

# **Environmental Assessment**

## **Determinations and Compliance Findings for HUD-assisted Projects**

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-04003

**Project Name:** Hacienda Agricola La Montaña Inc

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

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

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

**Preparer:** Gabriela Rodríguez

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

**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 2.77-acre site located at Carr. 809 Km 5.4 int Bo Palomas in the Municipality of Comerio, Puerto Rico (Parcel ID# 221-028-111-14-000). The coordinates of the project site are 18.241870, -66.262882.

The land is currently in use for oranges, passion fruit, and other minor fruits and vegetables. The past land use was for agricultural purposes.

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

The proposed project area is approximately 0.33 acres. The proposed use of grant funds is for the purchase and installation of a warehouse and the purchase of a transit vehicle.

The applicant plans to build a warehouse in metal galvalum and concrete base with a footprint of 40 feet long by 20 feet wide. This storage will be used for the area of packaging production and storage of the farm equipment. The area of disturbance is 100 feet long by 25 feet wide, including the warehouse centered at 18.241870, -66.262882.

No new water or electric power connection is required. The site has existing water and electric connection to the local utility. The applicant also plans to connect the warehouse to the existing water and power connection at the applicant's house. Water will be connected from the applicant house, adjacent to the terrace, with underground PVC tubes at 1 foot depth. Power will be connected from the applicant house, adjacent to the terrace underground at 3 feet. While the applicant plans to pay for this activity themselves and no HUD funds would be utilized for this portion of work, the potential impacts from this action are included in the analyses below and it is contained within the delimited Area of Potential Effect (APE). This APE has been extended to the utility connection point to allow for electrical and water lines and is constrained to the north by the parcel boundary and the applicant residence. The visual APE is the viewshed of the proposed project.

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 purchase and installation of a warehouse and the purchase of a transit vehicle is keeping with the overall objectives of the Economic Development Program.

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

The land proposed for the installation of the warehouse 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

Appendix D – Endangered Species



## **Funding Information**

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

**Estimated Total HUD Funded Amount:** \$100,000.00

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$100,000.00

## **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> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle. The nearest civil airport is approximately 94,684 feet from the proposed site. The nearest military airport is approximately 110,849 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 Hazards requirements. Refer to Figure 2 in <b>Appendix B</b> .
<b>Coastal Barrier Resources</b>	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in the Central Region of Puerto Rico. The distance to the

Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]		nearest CBRS unit is 83,913 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> .
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project site is located in Zone X, area of minimal flood hazard, as per Floodplain Insurance Map 72000C1160H, effective date April 19, 2005. This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in <b>Appendix B</b> .)

<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project site is not located in a county or air quality management district that is in attainment status or non-attainment status for any criteria pollutants. The Municipio of Comerío is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants". The purchase and installation of a warehouse and the purchase of a transit vehicle 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> .
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located 68,005 feet from the nearest segment of the 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> .
<b>Contamination and Toxic Substances</b>  24 CFR Part 58.5(i)(2)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle.  A site visit conducted on May 15, 2023, no debris or rubbish or visible signs vegetative stress, contamination, or toxic substances were noted at the project site.

		<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>.</p> <p>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; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle.</p> <p>According to EPA NEPAassist Enviromapper, the nearest critical or proposed critical habitat is 62,422 feet to the southeast of the project location. Per the Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the Puerto Rican Boa and the Puerto Rican Plain Pigeon can be found, but there are no critical habitats 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.) and the Self-Certification guidelines in the 2014 USFWS Caribbean Ecological Services Field Office Blanket Clearance Letter (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 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 and</p>

		<p>the July 27, 2023 Amended Programmatic Biological Opinion.</p> <p>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 #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124).</p> <p>Refer to Figures 10 and 11 in <b>Appendix B</b> and IPaC report 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 site is not designated as farmland of statewide importance. The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle. 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 (FPPA) 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 FPPA. Refer to Figure 12 in <b>Appendix B</b>.</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C1160H, effective date April 19, 2005. The project site is not located in Preliminary Firm or an Advisory Base Flood Elevation (ABFE) special flood hazard area. See Figures 4, 5 and 6 in</p>

		<b>Appendix B.</b> This project is in compliance with Executive Order 11988.
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The site was evaluated on July 20, 2023, by an SOI Qualified Architect/Architectural Historian. Additionally, the site was evaluated on July 17 and 26, 2023, by an SOI Qualified Archaeologist. Documentation with maps was subsequently submitted to SHPO on August 14, 2023 ( <b>Appendix E</b> ). SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential on Effects on August 18, 2023. Refer to Figure 13 in <b>Appendix B</b> and the report in <b>Appendix E</b> . This project is in compliance with Historic Preservation requirements.
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	HUD's noise regulations protect residential properties from excessive noise exposure. The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle at a farm site. 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.
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The north coast is 82,549 feet north of the property. The closest fresh-water body is the Quebrada Higuero at the south of the property, at an estimated distance of 130 ft to the southwest of the proposed warehouse location. Other water bodies includes Río Frío 2,894 feet west of the property, and Río Guadiana 5,472 feet northeast of the property.</p> <p>The NWI maps show that wetlands are located within the south parcel boundary, at an estimated distance of 130 ft to the southwest of the warehouse location. A man-made pond is</p>

		located south of the proposed project area. Standard construction BMPs would be used to control erosion and runoff during construction. With these mitigations the construction of the warehouse would not impact the wetlands and includes no activities that would require further evaluation under this section.  The project is in compliance with Executive Order 11990. Refer to Figure 14 in <b>Appendix B</b> .
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 163,700 feet. The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in <b>Appendix B</b> .

<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	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.

**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 proposed project is located on a private farm. The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle. The Project site is classified as “Suelo Rustico Especialmente Protegido- Agrícola (SREP-A)”. The proposed action is compliant with the current agricultural land use of the Project area.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>The proposed project is located in relatively flat terrain, previously used for agricultural purposes, and now used for oranges, passion fruit, and other minor fruits and vegetables. Soils in the proposed project area are classified as Humatas Clay (HtF), 40 to 60 percent slopes, surrounded by farmland with mature secondary forest vegetation cover south, 570 meters above mean sea level.</p> <p>The project site is already cleared and graded. Area has been maintained and used as parking for the farm trucks.</p> <p>The project site area is rated “moderate” for landslide susceptibility (see Figure 16 in <b>Appendix B</b>). The proposed location of the warehouse has been evenly graded and is currently used to park the farm trucks.</p> <p>There will be little to no additional runoff associated with the project.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>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.</p> <p>There is no access to the project area by the public. Standard BMPs, such as construction fencing, would be applied to protect the farm residents and public from typical construction hazards.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	<p>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.</p> <p>The proposed project would not negatively impact employment or income patterns.</p>
Demographic Character Changes, Displacement	2	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	<p>In the area (one mile radius) in which project will occur.</p> <p>100% are people of color compared to PR average of 96%</p> <p>89% are low income compared to PR average of 70%</p> <p>11% are unemployed compared to PR average of 15%</p> <p>The proposed purchase and installation of a warehouse and the purchase of a transit vehicle will result in restoration and increase in income and potential employment opportunities in the local area. The impacts would be beneficial.</p> <p>See EJSscreen Report in <b>Appendix C</b></p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The project consists in the purchase and installation of a warehouse and the purchase of a transit vehicle. 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 in the purchase and installation of a warehouse and the purchase of a transit vehicle. 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 in the purchase and installation of a warehouse and the purchase of a transit vehicle. 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	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 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.
Wastewater / Sanitary Sewers	2	The project consists in the purchase and installation of a warehouse and the purchase of a transit vehicle. The proposed project would not include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged.
Water Supply	2	The project consists in the purchase and installation of a warehouse and the purchase of a transit vehicle. Applicant has access to a water supply from the local utility. New water lines will be run underground from the residence to the warehouse. The proposed project will have minor impact on water usage.
Public Safety – Police, Fire and Emergency Medical	2	The project consists in the purchase and installation of a warehouse and the purchase of a transit vehicle. The proposed project would not create any new demand for emergency or health services.
Parks, Open Space and Recreation	2	The project consists in the purchase and installation of a warehouse and the purchase of a transit vehicle. 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 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.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The project consists in the purchase and installation of a warehouse and the purchase of a transit vehicle. The proposed project will be situated on land previously used for agriculture and will have no impact to unique natural features or water resources.  With implementation of the mitigations there would be no impacts to surface water resources.
Vegetation, Wildlife	2	The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. The proposed project will have no impact on vegetation and wildlife.
Other Factors		

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>CLIMATE AND ENERGY</b>		
Climate Change Impacts	2	The project consists of the purchase and installation of a warehouse and the purchase of a transit vehicle. This is a small project with no measurable impact on climate change factors.  With respect to climate change impact on the project, agricultural activities could be affected by drought.
Energy Efficiency/Energy Consumption	2	The project will be connected to the local electricity provider via the house on the property. There will be a minor change to the energy demand in the area due to the proposed project.

**Additional Studies Performed:** None required.

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

Site inspection was conducted on May 15, 2023 by Carlos Medina.

**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/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf](http://www.faa.gov/airports/planning_capacity/npias/reports/NPIAS-Report-2017-2021-Appendix-B-Part6.pdf)

John H. Chafee Coastal Barrier Resources System, Puerto Rico [map](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. The applicant must obtain all necessary permits.

**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]:

While not included in the activities proposed to be funded by HUD, the applicant has stated their intention to connect to water and electrical services from existing sources at the applicant's residence.

In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the proposed project. The growth of agricultural products at the farm would not increase. The project would allow for additional storage for farm equipment and product packaging. Water and power use would increase to a minor degree in the new warehouse but would only impact the existing site local water and power supply.

**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. The applicant submitted a proposal to enhance and expand agricultural production on their property. The proposed use of grant funds will allow the applicant to expand the cultivation, processing, and delivery of agricultural products through the purchase and installation of a warehouse and purchase of a transit vehicle. Any alternative that would involve an off-property location would not enhance and expand agricultural production or allow for the economic development for this applicant. The actions are proposed in an area adjacent to the existing residence and existing water connections. The proposed site has been previously cleared and graded and has been maintained. Alternative locations on the property would be farther from the residence and water connections.

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

Under the No Action Alternative, the applicant would not receive federal funding for the purchase and installation of a warehouse and purchase of a transit vehicle, 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, 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.

Law, Authority, or Factor	Mitigation Measure
Wetlands Protection	Standard construction BMPs would be used to control erosion and runoff during construction.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Standard construction BMPs would be used to control erosion and runoff during construction. Prior to any construction activity, the applicant will contact the DNRNA, to determine the required permits and authorizations.
<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 to the OGPe. Any necessary permits should be obtained by the applicant and/or contractor prior to construction activities.
Utility Connections- LUMA/PRASA	The project does not involve new utility connections. Facilities have local utility services connections. However, the applicant is responsible for any permits or actions to ensure legalization of utility connections (if needed) 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: 03/22/2024

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

Certifying Officer Signature:  \_\_\_\_\_ Date: 03/25/2024

Name/Title: Limary Vélez Marrero / Permits and Environmental Compliance Specialist

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-04003		
Applicant Name	HACIENDA AGRICOLA LA MONTAÑA INC		
Property Address	Carr. 809 km 5.4 int Bo.Palomas		
Parcel ID	221-028-111-14		
Coordinates	18.241870, -66.262882		
Inspector Name	Carlos O. Medina		
Inspection Date	05/15/2023		
Building Type	vacant		
Number of Units	0		
Number of Stories	0		
Year Built; Data Source	C2005; Historian		
ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers)			
OBSERVATION ITEMS	YES	NO	COMMENTS
A. Is the <b>structure in use</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B. Is <b>structure a greenhouse</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C. Is <b>Electricity connected</b> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Power for the warehouse will be from the applicant house power connection adjacent to the terrace,
D. Is <b>water connected</b> ? (Utilities or Well)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water for the warehouse will be from the applicant house power connection adjacent to the terrace,
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
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"/>	Located in the rear, not adjacent, from the terrace where the storage will be constructed. This pond the water came from a water spring.
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:

Re Grow Additional Notes:

Case: PR-RGRW-04003

Project Name: HACIENDA AGRICOLA LA MONTAÑA INC

Coordinates: 18.241870, -66.262882

Is the field graded? For what purpose the field was graded? Month, Year: No graded, applicant stated he maintain the area clean and trimmed for the purpose of parking of the trucks of the farms.

