposed locations have been moved to the west to higher ground. In addition, the original consultation did not include reference to proposed tree plantings in Areas 3, 4, and 5.

The proposed activities for Finca El Legado LLC are the reconstruction of two greenhouses with Saran plastic, one measuring 80' by 16' and the other 100' by 60', and the construction of a new 50' by 50' corral and two 24' by 14' shade shelters for livestock in compliance with Section 106 NHPA Effect Determination. In addition, the applicant plans to plant a total of 70 trees at the shade shelters and corral to provide additional shade for the cattle. All activities will require ground disturbance. The property is located at Bo. Río Arriba Carr. 109 R420 Km 1.8 in the Municipality of Añasco. Previously an empty lot, the land is now currently used for harvesting recao and providing cow pasture. Applicant does not require new water utilities connections (a nearby stream supplies water) and does not need electricity connection to rebuild and/or operate the proposed scope of works.

|  |   |
|--|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>REGRW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> | <br><small>GOVERNMENT OF PUERTO RICO<br/>DEPARTMENT OF HOUSING</small> |
| <b>Subrecipient:</b> Finca El Legado LLC   |   |
| <b>Case ID:</b> PR-RGRW-01600  | <b>City:</b> Añasco   |

**Areas 1 and 2:** Activities in Areas 1 and 2 include the demolition of existing damaged greenhouse structures and the construction of 2 new greenhouses. The two new structures will include an 80' by 16' greenhouse with Saran plastic at 18.29078° N, -67.03991° W (Area 1) and a 100' by 60' greenhouse with Saran plastic at 18.29095° N, -67.04002° W (Area 2). The greenhouses will be anchored to the ground with posts to a depth not to exceed 3 feet below ground surface.

**Area 3:** Construction of new 50' by 50' corral for livestock to be located out of the flood zone at 18.2913424° N, -67.040262° W (Area 3); The corral will be constructed using metal posts of 2 ½" diameter on a round base with a 10-inch diameter. Ground disturbance in the concrete bases should not exceed a depth of three feet. Trees will be planted to provide shade for the cattle.

**Area 4:** construction of a 24' by 14' shade shelter for livestock at to be located outside of the flood zone at 18.291325° N, -67.040582° W. The new shade house will have 6 metal posts. The posts of the houses will be set to ground using a base of concrete of 12 inches by 12 inches. The floor of the shade house will be plain soil. Trees will be planted to provide shade for the cattle.

**Area 5:** and construction of a second 24' by 14' shade shelter for livestock at 18.29222° N, 67.04064° W (Area 5). The new shade house will have 6 metal posts. The posts of the houses will be set to ground using a base of concrete of 12 inches by 12 inches. The floor of the shade house will be plain soil. Trees will be planted to provide shade for the cattle.

### **Area of Potential Effects**

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project will be centered on the areas potentially impacted by ground disturbance related to the five proposed scope of work areas described above. The direct APE includes a 15-meter buffer to the rear and sides of each scope location. The visual APE is the viewshed of the proposed project.

|   |   |
|---|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>ReGROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  |
| <b>Subrecipient:</b> Finca El Legado LLC  |   |
| <b>Case ID:</b> PR-RGRW-01600   | <b>City:</b> Añasco   |

### Identification of Historic Properties - Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is within a half-mile distance of one recorded archaeological site and/or NRHP listed/eligible historic property. The site (SHPO ID AN01000001) is a prehistoric site containing petroglyphs near the Great Añasco River located 0.47 miles southwest of the proposed project location. No corresponding Institute of Puerto Rican Culture (IPRC), State Historic Preservation Office (SHPO), or National Register of Historic Places (NRHP) identification was found as indicated by "no data" notations in Table 1. In addition, two previous cultural resource studies were identified within one-half mile of the proposed project area (Table 2). Aerial imagery from 1958, 1975, and 2017 [see below] indicates no major construction or previous ground disturbance in the APE.

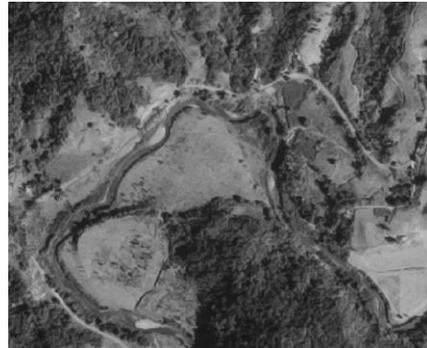
The proposed project is located on a rural, lowland area, on soil classified as Toa silty clay loam, (ToA), with 0 to 2 percent slopes, frequently flooded, that has not been flattened by heavy machinery, and is covered with sparse, secondary woodland vegetation. It is 50 meters above the mean sea level, approximately 10.90 miles from the west coast of Puerto Rico, and the closest body of fresh-water body, Río Grande de Añasco, is 0.09 miles northwest.

Aerial images dated 1958



|   |                     |   |
|---|---------------------|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>ReGROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |                     |  |
| <b>Subrecipient:</b> Finca El Legado LLC  |                     |   |
| <b>Case ID:</b> PR-RGRW-01600   | <b>City:</b> Añasco |   |

Aerial images dated 1975



Aerial image dated 2017



Table 1. Archaeological Sites and/or NRHP Listed/Eligible Historic Properties Within a Half-Mile Radius of Project Area

| Name   | SHPO ID   | IPRC ID | Location   | Description  | NRHP    |
|--|-----------|---------|------------|--|---------|
| Piedra Urayoán;<br>Petroglifo de Urayo;<br>Los Pozos | AN0100001 | No data | 0.47 mi SW | Prehistoric site containing a petroglyph near the Great Añasco River; associated with Hacienda Grande style. | No data |

|   |  |   |
|---|--|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>REGROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  |  |
| <b>Subrecipient:</b> Finca El Legado LLC  |  |   |
| <b>Case ID:</b> PR-RGRW-01600   |  | <b>City:</b> Añasco   |

Table 2. Cultural Resource Studies Conducted Within a Half-Mile Radius of Project Area

| Author                     | Title   | Year | SHPO/IPRC ID    | Results  | Location   |
|----------------------------|---|------|-----------------|----------|------------|
| José Muñoz Vázquez         | Phase 1A-1B, Centro Vacacional de Añasco                    | 1989 | CAT-AÑ-89-01-07 | Positive | 0.47 mi SW |
| Cornelis Nicolaas Dubelaar | Recent Rock Art Research in the Caribbean Islands, A Survey | 1995 | No data         | Positive | 0.47 mi SW |

### Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the closest reported archaeological materials or significant cultural properties, associated with Piedra Urayoán; Petroglifo de Urayo; Los Pozos (AN0100001), are 0.47 miles (2,468.53 feet) southwest of the proposed project area. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to where the direct Area of Potential Effect (APE) of case PR-RGRW-01600 is located. The proposed project area is not within the boundaries or visual APE of any NRHP listed/eligible historic properties nor to a Traditional Urban Center or Historic District. The slope of the APE is not excessive in terms of prehistoric settlement patterns. Surrounding terrain has been minimally impacted by the construction of agricultural infrastructure and dirt roads. Proposed project activities will have minimal ground disturbance. Therefore, the Program has determined that no historic properties will be affected by the proposed project activities.

|   |  |
|---|--|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>REgROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  GOVERNMENT OF PUERTO RICO<br>DEPARTMENT OF HOUSING |
| <b>Subrecipient:</b> Finca El Legado LLC  |  |
| <b>Case ID:</b> PR-RGRW-01600   | <b>City:</b> Añasco  |

**Recommendation**

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

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

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

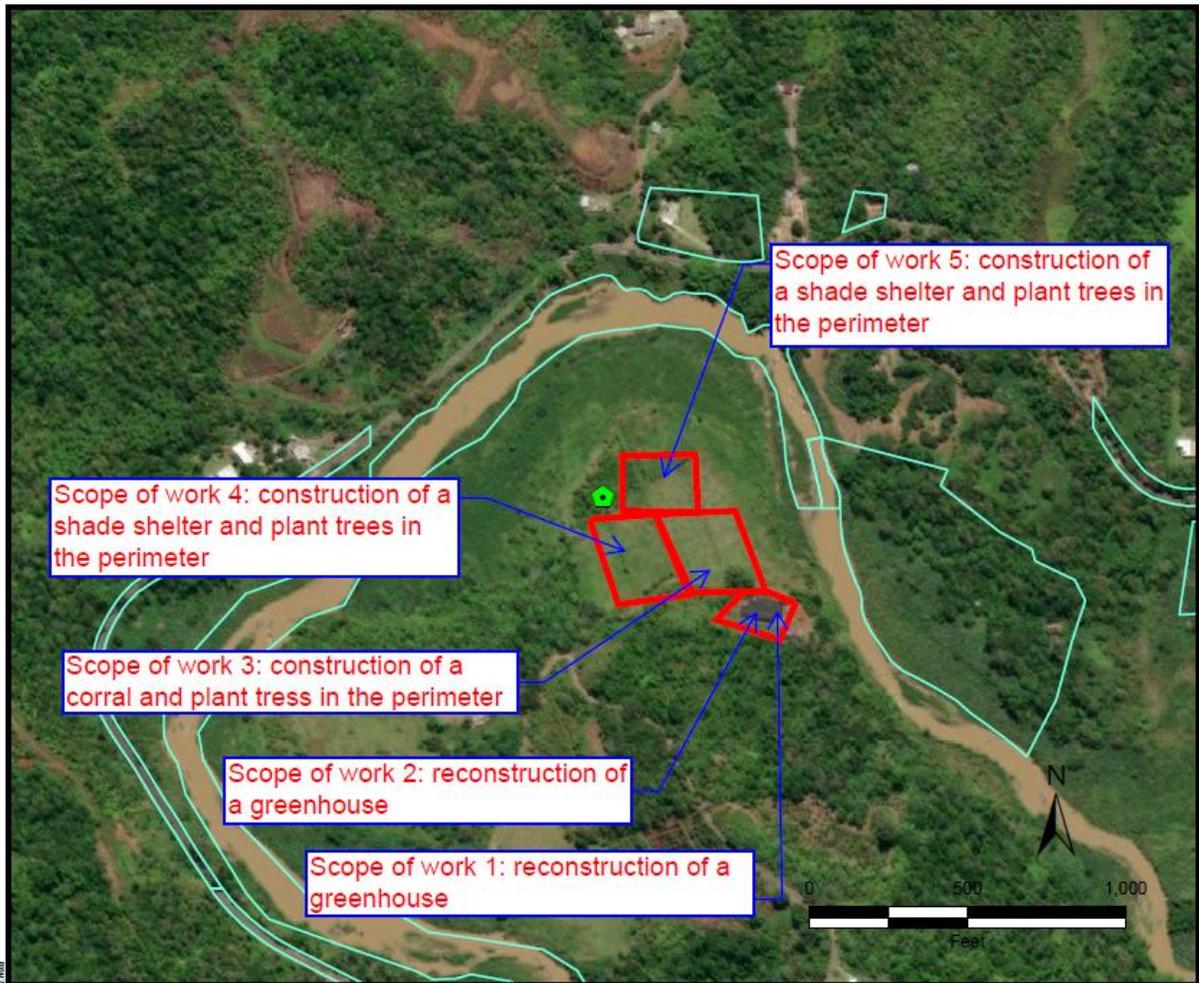
|  |       |
|--|-------|
| The Puerto Rico State Historic Preservation Office has reviewed the above information and:<br><br><input type="checkbox"/> <b>Concurs</b> with the information provided.<br><input type="checkbox"/> <b>Does not concur</b> with the information provided. |       |
| <b>Comments: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

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

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



File Path: Z:\Mapas\PR\2023\01600 - Añasco\Mapas\01600 - Añasco\01600 - Añasco.mxd



TETRA TECH

Source: CRIM

Author: TG

Date: 7/27/2023

#### Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario



Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location - Aerial Map



File Path: Z:\Info\33882\FINCA EL LEGADO\Info\Mapas\B1.mxd



**TETRA TECH**

Source: CRIM

Author: TG

Date: 11/16/2023

**Legend**

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



Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location - USGS Topographic Map