Scope of Work: Purchase and installation of a warehouse and purchase of a transit vehicle.

Land current in use for: Oranges, passion fruit, and others minor fruits and vegetables.

Past Land use was: for agricultural purpose

The applicant plans to do: warehouse in metal galvalum and concrete base with a footprint of 40' x 20'.

Where the applicant plans to do the ground disturbances for the scopes of work, add the coordinates, descriptions and approximately the measurements:

Scope of work: 18.241870, -66.262882

Construction of a warehouse in metal galvalum and concrete base with a footprint of 40' x 20'. This storage will be use for area of packaging production and storage of the farm equipment. The available space of the terrace is approximately 100' x 25'.

Any new water connection or power connection?

Water: water will be connected from the applicant house, adjacent to the terrace, with PVC tubes underground at 1'.

Power: power will be connected from the applicant house, adjacent to the terrace underground at 3'.

## Site Sketch



Scope of work

Road



Applicant house

**Front of Structure**

Photo Direction: Northwest



**Facing Away From Front**

Photo Direction: Southeast





Side #1 of Structure

Photo Direction: South



Facing Away From Side #1

Photo Direction: North





**Back of Structure**

Photo Direction: West



**Facing Away From Back**

Photo Direction: East





Side #2 of Structure

Photo Direction: South



Facing Away From Side #2

Photo Direction: North



**Streetscape #1**

Photo Direction: Northwest



**Streetscape #2**

Photo Direction: Southeast





Address

Photo Direction: Southwest





Outbuildings

Photo Description: Applicant house

Photo Direction: Northeast



Environmentally Sensitive Areas

Photo Description: Pond

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: Southeast



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: South



Structural Details

Photo Description: Architectural details

Photo Direction: Southwest



Structural Details

Photo Description: Architectural details

Photo Direction: West





Structural Details

Photo Description: Architectural details

Photo Direction: South



Structural Details

Photo Description: Architectural details

Photo Direction: Southwest



Structural Details

Photo Description: Architectural details

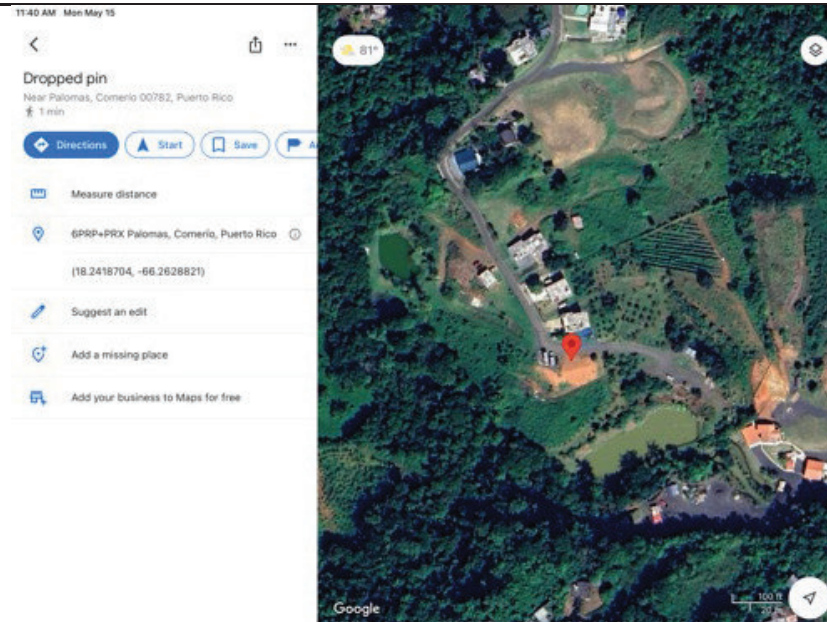
Photo Direction: East



Structural Details

Photo Description: Architectural details

Photo Direction: North



Electricity Connected

Photo Description: Power connected adjacent from applicant house

Photo Direction: Northwest





Water Connected

Photo Description: Water connected from the adjacent applicant house

Photo Direction: Northeast



Standing Water

Photo Description: Pond

Photo Direction: South



Scope Of Work

Photo Description: Scope of work: construction of a warehouse

Photo Direction: Southeast





Scope Of Work

Photo Description: Scope of work: construction of a warehouse

Photo Direction: South



Scope Of Work

Photo Description: Scope of work: construction of a warehouse

Photo Direction: Southwest



Scope Of Work

Photo Description: Scope of work: construction of a warehouse

Photo Direction: East



Scope Of Work

Photo Description: Scope of work map reference

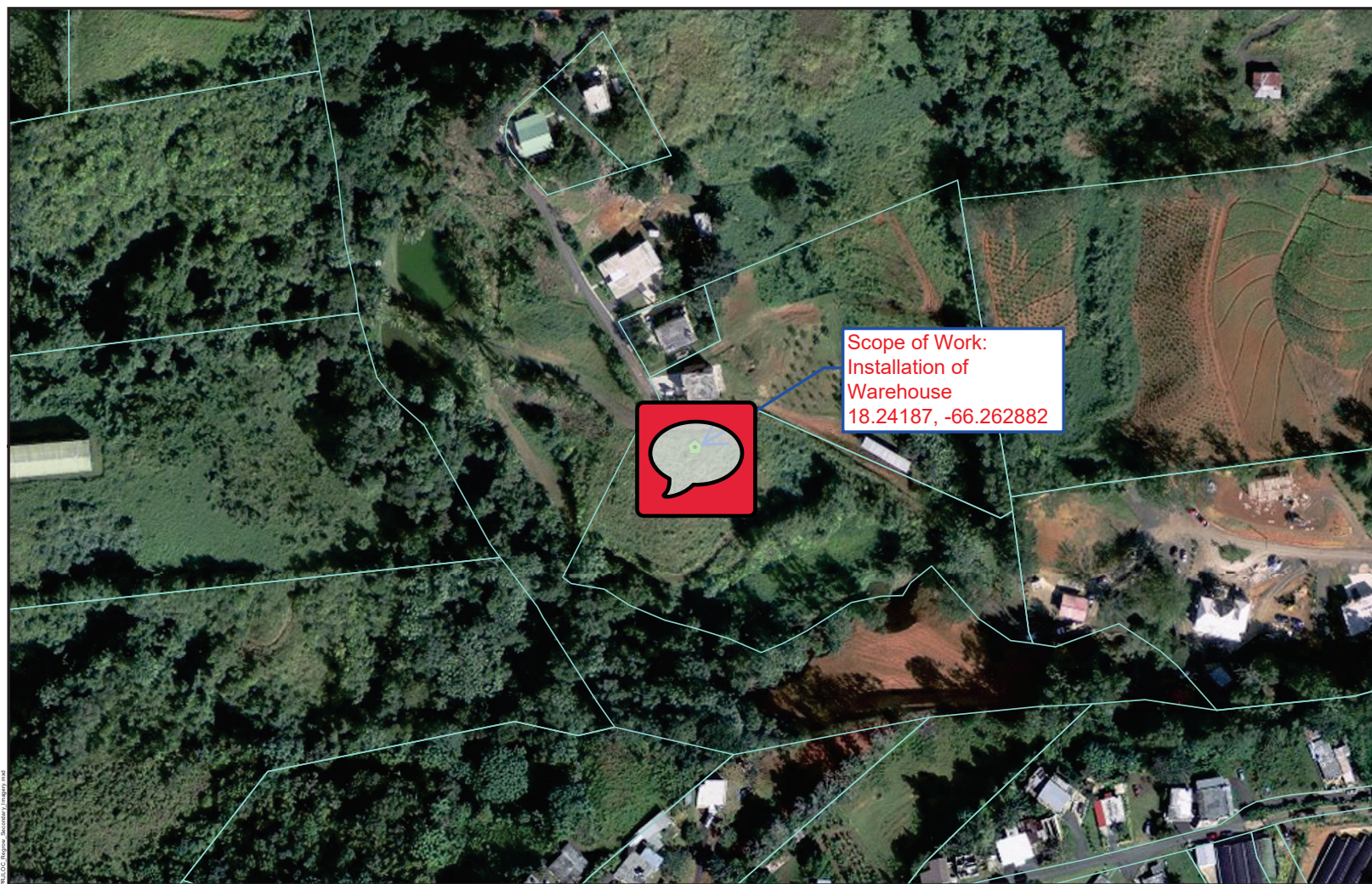
Photo Direction: North






## **APPENDIX B**

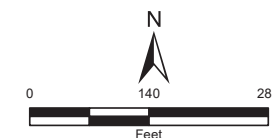
### Maps





### Legend

-  Project Parcel
-  Parcels
-  Area of Potetnial Effect

**PUERTO RICO**

Source: CRIM

**Figure 1: PROJECT LOCATION**  
**APPLICANT ID: PR-RGRW-04003**

**ADDRESS:** Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates: 18.24187 , -66.262882

Author: TG

Date: 12/12/2023





#### 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: 94684 FEET

#### PUERTO RICO



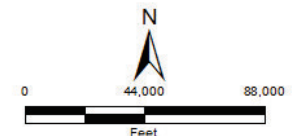
**Figure 2: AIRPORT ZONES**  
**APPLICANT ID: PR-RGRW-04003**

ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782  
Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC  
Parcel Coordinates: 18.24187, -66.262882



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

Author: TG Date: 6/2/2023











#### Legend

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

#### PUERTO RICO



### Figure 4: FLOODPLAIN MANAGEMENT APPLICANT ID: PR-RGRW-04003

ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

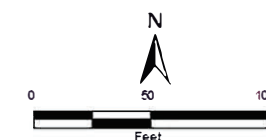
Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates: 18.24187, -66.262882



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

Author: TG Date: 6/12/2023







**Legend**

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

<b>SPECIAL FLOOD HAZARD AREAS</b>	Without Base Flood Elevation (BFE) Zone A, V, AE With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
<b>OTHER AREAS OF FLOOD HAZARD</b>	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
<b>OTHER AREAS</b>	NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs Area of Undetermined Flood Hazard Zone D
<b>GENERAL STRUCTURES</b>	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
<b>OTHER FEATURES</b>	Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
<b>MAP PANELS</b>	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-04003**

**ADDRESS:** Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

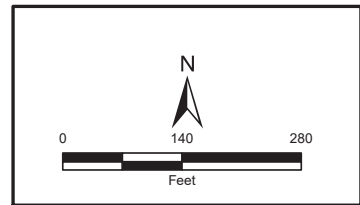
**Name of Development:** HACIENDA AGRICOLA LA MONTAÑA INC

**Parcel Coordinates:** 18.24187 , -66.262882

**Tt TETRA TECH**

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

Author: TG Date: 5/31/2023







# Legend

## PuertoRico\_ABFE\_1PCT

Advisory Base Flood Elevation (zoom in to make visible)



Flood Hazard Boundary (zoom in to make visible)

Limit of Moderate Wave Action (LIMWA)



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



Project Parcel

## PUERTO RICO



**Figure 6: ADVISORY BASE FLOOD ELEVATION**  
**APPLICANT ID: PR-RGRW-04003**

ADDRESS: Carr. 809 km 5.4 int Bo Palomas, Comerio, PR 00782

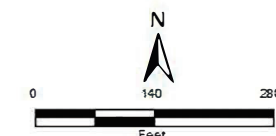
Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates :18.24187 , -66.262882

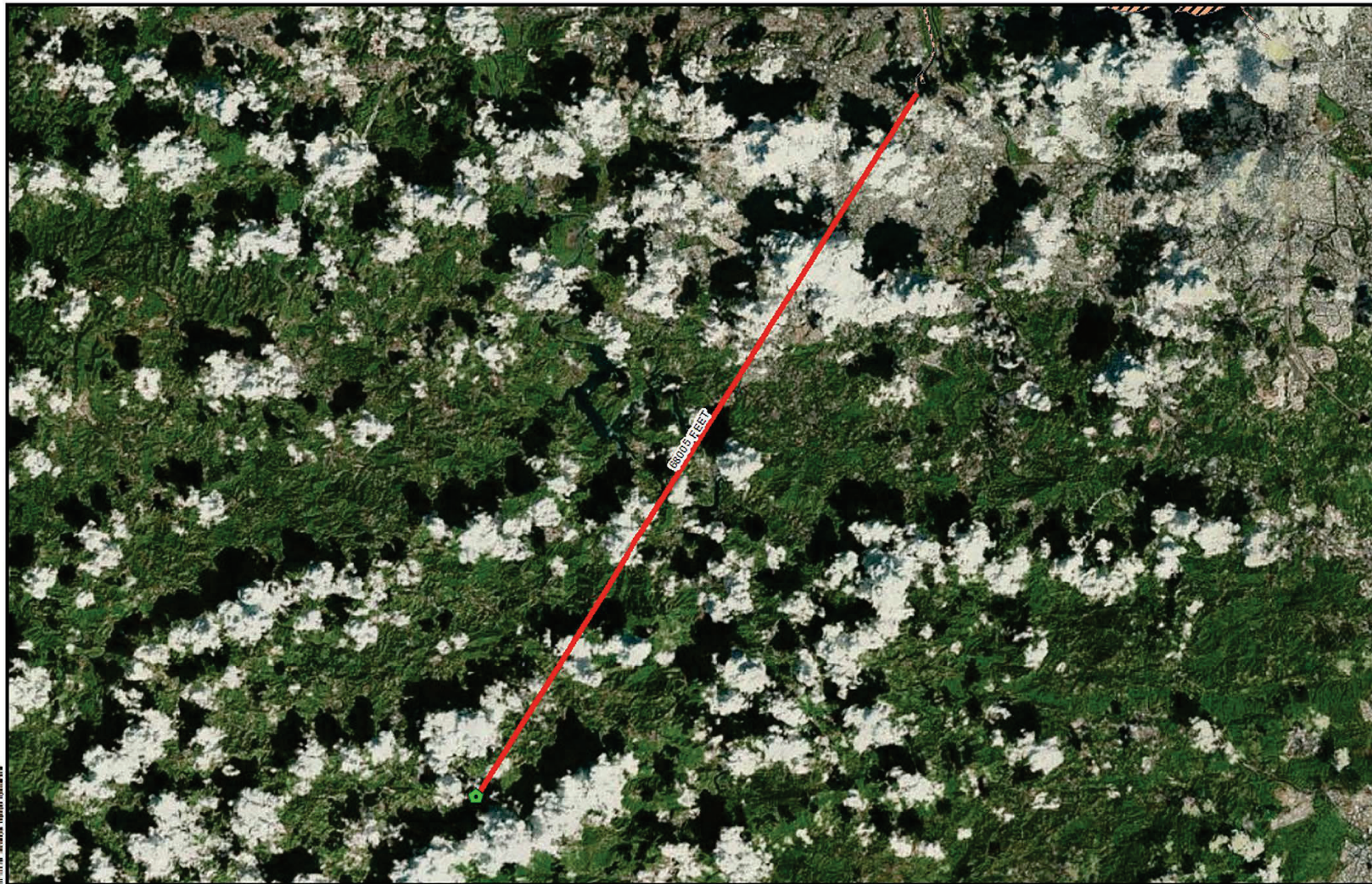


Source: FEMA  
<https://gis.fema.gov>

Author: TG Date: 6/7/2023







**Legend**

- Project Parcel
- Coastal Zone Management Boundary

Distance to Nearest Coastal Zone: 68005 FEET

**PUERTO RICO**



**Figure 7: COASTAL ZONE MANAGEMENT**

**APPLICANT ID: PR-RGRW-04003**

**ADDRESS:** Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

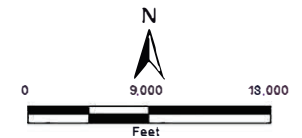
**Name of Development:** HACIENDA AGRICOLA LA MONTAÑA INC

**Parcel Coordinates:** 18.24187 , -66.262882

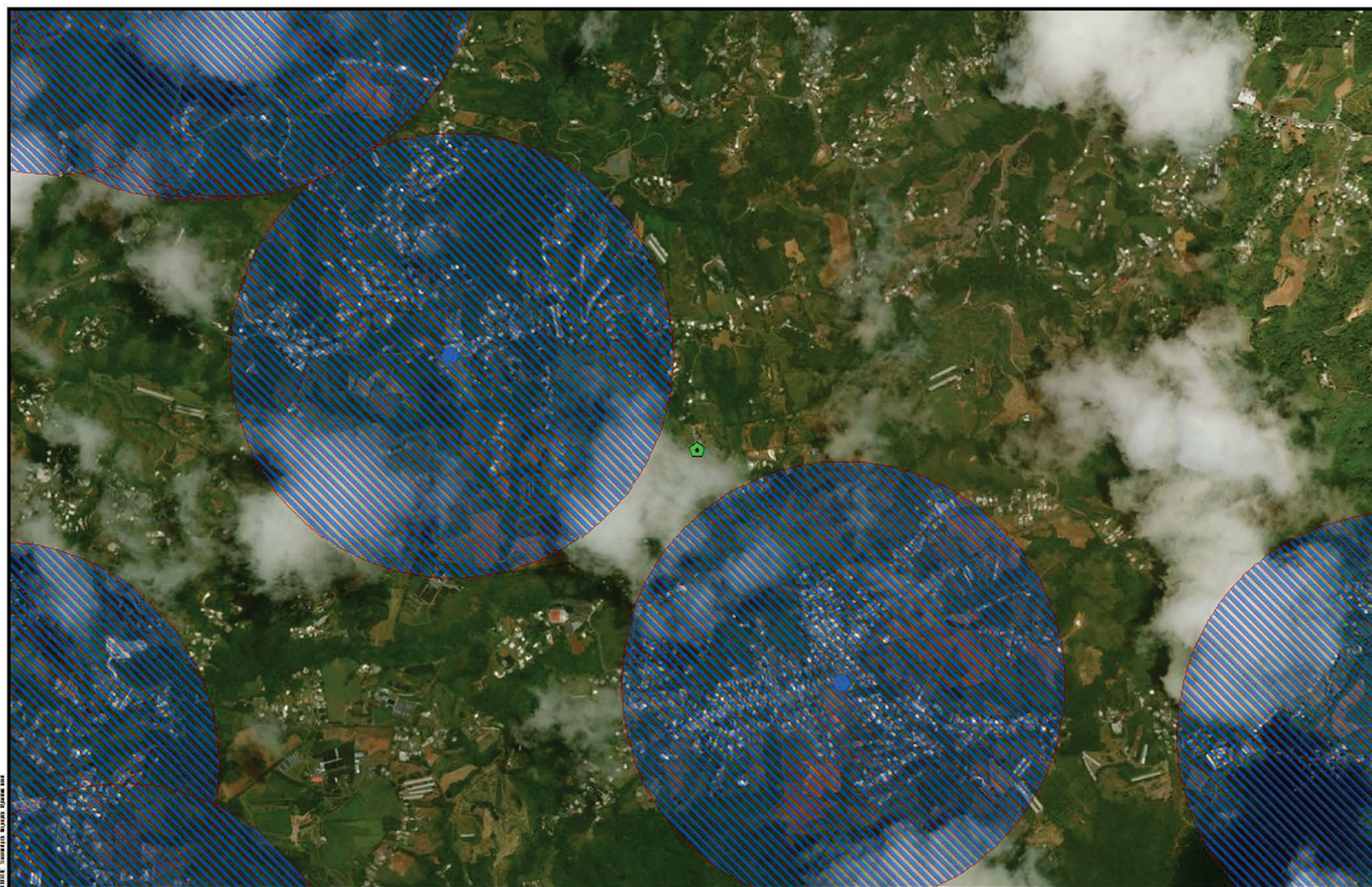


Source : NOAA's Ocean Service  
<https://data.noaa.gov>

Author: TG

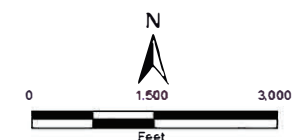






- Legend**
- RCRA
  - ⬠ Project Parcel
  - ▲ Toxic Release Inventory Site
  - Superfund Site
  - Brownfield Sites
  - ▨ 3000 Ft Buffer TRI
  - ▨ 3000 Ft Buffer Superfund
  - ▨ 3000 Ft Buffer RCRA
  - 3000 Ft Buffer Brownfield