Source: USGS

Author: TG

Date: 9/29/2022

#### Legend

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

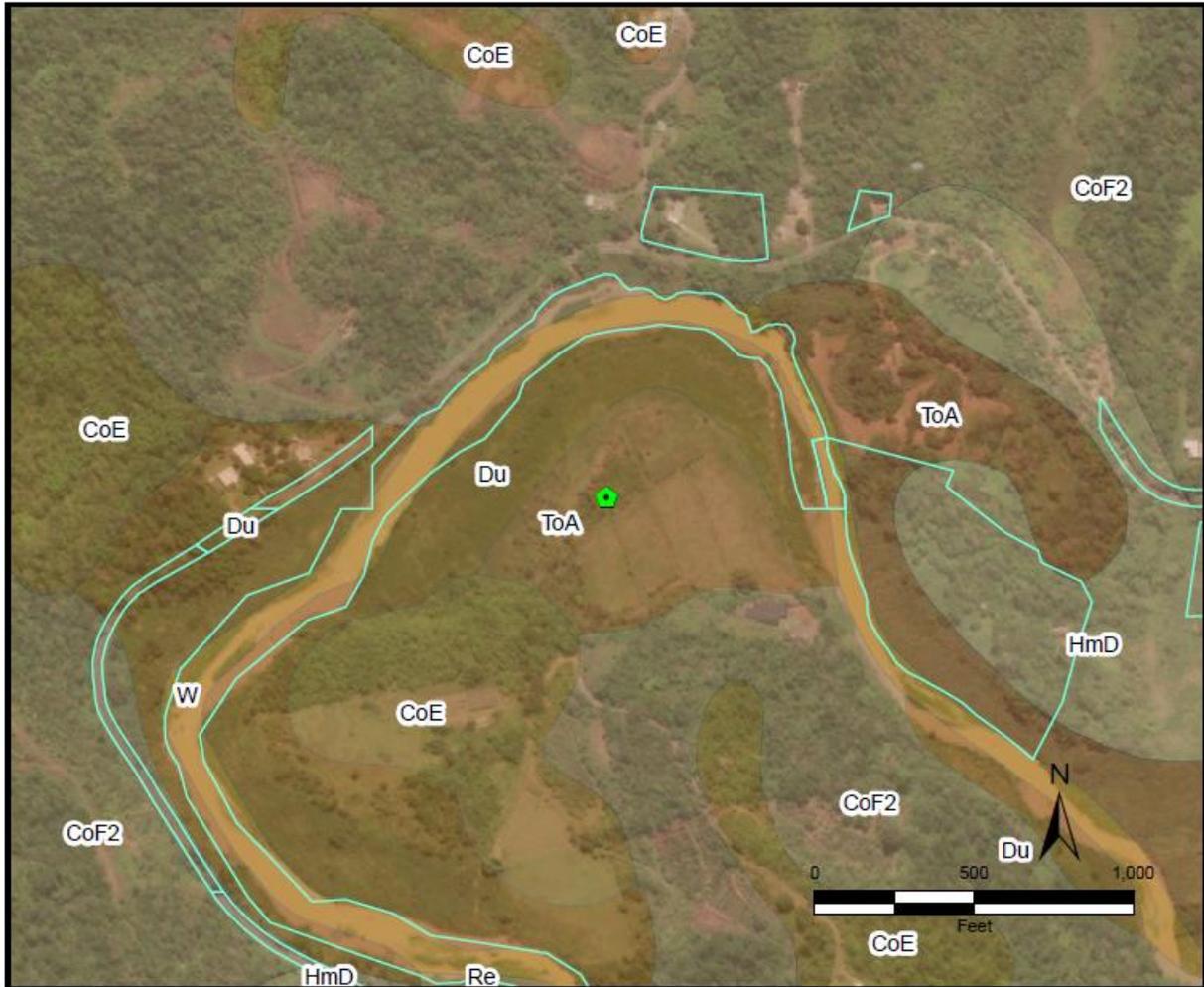


Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location – Soils Map



**TETRA TECH**

Source:USDA

Author: TG

Date: 11/16/2023

| Legend  |  |
|---|--|
|  | Tier 2 Site  |
|  | Parcelario   |
| Soil Type   |  |
|  | CoE:Consumo clay, 20 to 40 percent slopes                            |
|  | CoF2:Consumo clay, 40 to 60 percent slopes                           |
|  | Du:Clay silt loam  |
|  | HmD:Humate clay, 12 to 20 percent slopes                             |
|  | Re:Rellay gravelly loam  |
|  | ToA:Toa silty clay loam, 0 to 2 percent slopes, occasionally flooded |
|  | W:Water > 40 acres   |

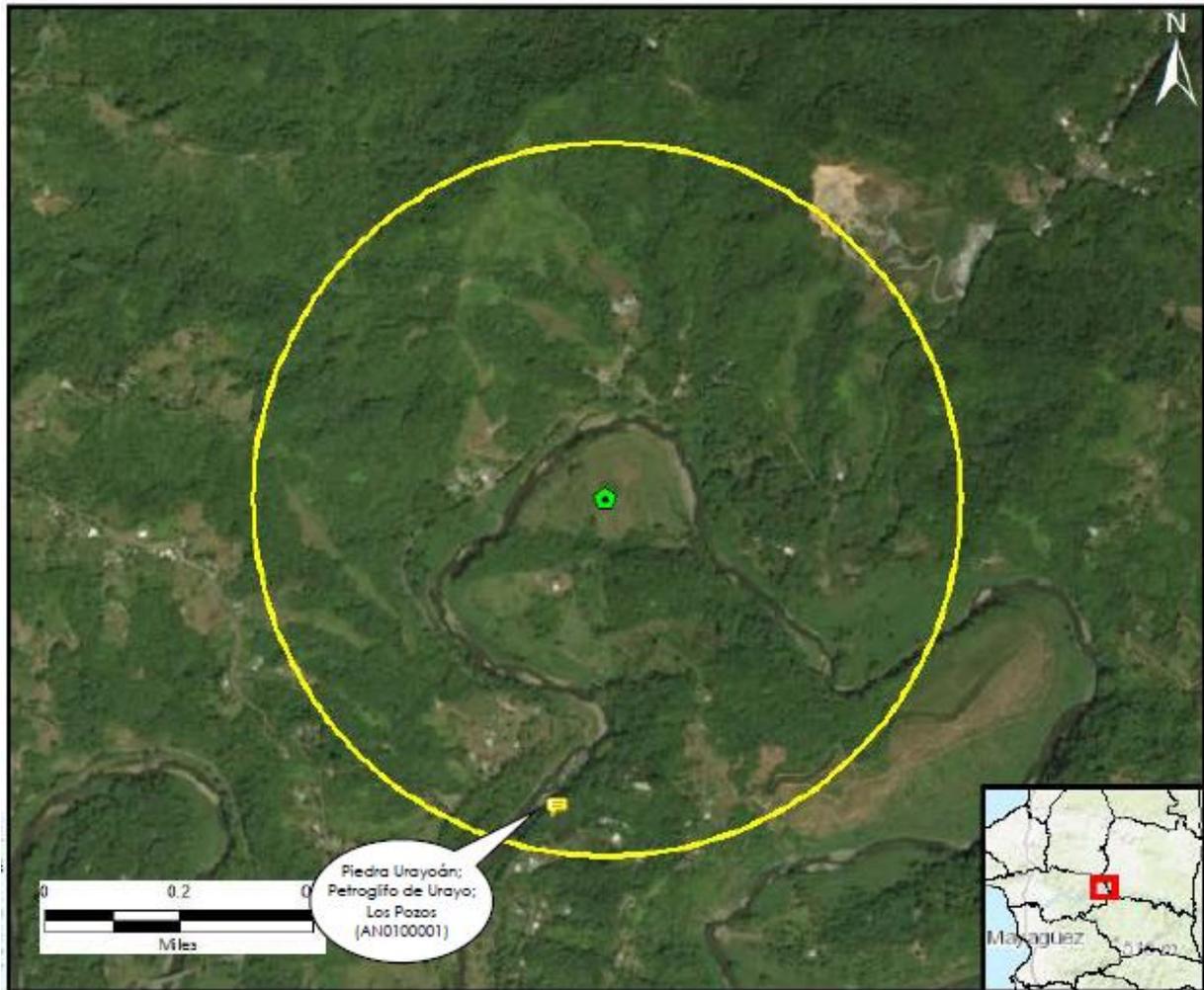


Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location with Previous Investigations - Aerial Map