## PUERTO RICO



Source: EPA

<https://www.epa.gov/fs/geospatial-data-download-services>

Date: 6/12/2023

## Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS, CONTAMINATION, AND RADIOACTIVE SUBSTANCES

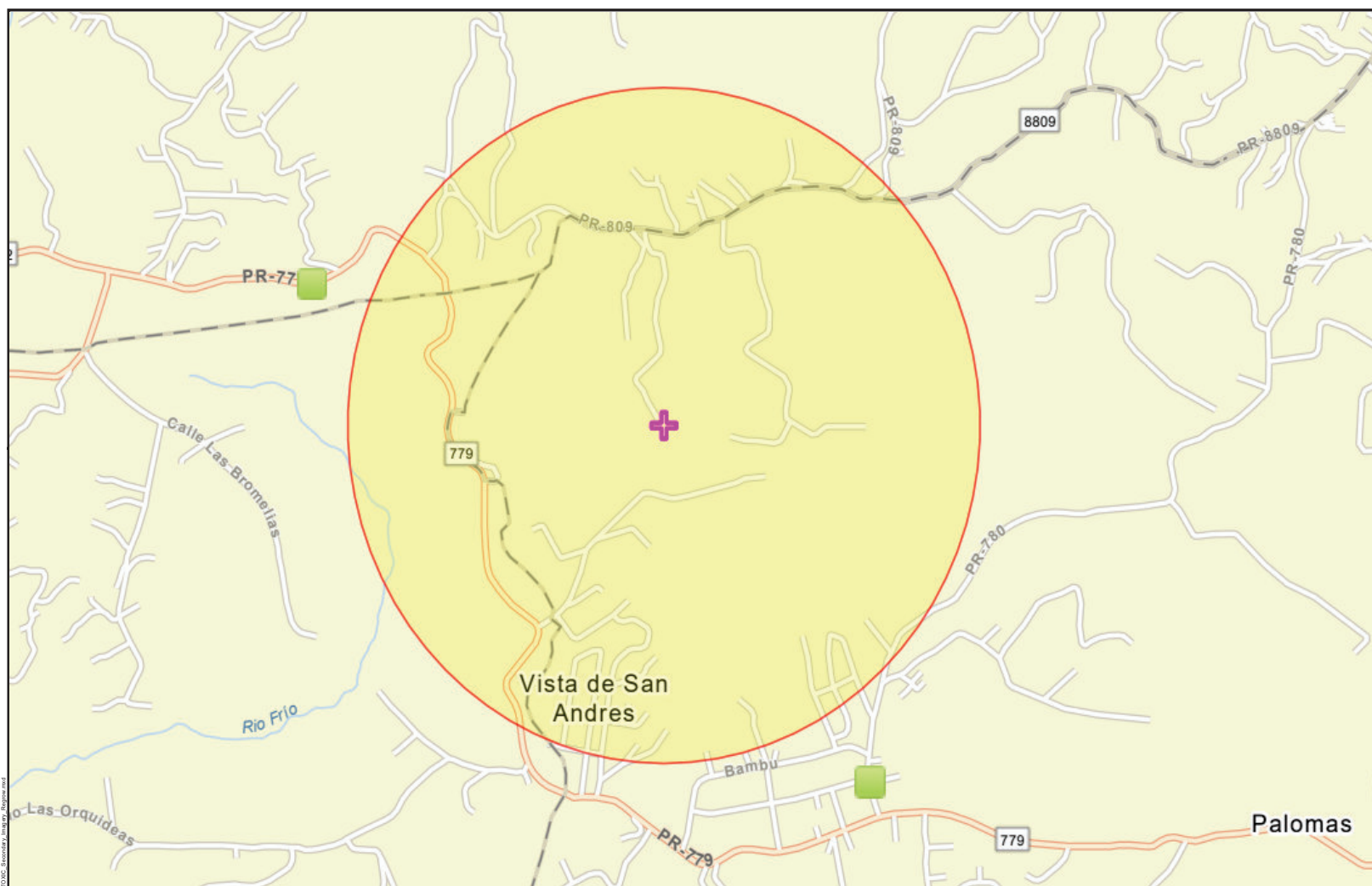
APPLICANT ID: PR-RGRW-04003

ADDRESS: Carr. 809 km 5.4 int Bo. Palomas, Comerio, PR 00782

Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates: 18.24187, -66.262882





#### Legend

- Superfund (NPL)
- Toxic Substances Control Act (TSCA)
- Toxic Releases (TRI)
- Brownfields (ACRES)
- Hazardous Waste (RCRAInfo)
- + Project Parcel

#### PUERTO RICO



### Figure 9: NEPA Assist Map

**APPLICANT ID: PR-RGRW-04003**

**ADDRESS:** Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

**Name of Development:** HACIENDA AGRICOLA LA MONTAÑA INC

**Parcel Coordinates:** 18.24187 , -66.262882

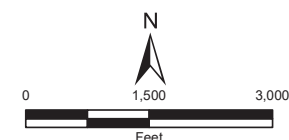


Source: E.P.A.

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

Author: JB/AK

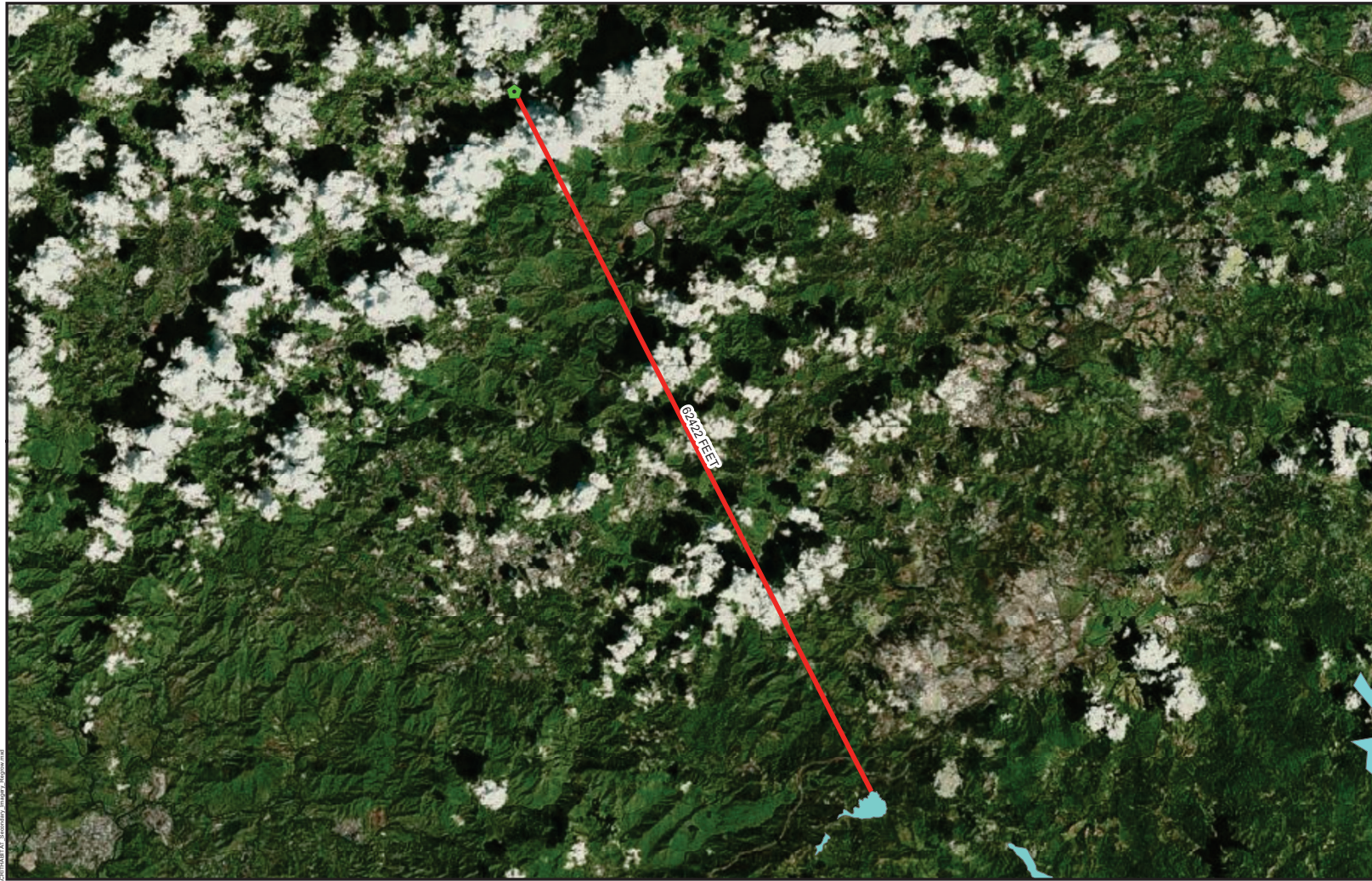
Date: 5/18/2023











#### Legend

Project Parcel

#### comname

Elfin-woods warbler

Golden coqui

Distance to Nearest Critical Habitat in Feet: 62422 FEET

#### PUERTO RICO



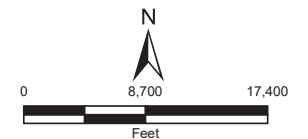
Source: U.S. FISH & WILDLIFE SERVICE  
<https://ecos.fws.gov>

Author: TG

Date: 6/1/2023

### Figure 11: CRITICAL HABITATS APPLICANT ID: PR-RGRW-04003

ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782  
Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC  
Parcel Coordinates: 18.24187, -66.26282







#### 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

#### PUERTO RICO



### Figure 12: FARMLAND PROTECTION APPLICANT ID: PR-RGRW-04003

ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

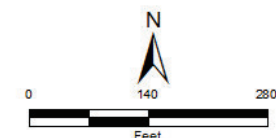
Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates: 18.24187, -66.262882

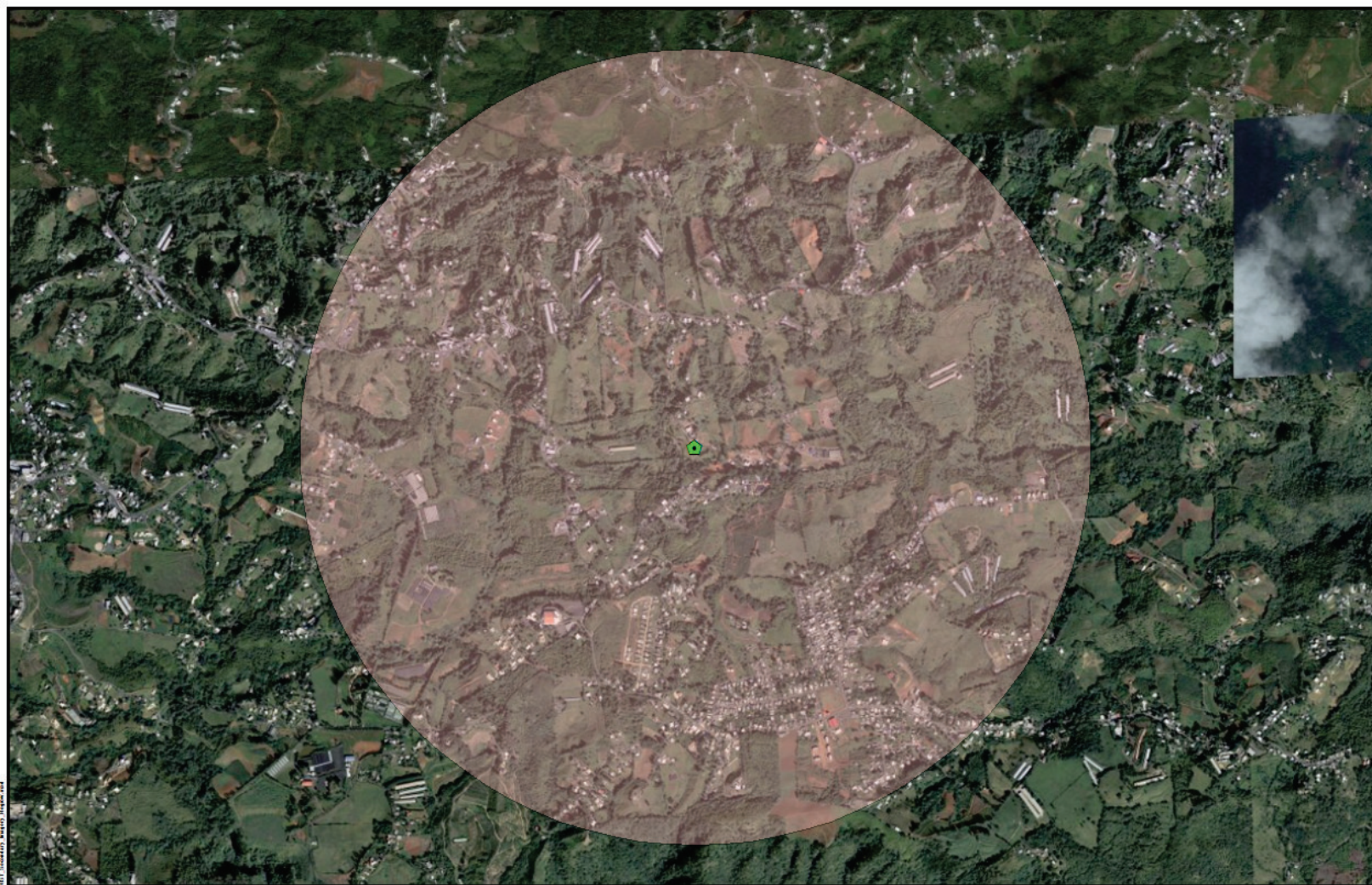


Source: USDA  
<https://websoilsurvey.sc.egov.usda.gov>

Author: TG Date: 6/12/2023







#### 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

#### PUERTO RICO



### Figure 13: HISTORIC PRESERVATION APPLICANT ID: PR-RGRW-04003

ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

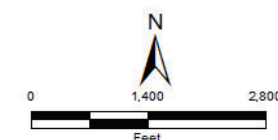
Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates: 18.24187, -66.262882

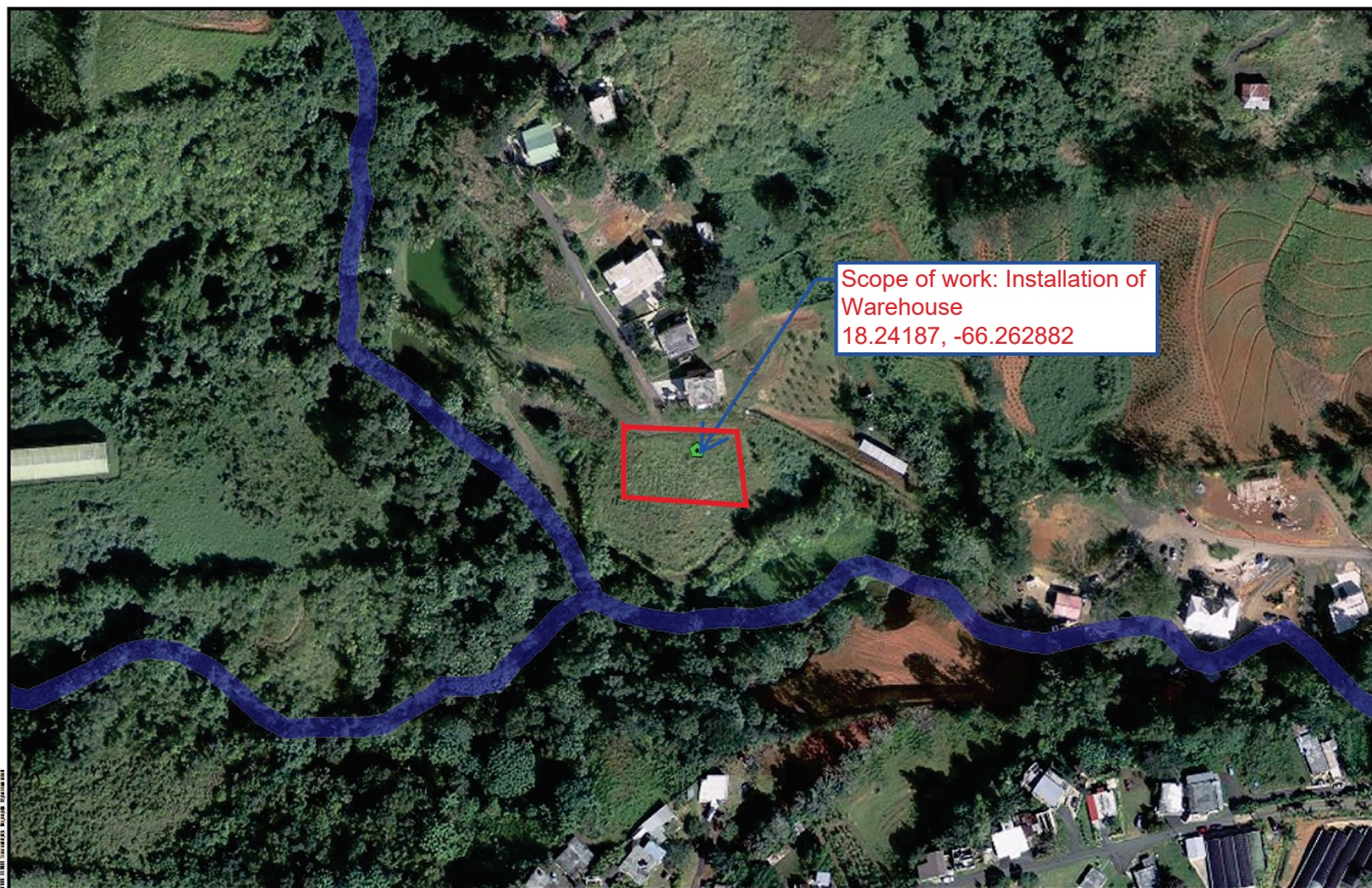


Source: National Park Service  
<https://www.nps.gov/>

Author: TG Date: 6/12/2023







#### Legend

Project Parcel

#### 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



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

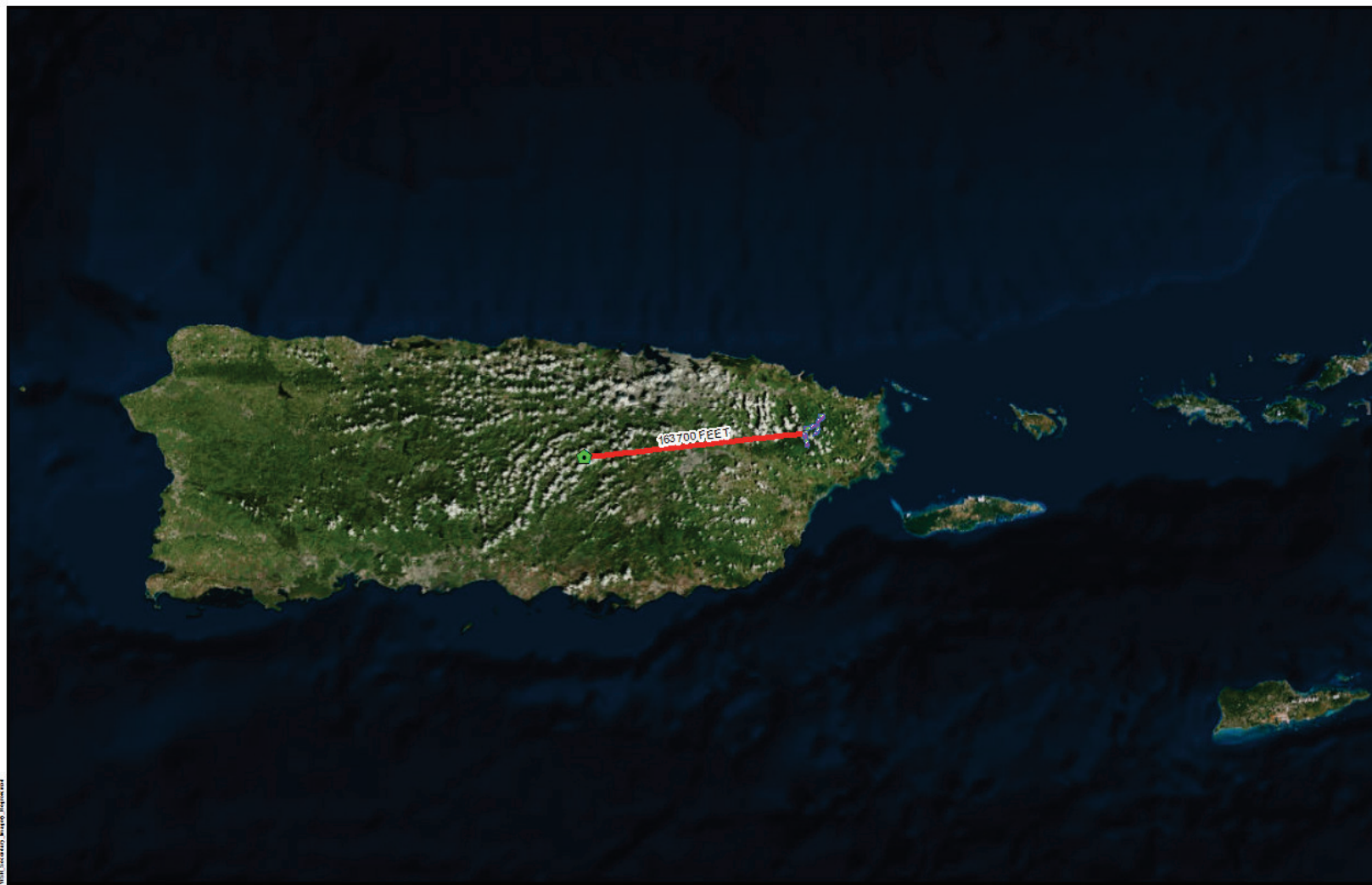
Author: TG

Date: 6/12/23

**Figure 14: WETLANDS**  
**APPLICANT ID: PR-RGRW-04003**  
 ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782  
 Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC  
 Parcel Coordinates: 18.24187, -66.262882





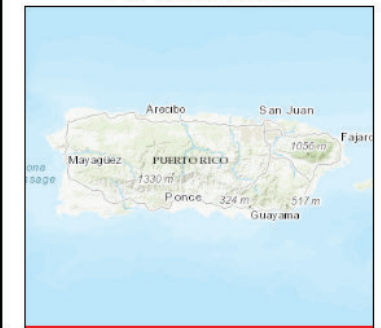


#### Legend

- Project Parcel
- ▬ Wild and Scenic Rivers

Distance to Nearest Wild and Scenic River in Feet: 163700 FEET

#### PUERTO RICO



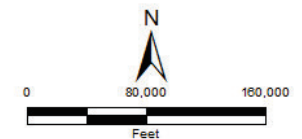
**Figure 15: WILD AND SCENIC RIVERS ACT**  
**APPLICANT ID: PR-RGRW-04003**

ADDRESS: Carr. 809 km 5.4 int Bo. Palomas, Comerio, PR 00782  
 Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC  
 Parcel Coordinates: 18.24187, -66.262882

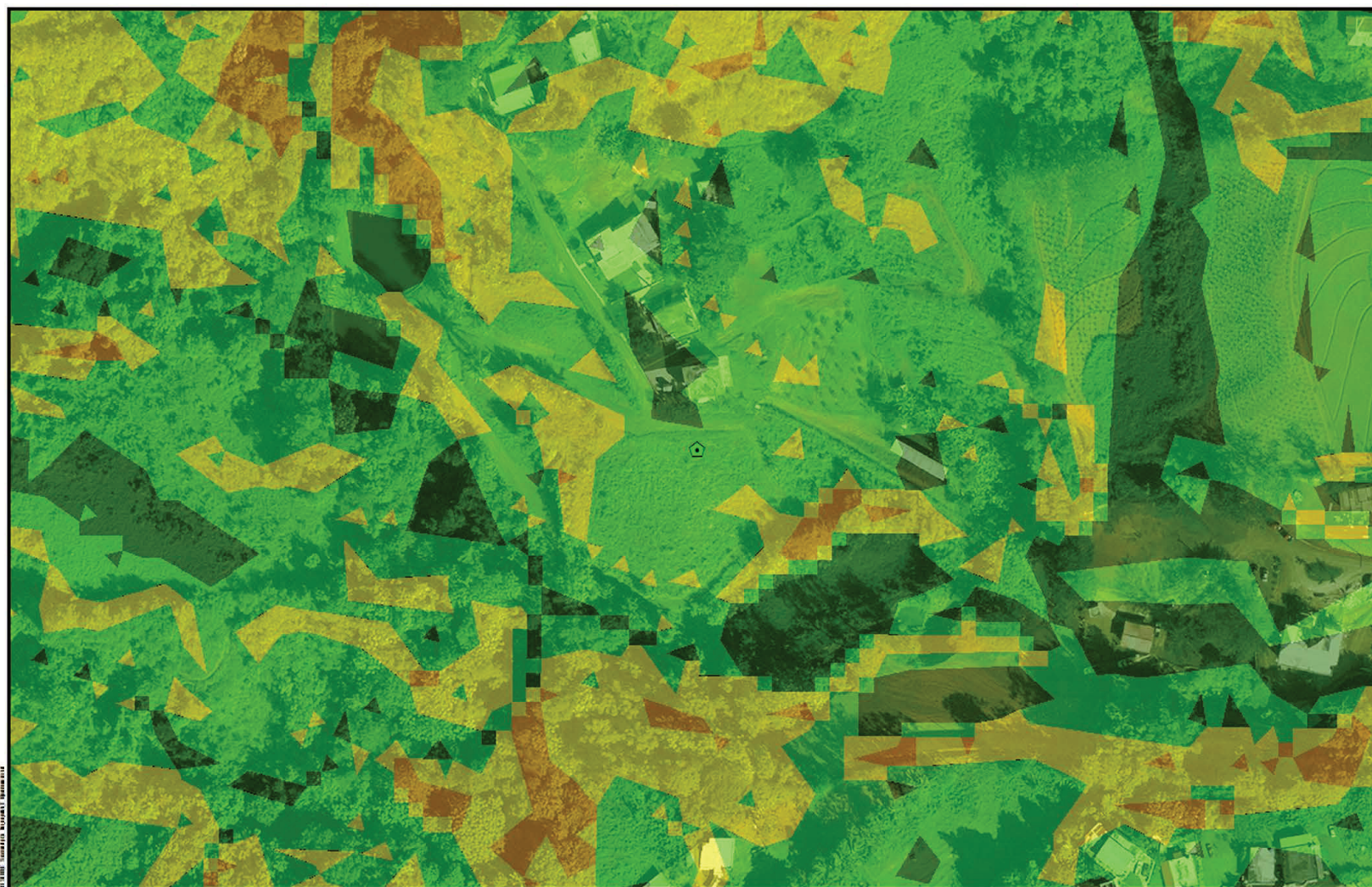


Source: U. S. Forest Service  
<https://www.fs.usda.gov>

Author: TG Date: 6/12/2023







#### Legend

Project Parcel

#### Landslide Susceptibility

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

#### PUERTO RICO



### Figure 16: SLOPE AND EROSION APPLICANT ID: PR-RGRW-04003

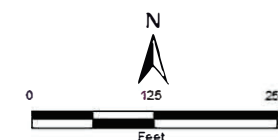
ADDRESS: Carr. 809 km 5.4 int Bo.Palomas, Comerio, PR 00782