Source: National Park Service

Author: TG

Date: 9/29/2022

Legend

-  Tier 2 Site
-  Half Mile Buffer
-  Histórico Comunidades
-  Traditional Urban Centers

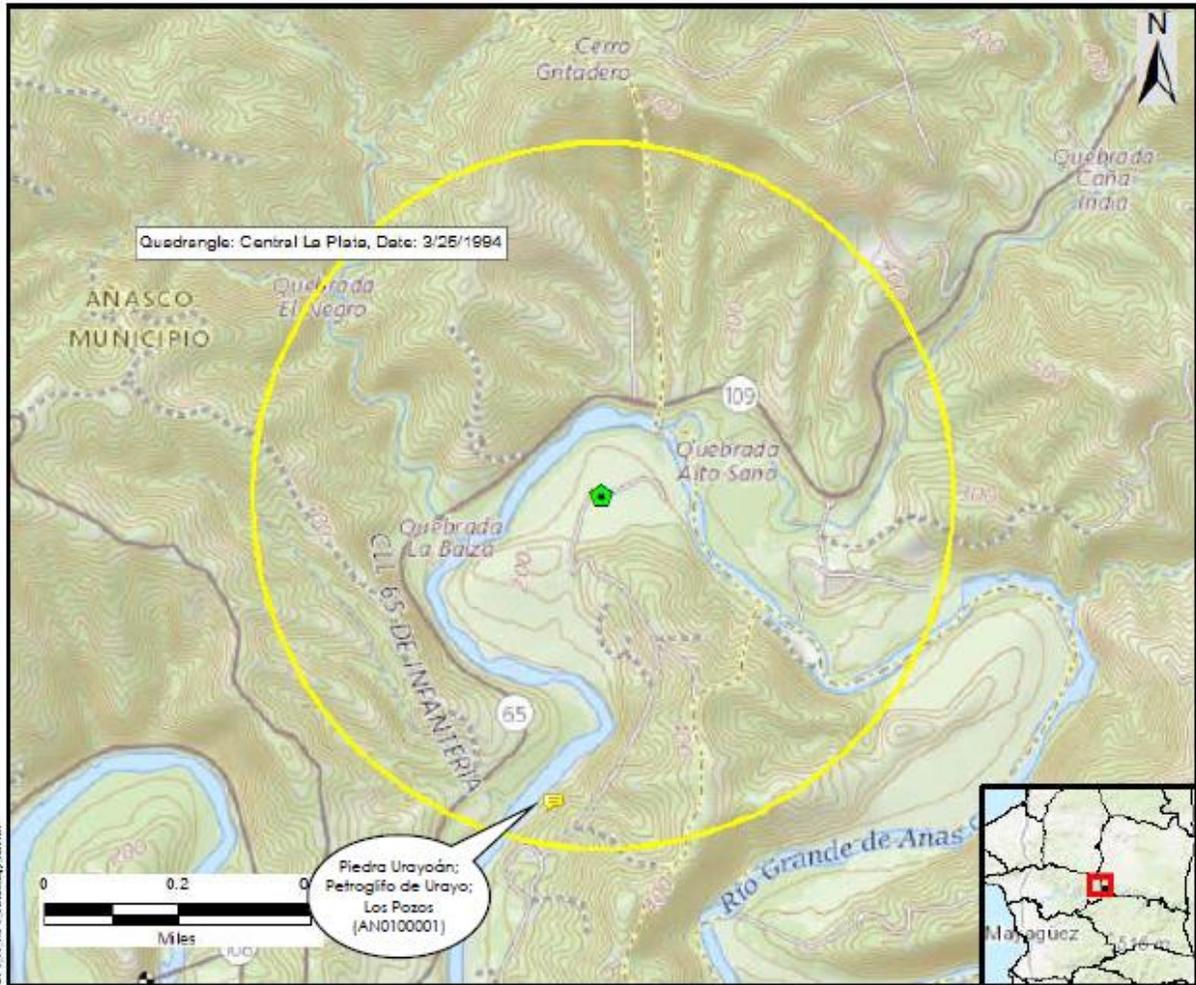
 Cultural Resource District Polygon

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

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



Source: National Park Service

Author: TG

Date: 9/29/2022

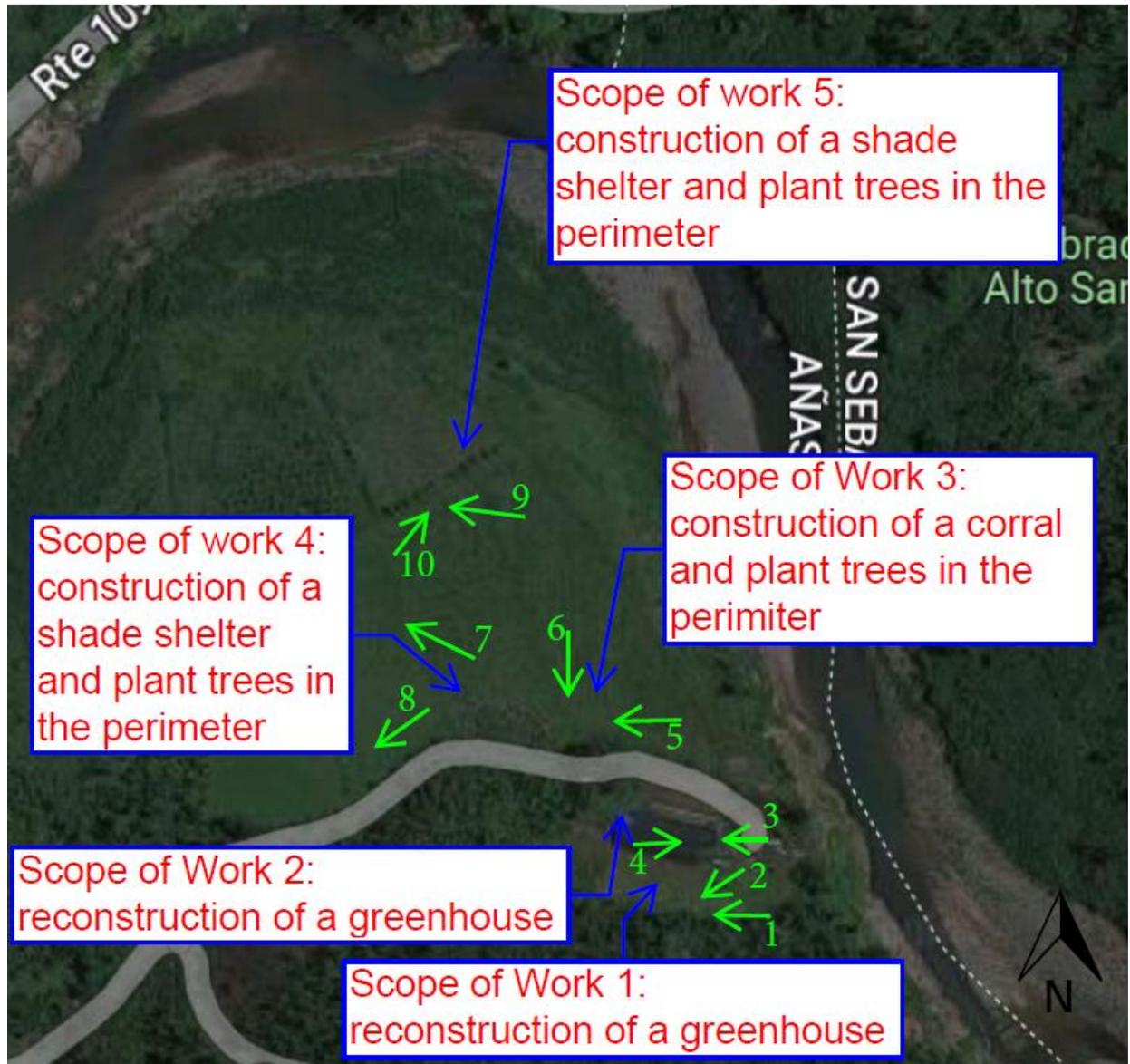
- Legend
- Tier 2 Site
  - Half Mile Buffer
  - Historic Comunidades
  - Traditional Urban Centers
  - Cultural Resource District Polygon

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Photograph Key



Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco



Photo #: 1

Description (include direction): Scope of work 1, Reconstruction of a Greenhouse, view to the West.

Date: 11/19/2022



Photo #: 2

Description (include direction): Scope of work 1, Reconstruction of a Greenhouse, view to the Southwest.

Date: 11/19/2022

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco



Photo #: 3

Description (include direction): Scope of work 2, Reconstruction of a Greenhouse, view to the West.

Date: 11/19/2022



Photo #: 4

Description (include direction): Scope of work 2, Reconstruction of a Greenhouse, view to the East.

Date: 11/19/2022

**Subrecipient:** Finca El Legado LLC

**Case ID:** PR-RGRW-01600

**City:** Añasco



**Photo #:** 5

**Description (include direction):** Scope of work 3, Construction of new corral for cow pasture and plant trees in the perimeter, view to the West.

**Date:** 11/15/2023



**Photo #:** 6

**Description (include direction):** Scope of work 3, Construction of new corral for cow pasture and plant trees in the perimeter, view to the South.

**Date:** 11/15/2023

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco



Photo #: 7

**Description (include direction):** Scope of work 4, shade shelter for the cow pasture and plant trees in the perimeter, view to Northwest.

Date: 11/15/2023



Photo #: 8

**Description (include direction):** Scope of work 4, shade shelter for the cow pasture and plant trees in the perimeter, view to the Southwest.

Date: 11/15/2023

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco



Photo #: 9