Name of Development: HACIENDA AGRICOLA LA MONTAÑA INC

Parcel Coordinates: 18.24187, -66.262882



Source: PRDOH  
<http://s3.amazonaws.com/arcgis.com>  
 App: ps:we:app:pr:we:er:tr:es:nl:m:7:0-1:05:06:02:7:15:49:10:see:17:64:71:192:48:ee  
 Author: TG Date: 6/12/2023



# APPENDIX C

## Additional Information



**You are here:** EPA Home > Green Book > >National Area and County-Level Multi-Pollutant Information >Puerto Rico Whole or Part County Nonattainment Status by Year Since 1992 for all Criteria Pollutants

# Puerto Rico Whole or Part County Nonattainment Status by Year Since 1992 for all Criteria Pollutants

Data is current as of April 30, 2023

Listed by State, County, NAAQS (W=Whole County,P=Partial County designated nonattainment as of report date)  
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

▼

GO

Important Notes

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

PUERTO RICO																																	
County	NAAQS	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Arecibo Municipio	Lead (2008)																				P	P	P	P	P	P	P	P	P	P	P	P	P
Bayamon Co	Sulfur Dioxide (2010)																											P	P	P	P	P	P
Catano Co	Sulfur Dioxide (2010)																											W	W	W	W	W	W
Guaynabo Co	PM-10 (1987)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P														
Guaynabo Co	Sulfur Dioxide (2010)																											P	P	P	P	P	P
Salinas Municipio	Sulfur Dioxide (2010)																											P	P	P	P	P	P
San Juan Municipio	Sulfur Dioxide (2010)																											P	P	P	P	P	P
Toa Baja Co	Sulfur Dioxide (2010)																											P	P	P	P	P	P

Important Notes

Discover.

Connect.

Ask.

Follow.

2023-04-30





# EJScreen Community Report

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

## Comerío Municipio, PR

1 mile Ring around the Area  
Population: 4,135  
Area in square miles: 3.24

A3 Landscape



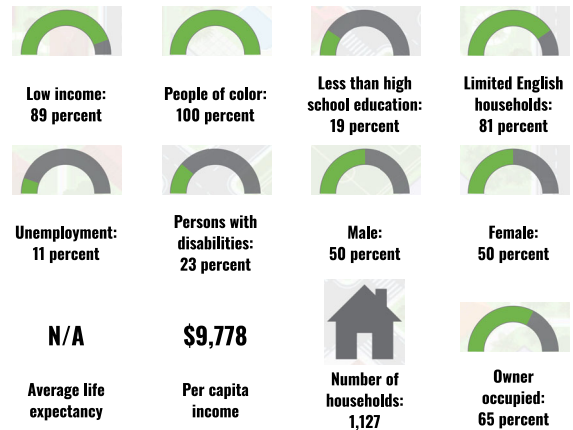
March 22, 2024

PR-RGRW-04003  
Search Result (point)

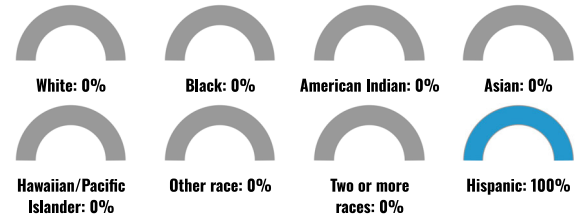
1:2,257  
0 0.03 0.06 0.1 mi  
0 0.04 0.09 0.17 km

Source: Esri, DeLorme, Garmin, GeoEye, IGN, NOAA, NPS, USGS, USN, Vizzini, and the GIS User Community

### COMMUNITY INFORMATION



### BREAKDOWN BY RACE



### BREAKDOWN BY AGE



### LIMITED ENGLISH SPEAKING BREAKDOWN



### LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	6%
Spanish	94%
Total Non-English	94%

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.



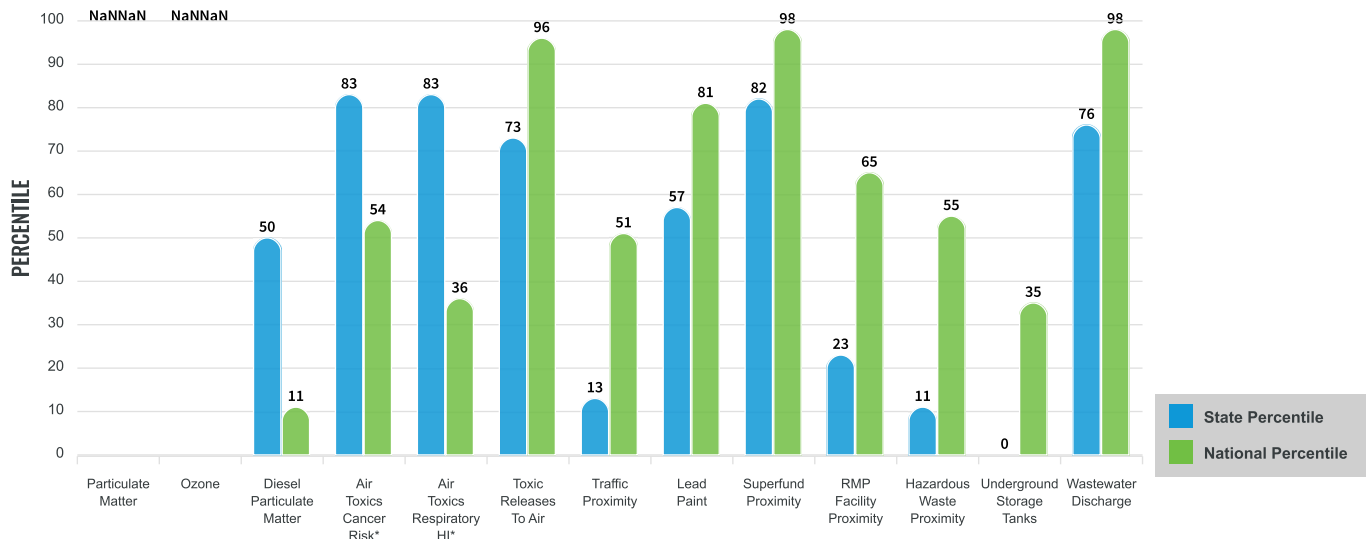
# Environmental Justice & Supplemental Indexes

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.

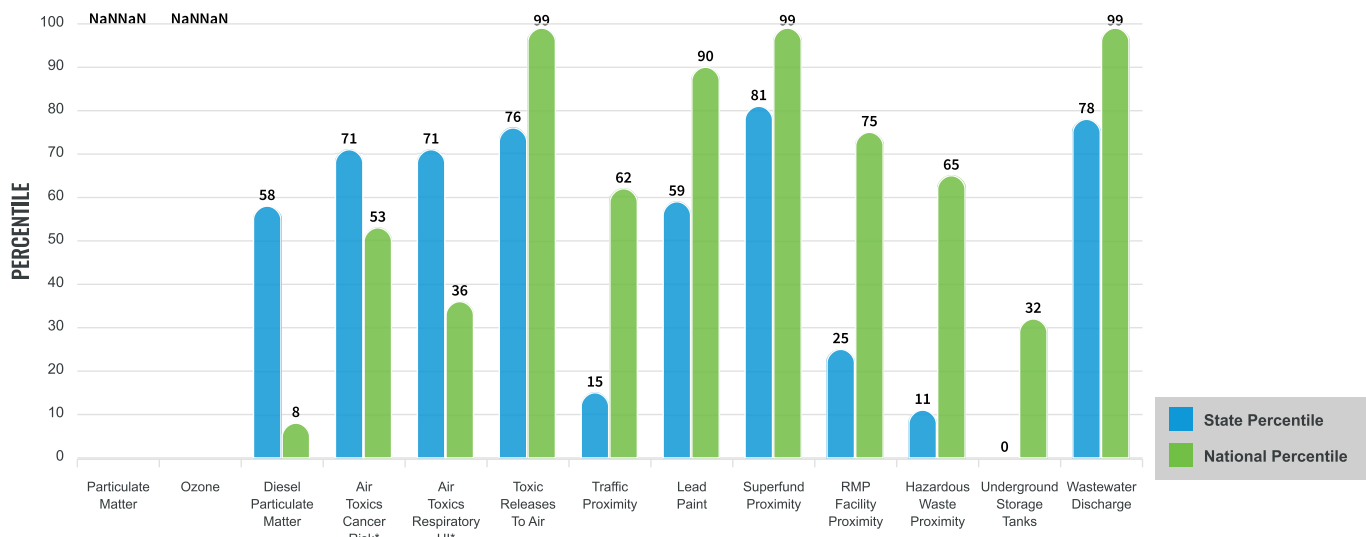
### EJ INDEXES FOR THE SELECTED LOCATION



## 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	1,300	4,300	66	4,600	65
Traffic Proximity (daily traffic count/distance to road)	9.4	180	12	210	16
Lead Paint (% Pre-1960 Housing)	0.11	0.16	56	0.3	37
Superfund Proximity (site count/km distance)	0.15	0.15	76	0.13	78
RMP Facility Proximity (facility count/km distance)	0.08	0.47	21	0.43	22
Hazardous Waste Proximity (facility count/km distance)	0.081	0.76	10	1.9	16
Underground Storage Tanks (count/km <sup>2</sup> )	0.071	1.7	0	3.9	26
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.036	2.3	66	22	76
<b>SOCIOECONOMIC INDICATORS</b>					
Demographic Index	95%	83%	82	35%	99
Supplemental Demographic Index	50%	43%	68	14%	99
People of Color	100%	96%	29	39%	97
Low Income	89%	70%	81	31%	99
Unemployment Rate	11%	15%	47	6%	85
Limited English Speaking Households	81%	67%	76	5%	99
Less Than High School Education	19%	21%	46	12%	79
Under Age 5	4%	4%	63	6%	41
Over Age 64	13%	22%	16	17%	37
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 .....	3
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	22.7%	21.6%	55	13.4%	92

## 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	41%	32%	70	14%	95
Lack of Health Insurance	4%	7%	26	9%	31
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**

## **IPaC Report**



Date: August 24, 2023

Applicant ID: PR-RGRW-04003

Street Address: Carr 809 km 5.4 int Bo Palomas

Municipality: Comerío

### Subject – Endangered Species No Effect Determination for PR-RGRW-04003

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 Carr 809 km 5.4 int Bo Palomas, in the Municipality of Comerío, Puerto Rico (Parcel ID# 221-028-111-14-000).