Description (include direction): Scope of work 5, shade shelter for the cow pasture and plant trees in the perimeter, view to the Northwest.

Date: 11/19/2022



Photo #: 10

Description (include direction): Scope of work 5, shade shelter for the cow pasture and plant trees in the perimeter, view to the Northeast.

Date: 11/19/2022



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT



**GOVERNMENT OF PUERTO RICO**  
STATE HISTORIC PRESERVATION OFFICE

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

March 29, 2023

**Lauren Bair Poche**

HORNE  
10000 Perkins Rowe, Suite 610, Bldg G  
Baton Rouge, LA 70810

SHPO 03-20-23-02 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:  
PR-RGRW-01600 – FINCA EL LEGADO LLC – BO. RÍO ARRIBA, CARR. 109 R420,  
KM 1.8, AÑASCO, PUERTO RICO

Dear Ms. Bair,

Our Office has received and reviewed the above referenced project in accordance with 54 U.S.C. 306108 (commonly known as Section 106 of the *National Historic Preservation Act*) and 36 CFR Part 800: *Protection of Historic Properties*.

Our records support your finding of **no historic properties affected** for this undertaking.

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

Sincerely,

Carlos A. Rubio-Cancela  
State Historic Preservation Officer

CARC/GMO/MB



March 20, 2023

Carlos A. Rubio Cancela  
Director Ejecutivo  
Oficina Estatal de Conservación Histórica  
Cuartel de Ballajá (Tercer Piso)  
San Juan, PR 00902-3935

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

### **Section 106 NHPA Effect Determination Submittal: PR-RGRW-01600 – Finca El Legado LLC – Bo. Río Arriba, Carr. 109 R420 Km. 1.8, Añasco, Puerto Rico – *No Historic Properties Affected***

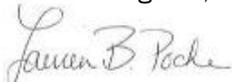
Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by Finca El Legado LLC at Carr. 109 R420 Km. 1.8 in Bo. Río Arriba in the municipality of Añasco. This undertaking will consist of the construction of two greenhouses with Saran plastic, one measuring 10' by 16' and the other 100' by 60', and the construction of a new 50' by 50' corral and two 24' by 14' shade shelters for livestock. All activities will require ground disturbance. Based on the submitted documentation, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.

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

Kindest regards,



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

Architectural Historian, Historic Preservation Senior Manager

Attachments

|   |  |   |
|---|--|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>REGROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  |  |
| <b>Subrecipient:</b> Finca El Legado LLC  |  |   |
| <b>Case ID:</b> PR-RGRW-01600   |  | <b>City:</b> Añasco   |

|   |                                      |
|---|--------------------------------------|
| <b>Project Location:</b> Bo. Río Arriba Carr. 109 R420 Km 1.8 Añasco PR 00610   |                                      |
| <b>Project Coordinates:</b> 18.291860, -67.041359   |                                      |
| <b>TPID (Número de Catastro):</b> 156-000-007-51-000  |                                      |
| <b>Type of Undertaking:</b><br><input checked="" type="checkbox"/> Substantial Repair<br><input checked="" type="checkbox"/> New Construction |                                      |
| <b>Construction Date (AH est.):</b> c1985   | <b>Property Size (acres):</b> 136.89 |

|  |
|--|
| <b>SOI-Qualified Archaeologist:</b> Jesus E. Vega, Ph.D./ Roberto G. Munoz Pando, M.A. |
| <b>Date Reviewed:</b> January 15, 2023/ March 15, 2023                                 |

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

### Project Description (Undertaking)

The proposed activities for Finca El Legado LLC are the reconstruction of two greenhouses with Saran plastic, one measuring 10' by 16' and the other 100' by 60', and the construction of a new 50' by 50' corral and two 24' by 14' shade shelters for livestock in compliance with Section 106 NHPA Effect Determination. All activities will require ground disturbance. The property is located at Bo. Río Arriba Carr. 109 R420 Km 1.8 in the Municipality of Añasco. Previously an empty lot, the land is now currently used for harvesting *recao* and providing cow pasture. The applicant does have access to water (a nearby stream supplies water) and electricity and plans to rebuild the two greenhouses with Saran plastic and build a corral and two shade shelters for livestock.

### Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project will be centered on the area(s) potentially impacted by ground disturbance related to the following scope(s) of work. The demolition of the existing structures in Area 2 and partially in Area 1 will be required to accommodate the new greenhouses. The rest of the work will consist in the reconstruction of 80' by 16' greenhouse with Saran plastic at 18.29078° N, -67.03991° W (Area 1); reconstruction of a 100' by 60'

|   |   |
|---|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>ReGROW PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  |
| <b>Subrecipient:</b> Finca El Legado LLC  |   |
| <b>Case ID:</b> PR-RGRW-01600   | <b>City:</b> Añasco   |

greenhouse with Saran plastic at 18.29095° N, -67.04002° W (Area 2); construction of new 50' by 50' corral for livestock at 18.29137° N, -67.03966° W (Area 3); construction of a 24' by 14' shade shelter for livestock at 18.29124° N, -67.03970° W (Area 4); and construction of a second 24' by 14' shade shelter for livestock at 18.29222° N, 67.04064° W (Area 5). The houses of shades and the corral will be new constructions. Each house will have 6 metal posts. The posts of the houses will be set to ground using a base of concrete of 12 inches by 12 inches. The house of shade floor will continue to be plain soil. The corral will replace the existing metal posts. It will be set to ground using a round base with a 10-inch diameter. Ground disturbance in the concrete bases should not exceed a depth of three feet. The direct APE includes a 15-meter buffer to the rear and sides. The visual APE is the viewshed of the proposed project. The proposed project is located on a rural, lowland area, on soil classified as Toa silty clay loam, (ToA), with 0 to 2 percent slopes, frequently flooded, that has not been flattened by heavy machinery, and is covered with sparse, secondary woodland vegetation. It is 50 meters above the mean sea level, approximately 10.90 miles from the west coast of Puerto Rico, and the closest body of fresh-water body, Río Grande de Añasco, is 0.09 miles northwest.

### **Identification of Historic Properties - Archaeology**

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is within a half-mile distance of one recorded archaeological site and/or NRHP listed/eligible historic property. "No data" denotes no corresponding Institute of Puerto Rican Culture (IPRC), State Historic Preservation Office (SHPO), or National Register of Historic Places (NRHP) identification was found. Aerial imagery from 1958, 1975, and 2017 [see below] indicates no major construction or previous ground disturbance in the APE. The soil classified as Toa silty clay loam, (ToA), with 0 to 2 percent slopes, frequently flooded, and the information mentioned in the previous sections makes the archaeological potential of the APE low.

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

Aerial images dated 1958



Aerial images dated 1975



Aerial image dated 2017



|  |                     |   |
|--|---------------------|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> |                     |  |
| <b>ReGROW PUERTO RICO PROGRAM</b>                          |                     |   |
| <b>Section 106 NHPA Effect Determination</b>               |                     |   |
| <b>Subrecipient:</b> Finca El Legado LLC                   |                     |   |
| <b>Case ID:</b> PR-RGRW-01600                              | <b>City:</b> Añasco |   |

Table 1. Archaeological Sites and/or NRHP Listed/Eligible Historic Properties Within a Half-Mile Radius of Project Area

| Name   | SHPO ID   | IPRC ID | Location   | Description  | NRHP    |
|--|-----------|---------|------------|--|---------|
| Piedra Urayoán; Petroglifo de Urayo; Los Pozos | AN0100001 | No data | 0.47 mi SW | Prehistoric site containing a petroglyph near the Great Añasco River; associated with Hacienda Grande style. | No data |

Table 2. Cultural Resource Studies Conducted Within a Half-Mile Radius of Project Area

| Author                     | Title   | Year | SHPO/IPRC ID    | Results  | Location   |
|----------------------------|---|------|-----------------|----------|------------|
| José Muñoz Vázquez         | Phase 1A-1B, Centro Vacacional de Añasco                    | 1989 | CAT-AÑ-89-01-07 | Positive | 0.47 mi SW |
| Cornelis Nicolaas Dubelaar | Recent Rock Art Research in the Caribbean Islands, A Survey | 1995 | No data         | Positive | 0.47 mi SW |

## Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the closest reported archaeological materials or significant cultural properties, associated with Piedra Urayoán; Petroglifo de Urayo; Los Pozos (AN0100001), are 0.47 miles (2,468.53 feet) southwest of the proposed project area. There are no known archaeological sites or NRHP listed/eligible historic properties within or adjacent to where the direct Area of Potential Effect (APE) of case PR-RGRW-01600 is located. The proposed project area is not within the boundaries or visual APE of any NRHP listed/eligible historic properties nor to a Traditional Urban Center or Historic District. The slope of the APE is not excessive in terms of prehistoric settlement patterns. Surrounding terrain has been minimally impacted by the construction of agricultural infrastructure and dirt roads. Therefore, the Program has determined that project actions described in the undertaking will not impact any cultural properties.

|  |   |
|--|---|
| <b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b><br><b>RE-grow PUERTO RICO PROGRAM</b><br><b>Section 106 NHPA Effect Determination</b> |  |
| <b>Subrecipient:</b> Finca El Legado LLC   |   |
| <b>Case ID:</b> PR-RGRW-01600  | <b>City:</b> Añasco   |