The proposed project is the purchase and installation of a warehouse within the proposed project area. The warehouse footprint will measure approximately 40' x 20' located on a cleared section of the parcel that is currently being used to stage farm trucks. The warehouse will be used for storage for farm equipment and product packaging. Water and electrical connections will come from existing sources at the applicant's residence.

The parcel was previously and is currently used to grow crops such as oranges, passion fruit, and other minor fruits and vegetables. No trees will be removed during the construction of the warehouse. Surrounding landscape includes more farmland to the north, east, and west, with rural residences to the south.

The National Wetlands Inventory indicated that wetlands are located within the parcel, but not within the proposed project area (Figure 14). A man-made pond is located south of the proposed project area.

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 Plain Pigeon ( <i>Columba inornata wetmorei</i> )	Endangered
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered

No Critical Habitats were noted within the project area (Figure 10). Based on site review and site photos (Appendix A), no suitable habitat was found within the proposed project area for the listed species. Upon review of iNaturalist.org, the nearest sighting of the Puerto Rican Plain Pigeon was located over 3 miles away in 2021 and 2020. No sightings of the Puerto Rican Boa have been recorded within at least a 5-mile radius of the proposed project area. 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 Plain Pigeon ( <i>Columba inornata wetmorei</i> )	No Effect	No Conservation Measures
Puerto Rican Boa ( <i>Chilabothrus inornatus</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

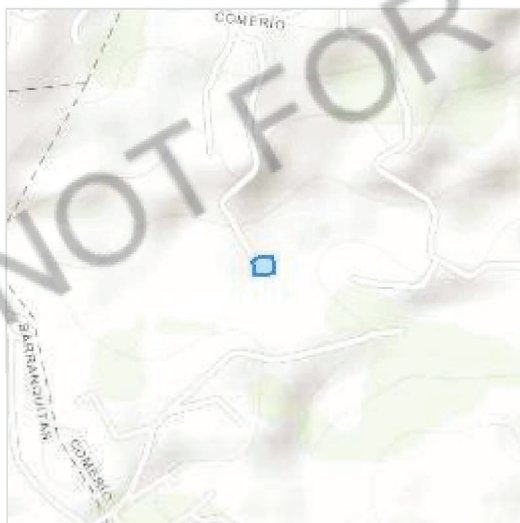
# IPaC resource list

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

Comerio 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

NOT FOR CONSULTATION



# 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:

## Birds

NAME	STATUS
<b>Puerto Rican Plain Pigeon</b> <i>Columba inornata wetmorei</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/7955">https://ecos.fws.gov/ecp/species/7955</a>	<b>Endangered</b>

## Reptiles

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

## 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-incidental-take-migratory-birds>
- Nationwide conservation measures for birds  
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

### 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:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds  
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds  
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

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](#).

This location did not intersect any wetlands mapped by NWI.

**NOTE:** This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

### 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.

NOT FOR CONSULTATION

# **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)

August 18, 2023

### Lauren Bair Poche

HORNE

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

SHPO 08-14-23-05 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL:  
PR-RGRW-04003- HACIENDA AGRÍCOLA LA MONTAÑA, INC. – CARR. 809, KM  
5.4 INT., BO. PALOMAS, COMERÍO, 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





August 14, 2023

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

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

**Section 106 NHPA Effect Determination Submittal: PR-RGRW-04003 –Hacienda Agricola la Montaña Inc.  
– Carr. 809 Km 5.4 Interior, Bo. Palomas, Comerío, Puerto Rico – *No Historic Properties Affected***

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Hacienda Agricola la Montaña Inc. at the property located at Carr 809 Km 5.4 interior in Bo. Palomas in the municipality of Comerío. The proposed activities consist of the purchase and installation/construction of a warehouse and the purchase of a transit vehicle. The field has not been graded, the applicant stated he maintains the area clean and trimmed for the purpose of parking the farm trucks. The land is currently in use for oranges, passion fruit, and other minor fruits and vegetables. The past land use was for agricultural purposes. The available space of the terrace is approximately 100 feet long by 25 feet wide. The water connection will be from the applicant house, adjacent to the terrace, with underground PVC tubes at 1 foot below the surface. Power will be connected from the applicant house, adjacent to the terrace, underground at 3 feet below surface.

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


Please contact me by email at [lauren.poche@horne.com](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> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant:</b> HACIENDA AGRICOLA LA MONTAÑA INC		
<b>Case ID:</b> PR-RGRW-04003	<b>City:</b> Comerío	

<b>Project Location:</b> Carr 809 km 5.4 int Bo Palomas	
<b>Project Coordinates:</b> 18.241870, -66.262882	
<b>TPID (Número de Catastro):</b> 221-028-111-14-000	
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b> 2006	<b>Property Size (acres):</b> 2.77

<b>SOI-Qualified Architect/Architectural Historian:</b> Maria Lopez Schmid
<b>Date Reviewed:</b> July 20, 2023
<b>SOI-Qualified Archaeologist:</b> Roberto G. Muñoz-Pando, PhD
<b>Date Reviewed:</b> July 17, 2023/ July 26, 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 scope of work (undertaking) is defined as the purchase and installation of a warehouse and the purchase of a transit vehicle. The field has not been graded, the applicant stated he maintains the area clean and trimmed for the purpose of parking the farm trucks. The land is currently in use for oranges, passion fruit, and other minor fruits and vegetables. The past land use was for agricultural purposes. The applicant plans to build a warehouse in metal galvalum and concrete base with a footprint of 40 feet long by 20 feet wide. This storage will be used for the area of packaging production and storage of the farm equipment. The available space of the terrace is approximately 100 feet long by 25 feet wide. The water connection will be from the applicant house, adjacent to the terrace, with underground PVC tubes at 1 foot below the surface. Power will be connected from the applicant house, adjacent to the terrace, underground at 3 feet below surface.

### Area of Potential Effects

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



<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant:</b> HACIENDA AGRICOLA LA MONTAÑA INC	
<b>Case ID:</b> PR-RGRW-04003	<b>City:</b> Comerío

of the proposed project and a 15-meter buffer from the project APE. This APE extends across the road to the applicant's home to the north to allow for necessary utility connections.


### 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 has no previously identified archaeological deposits within a half mile radius of the project area. Two cultural resources studies have been reported within a half mile radius of the APE. Marisol Martínez Garayalde wrote *Mejoras al Sistema de agua potable del municipio de Comerío: Fase II, III, IV, y V* in the year 2000. This archaeological resource study was negative for historic materials. The study was performed 0.31 miles north of the project area at its closest point but also travels from the northeast of the project area to the southwest of the project area. This phase 1-A study's GIS Code is IAP-3710 and its number is ICP/CAT-CM-00-03-07. Also, north of the project area but 0.32 miles away is another cultural resource study performed in 1987 by Hemán Ortíz Montañez and called *Extesion of the water supply systems at Doña Elena Ward*. This Phase 1A-1B archaeological study has a GIS code EAP3709 and a number ICP/CAT-CM-87-01-02 and it was negative for archaeological remains. The soil class in the project area is mainly Humatas Clay (HtF) with 40 to 60 percent slopes. This high acidity soil class with 40 to 60 percent slopes makes the probability to find undisturbed archaeological materials and sites low.

### Identification of Historic Properties - Architecture

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area **not** within the boundaries of a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center or Historic District. Additionally, there are **no** NRHP-listed historic properties within the quarter mile buffer zone from the APE.

The proposed project is located in a rural terrain with bare land on the property. The property where the proposed warehouse is to be constructed is located south of Road PR-809 in Comerío that runs east west. The applicant's home, to which the utility connections are to be

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant:</b> HACIENDA AGRICOLA LA MONTAÑA INC		
<b>Case ID:</b> PR-RGRW-04003	<b>City:</b> Comerío	

made, is a circa 2005 building located to the north across the street from the proposed warehouse location. The building appears on a 2006 aerial image, but not a 2004 one. This building is a reinforced concrete house with a hipped roof volume and flat concrete roof. This building shown below is modern and **does not** meet the requirements to be eligible for listing on the National Register of Historic Places.



**Figure 1 & 2.** Photograph of the building façade and detail of the 2006 aerial photograph indicating location of the house on the property.


## Determination

The following historic properties have been identified within the APE:

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

The project area is not located within the boundaries of a National Register of Historic Places (NRHP)-eligible or listed Traditional Urban Center or Historic District. Based on the results of our historic property identification efforts, the Program has determined that no previously identified historic properties are located within or adjacent to the parcel that contains the proposed Area of Potential Effect. Based on the lack of previously identified archaeological sites on or near the project area, the fact that the soil class in the project area is mainly Humatas Clay (HtF) with 40 to 60 percent slopes, and that this high acidity soil class with 40 to 60 percent slopes makes the probability to find undisturbed archaeological materials and sites low. Therefore, no impact to historic properties is anticipated for this project.

## Recommendation

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant:</b> HACIENDA AGRICOLA LA MONTAÑA INC		
<b>Case ID:</b> PR-RGRW-04003	<b>City:</b> Comerío	

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

☒ No Historic Properties Affected

☐ No Adverse Effect

Condition (if applicable):

☐ Adverse Effect

Proposed Resolution (if applicable)

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

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



**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío

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






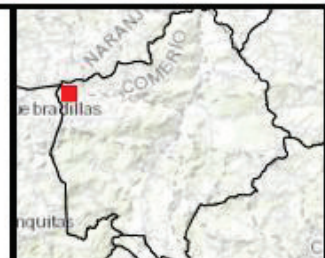
Source: CRIM

Author: TG

Date: 10/7/2022

#### Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario





**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío

### Project (Parcel) Location - Aerial Map








**TETRA TECH**

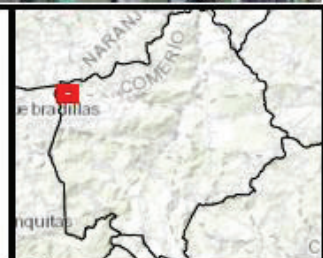
Source: CRIM

Author: TG

Date: 9/22/2022

#### Legend

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



**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío

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







**TETRA TECH**

Source: USGS

Author: TG

Date: 9/29/2022

#### Legend

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



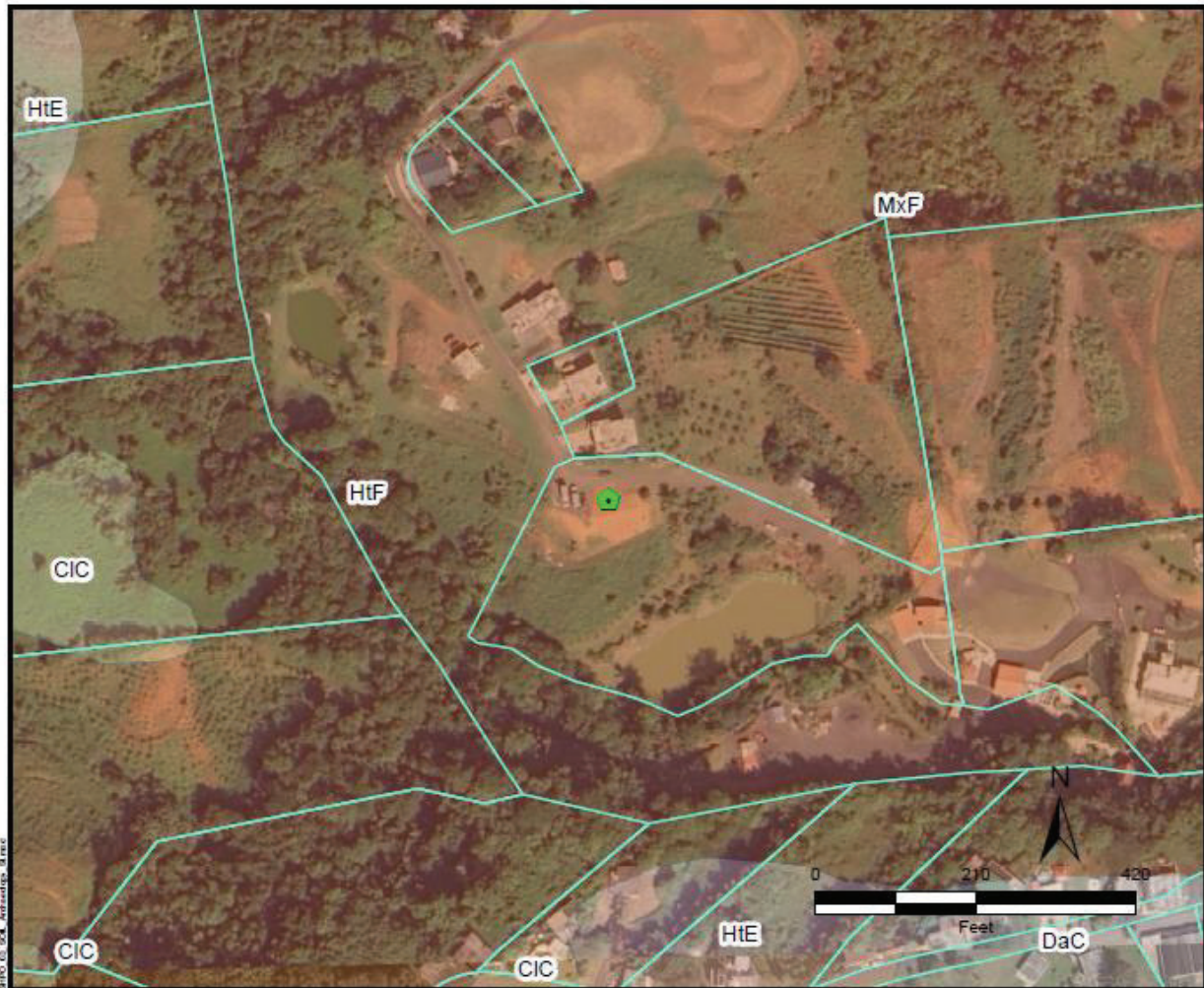


Applicant: HACIENDA AGRICOLA LA MONTAÑA INC

Case ID: PR-RGRW-04003

City: Comerío

### Project (Parcel) Location – Soils Map



**TETRA TECH**

Source: USDA

Author: TG

Date: 9/30/2022

**Legend**



Tier 2 Site



Parcelaria

**Soil Type**



CIC: Catalina clay, 4 to 12 percent slopes



DaC: Daguer clay, 2 to 12 percent slopes



HtE: Humatlas clay, 20 to 40 percent slopes



HtF: Humatlas clay, 40 to 60 percent slopes



MxF: Mucara clay, 40 to 60 percent slopes

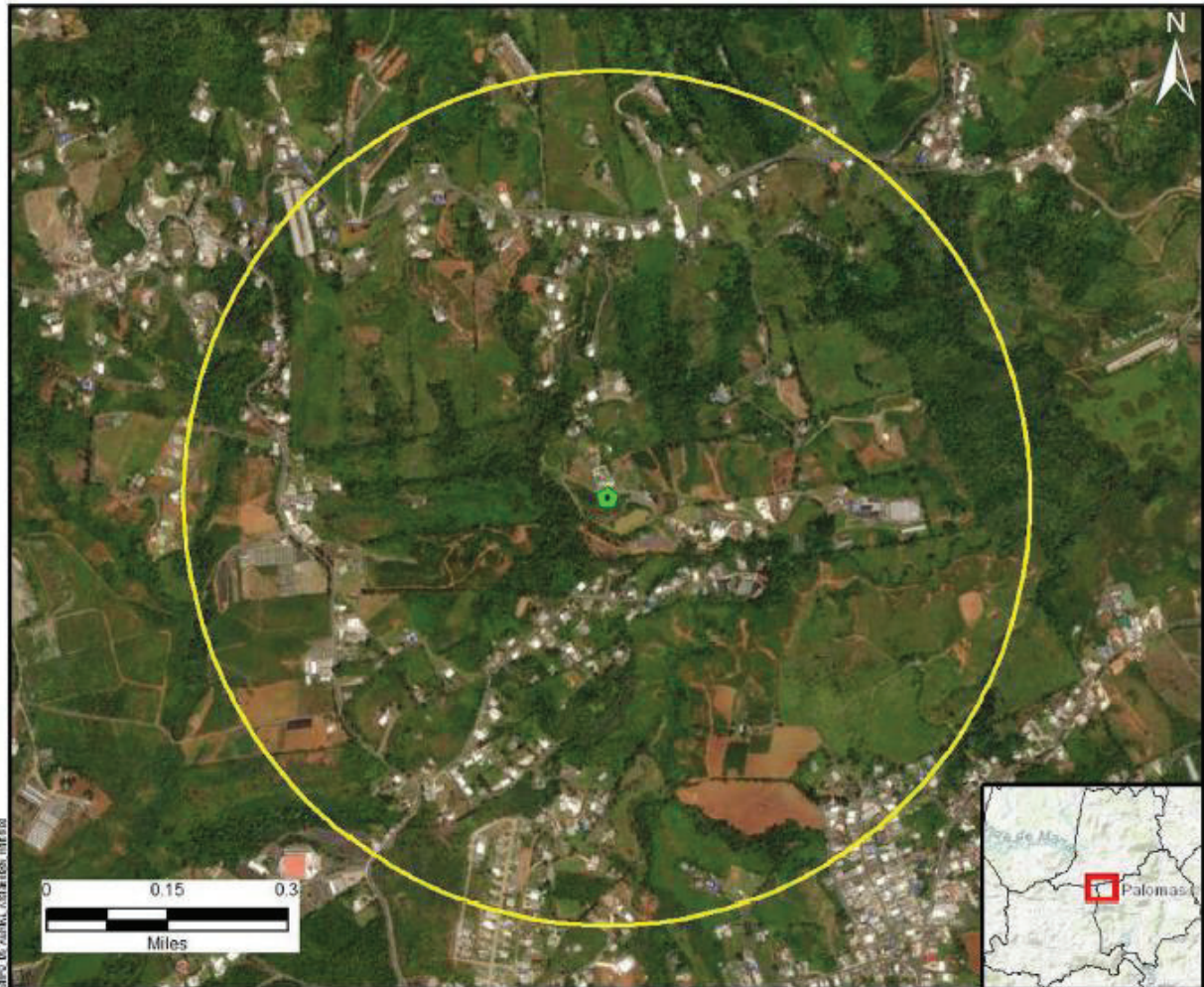


**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío






### 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
  -  Historic Comunidades
  -  Traditional Urban Centers
  -  Cultural Resource District Polygon

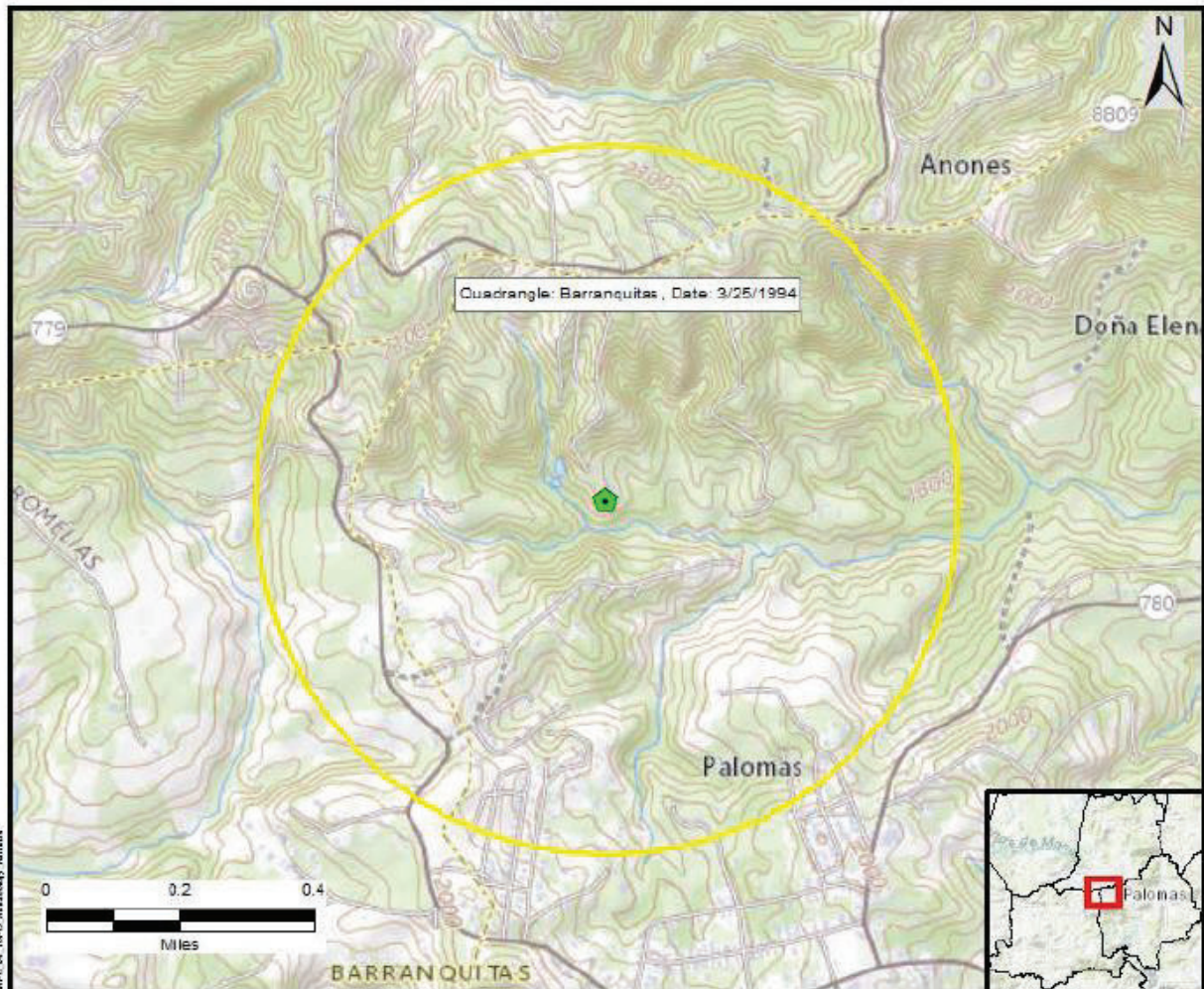


Applicant: HACIENDA AGRICOLA LA MONTAÑA INC

Case ID: PR-RGRW-04003

City: Comerío

**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



**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío

### Photograph Key



**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío



**Photo #:** 1

**Description (include direction):** Southeast

**Date:** 5/15/23

Scope Of Work: Construction of a warehouse over a concrete base



**Photo #:** 2

**Description (include direction):** South

**Date:** 5/15/23

Scope Of Work: Construction of a warehouse over a concrete base



**Applicant:** HACIENDA AGRICOLA LA MONTAÑA INC

**Case ID:** PR-RGRW-04003

**City:** Comerío



**Photo #:** 3

**Description (include direction):** Southwest

**Date:** 5/15/23

Scope Of Work: Construction of a warehouse over a concrete base



**Photo #:** 4

**Description (include direction):** Southwest

**Date:** 5/15/23

Scope Of Work: Construction of a warehouse over a concrete base





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