**Recommendation**

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

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

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

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

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

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



**TETRA TECH**

Source: CRIM

Author: TG      Date: 10/7/2022

#### Legend

-  Tier 2 Site
-  Parcelario
-  Area of Potential Effect

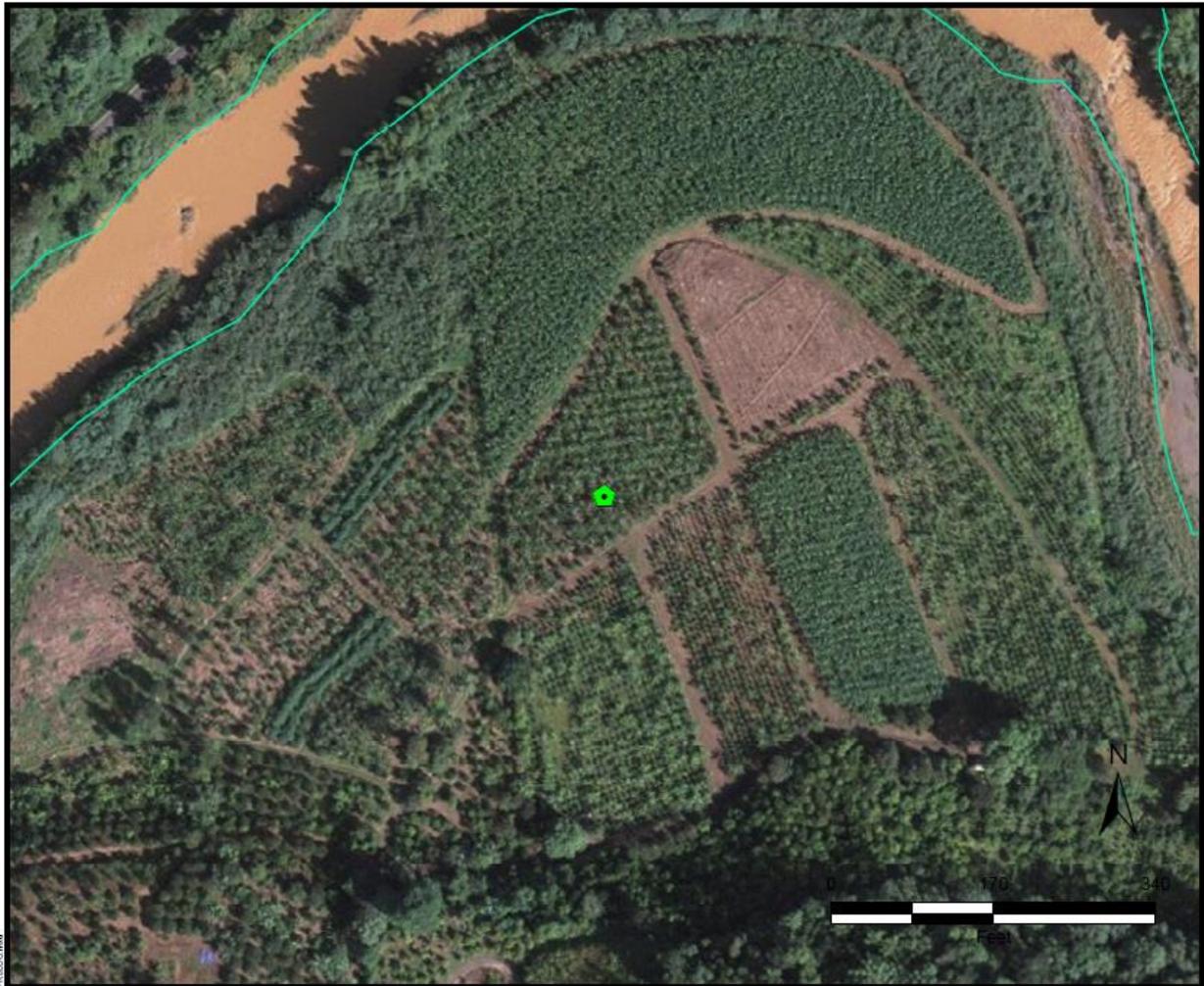


Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location - Aerial Map



|   |   |   |
|---|---|---|
|  <p><b>TETRA TECH</b></p> <p>Source: CRIM</p> <p>Author: TG      Date: 9/22/2022</p> | <p><b>Legend</b></p> <ul style="list-style-type: none"><li> Tier 2 Site</li><li> Historic Comunidades</li><li> Traditional Urban Centers</li><li> Cultural Resource District Polygon</li><li> Parcelario</li></ul> |  |
|---|---|---|

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location - USGS Topographic Map



Source: USGS

Author: TG

Date: 9/29/2022

#### Legend

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



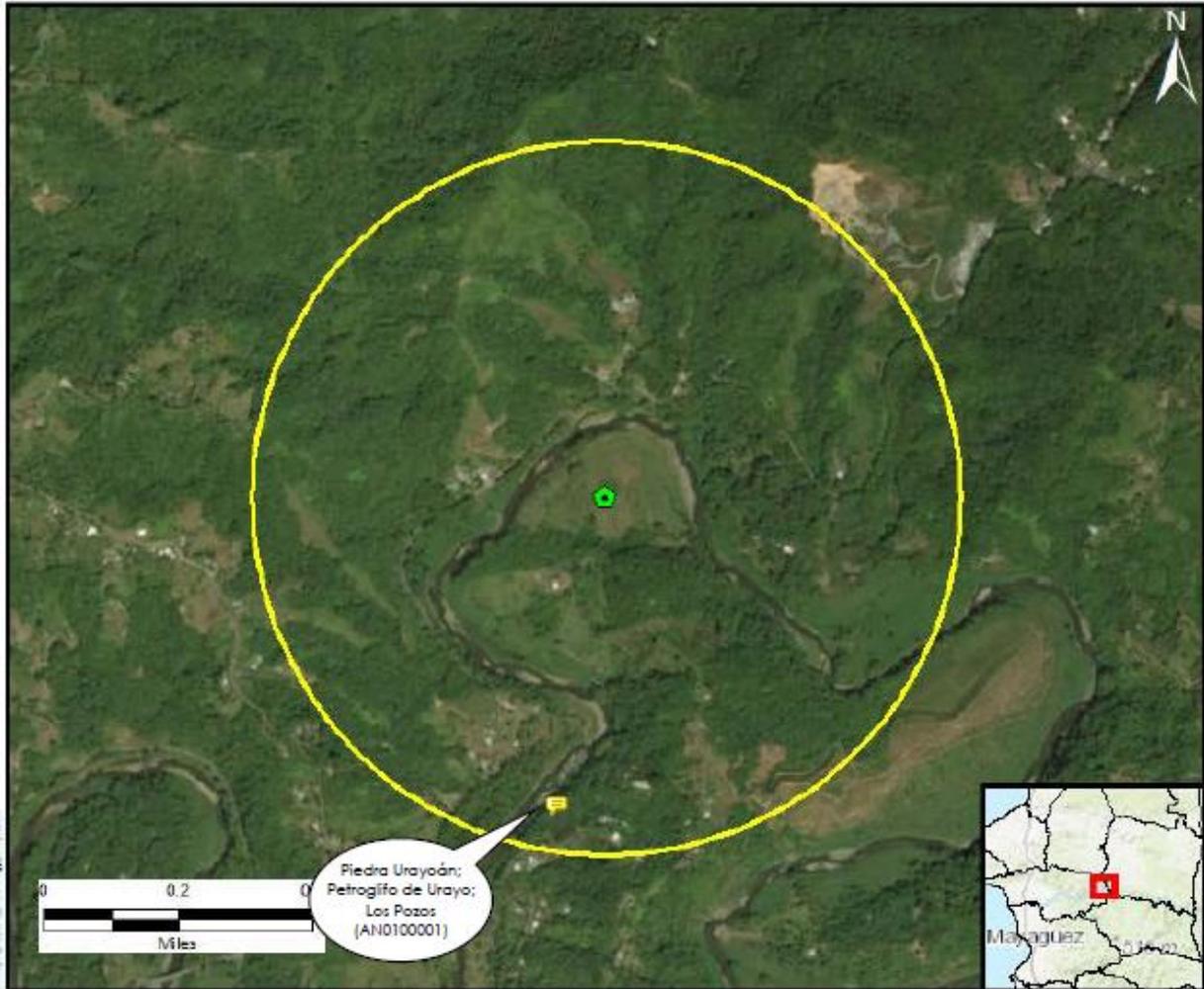


Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Project (Parcel) Location with Previous Investigations - Aerial Map



Source: National Park Service

Author: TG

Date: 9/29/2022

Legend

-  Tier 2 Site
-  Half Mile Buffer
-  Histórico Comunidades
-  Traditional Urban Centers

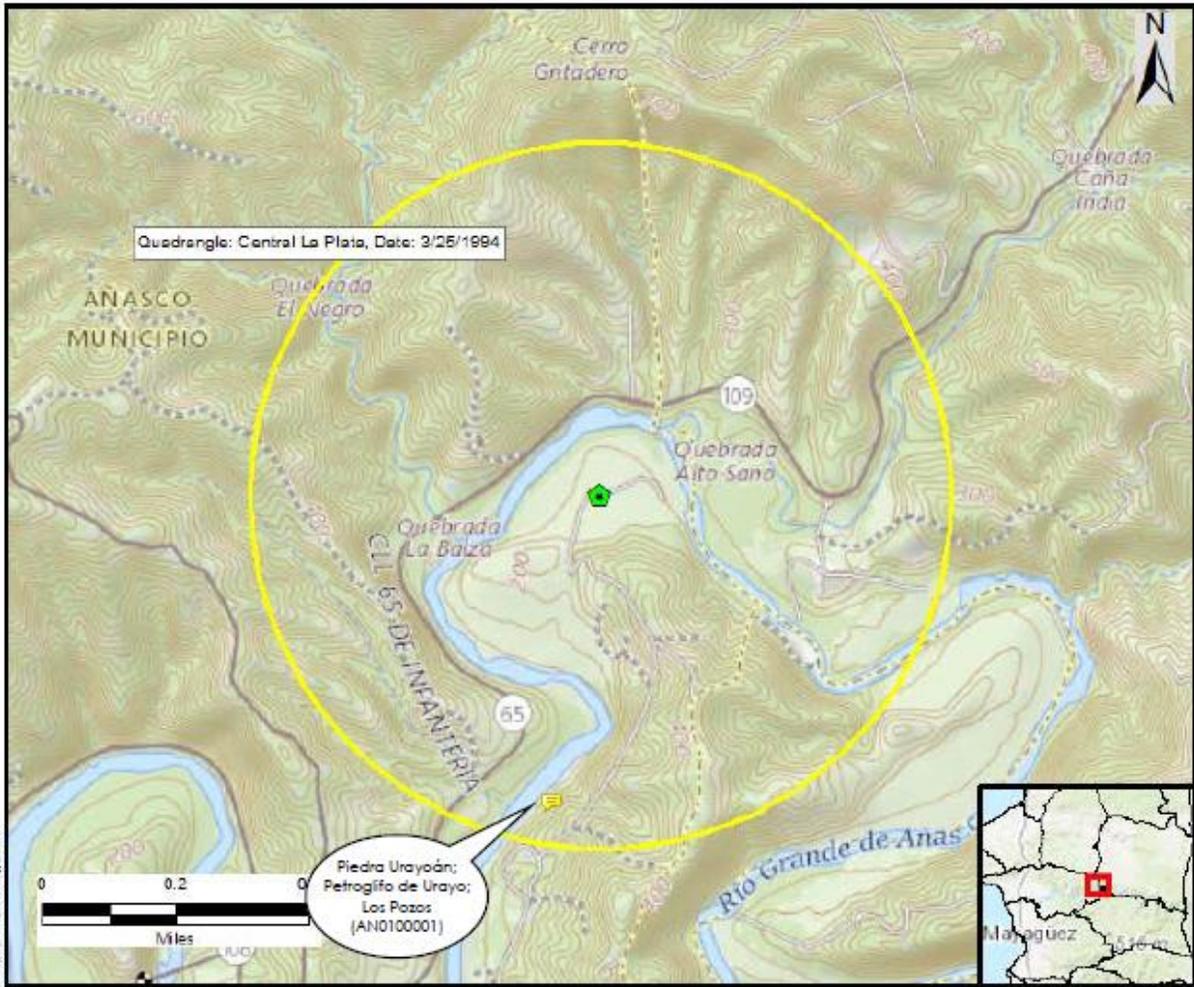
 Cultural Resource District Polygon

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

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



Source: National Park Service

Author: TG Date: 9/29/2022

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

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco

### Photograph Key



Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco



Photo #: 1

Description (include direction): Scope of work area 1

Date: 11/19/2022

Southwest



Photo #: 2

Description (include direction): Scope of work area 2

Date: 11/19/2022

West

Subrecipient: Finca El Legado LLC

Case ID: PR-RGRW-01600

City: Añasco



Photo #: 3

Description (include direction): Scope of work area 3

Date: 11/19/2022

West



Photo #: 4

Description (include direction): Scope of work area 4

Date: 11/19/2022

Northwest

**Subrecipient:** Finca El Legado LLC

**Case ID:** PR-RGRW-01600

**City:** Añasco



**Photo #:** 5

**Description (include direction):** Scope of work area 5

**Date:** 11/19/2022

East



**Photo #:** 6

**Description (include direction):** River

**Date:** 11/19/2022

Southeast



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT