



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

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

Project Information

Project Name: PR-RGRW-04048

HEROS Number: 900000010311977

State / Local Identifier:

Project Location: , Sabana Grande, PR 00637

Additional Location Information:

Location centroid: Latitude 18.044973, longitude -66.940199 at the address given above. Cadastral:
359-050-025-04-864

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

The project business is Mabel Vega-Almodovar located at PR 367 Km 0.3, Calle Papayo, Bo. Maginas, Sabana Grande, PR 00637 The business type is a farm. Scope consists of purchase of approximately 8.8 acres of land previously used for cultivation of various fruits and will now be used for continued agriculture cultivation of fruits with no plans to cut down existing trees.

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:
58.35(a)(5)

Funding Information

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

Estimated Total HUD Funded Amount: \$50,000.00

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

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
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Determination:

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

Preparer Signature: *lanmario Heredia Diadone* Date: June.14.2024

Name / Title/ Organization: lanmario Heredia Diadone / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature: *Santa D. Ramirez Lebron* Date: June 14, 2024

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

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

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

Project Information

Project Name: PR-RGRW-04048

HEROS Number: 900000010311977

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

State / Local Identifier:

RE Preparer: Ianmario Heredia Diadone

Certifying Officer: Santa D. Ramirez Lebron

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): Horne LLP

Point of Contact: Paige Pilkinton

Project Location: , Sabana Grande, PR 00637

Additional Location Information:

Location centroid: Latitude 18.044973, longitude -66.940199 at the address given
above. Cadastral: 359-050-025-04-864

Direct Comments to:

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

The project business is Mabel Vega-Almodovar located at Mabel Vega-Almodovar, Sabana Grande, PR 00637. The business type is a farm. Scope consists of purchase of approximately 8.8 acres of land previously used for cultivation of various fruits and will now be used for continued agriculture cultivation of fruits with no plans to cut down existing trees.

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

[PR-RGRW-04048_ Intended Use of Grant Funds.pdf](#)

Level of Environmental Review Determination:

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

58.35(a)(5)

Determination:

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

Approval Documents:

[PR-RGRW-04048 SIG PAGE.pdf](#)

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

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

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

Estimated Total Project Cost: \$50,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 102,206 feet away. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 31,711 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1590H, effective on 4/19/2005: The structure or insurable property is not located in a

Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 20,916 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The environmental field observation did not note any items of concern. See the attached environmental field observation report.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance

		with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. Flood Map Number 72000C1590H, effective on 4/19/2205: The project is in compliance with Executive Order 11988. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Sabana Grande; therefore, PFIRM information was not available for the area and therefore not considered in the review.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Aerial imagery review found the entire parcel in active agricultural cultivation since 2013; with periods of vegetation clearing and regrowth between 1994 and 2012 - wide variety of frequently rotated crops and re-configured plantings evident. No change in land use. Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. According to EPA, there

		are no sole source aquifers in Puerto Rico.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 407,914 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
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Project Mitigation Plan

No mitigation required.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 102,206 feet away. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-04048_Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 31,711 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-04048_CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

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

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

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

Yes

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

[PR-RGRW-04048 Flood MAP.pdf](#)

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

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

No

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

Flood Map Number 72000C1590H, effective on 4/19/2005: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

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

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

Yes

No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act

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

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

Yes

No

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

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 20,916 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[PR-RGRW-04048_CZM.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

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

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

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

None of the Above

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

No

Explain:

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

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of

project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The environmental field observation did not note any items of concern. See the attached environmental field observation report.

Supporting documentation

[PR-RGRW-04048 EFOR.docx](#)

[PR-RGRW-04048 Toxics\(1\).pdf](#)

[PR-RGRW-04048 Toxics Table.xlsx](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.
Based on the response, the review is in compliance with this section.

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

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act.

Supporting documentation

[PR-RGRW-04048_Endangered Species.pdf](#)

[PR-RGRW-04048 ReGrow Horne USFWS NE MEMO.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

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

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

Yes

No

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-RGRW-04048_Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

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

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

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

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

[PR-RGRW-04048_Flood MAP.pdf](#)

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

Does your project occur in a floodplain?

No

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

Yes

Screen Summary**Compliance Determination**

This project does not occur in a floodplain. Flood Map Number 72000C1590H, effective on 4/19/2205: The project is in compliance with Executive Order 11988. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Sabana Grande; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

[PR-RGRW-04048_ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

- ✓ No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
- No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
- Yes, because the project includes activities with potential to cause effects (direct or indirect).

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

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

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

Architecture- Stipulations I.A.7.i and I.A.7.j Stipulations I.A.7.i : Funding the administrative action of acquisition or lease of existing facilities where planned uses conform to past use or local land use requirements. Stipulations I.A.7.j : Funding the administrative action of acquiring properties in acquisition projects, including the real estate transaction Archeology N/A

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

Screen Summary

Compliance Determination

Aerial imagery review found the entire parcel in active agricultural cultivation since 2013; with periods of vegetation clearing and regrowth between 1994 and 2012 - wide variety of frequently rotated crops and re-configured plantings evident. No change in land use. Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-04048_Historic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

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

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

Yes

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

No

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-RGRW-04048_Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

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

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

No

Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[PR-RGRW-04048 Final 8 Step Package.pdf](#)

[PR-RGRW-04048 Wetlands Study.pdf](#)

[PR-RGRW-04048_NWI.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Wild and Scenic Rivers Act

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

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

No

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

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is located 407,914 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-04048_Wild and Scenic Rivers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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

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

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

Yes

No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No



CDBG-DR PROGRAM

Re-Grow PR Urban-Rural Agriculture (RGRW) Program

ENVIRONMENTAL FIELD OBSERVATION REPORT

APPLICATION GENERAL INFORMATION

Application No.: PR-RGRW-04048 Applicant Name: Mabel-Vega Almodovar

PROPERTY INFORMATION

Property Address:
PR 367 km 0.3, Calle Papayo, Bo. Maginas, Sabana Grande, PR 00637

Latitude: 18.04497 Longitude: -66.9402

Property Type: Farm Year Built: NA

Number of Buildings: 0 Are Utilities Connected? NA

Property Remarks:

Is there evidence of damage from a previous disaster? No

Damage Remarks:

SIGNATURES OF INSPECTION REPORT

Environmental Inspector:

Blas Guernica

Printed Name

Signature

May 24, 2024

Date

ENVIRONMENTAL OBSERVATIONS

Item	Observation	Remarks
Are there any signs of poor housekeeping on the site? <i>(mounds of rubble, garbage, or solid waste or improperly stored household quantities of petroleum products, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged, abandoned, and/or dangerous vehicles or other motorized equipment; pits, pools, lagoons, or ponds of hazardous substances or petroleum products located on the site)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any 55-gallon drums or containers visible on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If drums located, are they leaking?	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No	
Are there any signs of petroleum underground storage tanks (PUSTs) on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any UST locations visible from the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any signs of above-ground storage tanks (ASTs) on the site, or immediate adjacent visible sites?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There is a cistern on the farm.
Are there any signs of surface staining?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any ground water monitoring or injection wells on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there evidence of a faulty septic system on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any permanent standing water, such as a pond or stream, located on the site? <i>(Do not include run-off or ponding from recent weather events.)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A stream runs along the boundary of the farm.
Is there any distressed vegetation on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does the subject lot have water frontage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any visible apparent indication of other environmental conditions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any visible apparent evidence of lead-based paint or hazardous materials present in the structure?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there other unusual conditions on site? <i>(Explain in attached supporting material. Please take photographs, if possible.)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the structure 45 years or older?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the applicant aware of any significant historical events or persons associated with the structure; or does the home have a historic marker?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

REQUIRED PHOTOS



Entrance to Property



Property



Property



Property

PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS (add additional pages as necessary)



Property



Property



AST



Stream

ADDITIONAL PHOTOS (add additional pages as necessary)



Stream



Stream



Stream



Stream

U.S. Department of Housing and Urban Development
Community Development Block Grant - Disaster Recovery (CDBG-DR), Puerto Rico
Department of Housing (PRDOH) - Re-Grow Program
AGRO F.E. CORP / PR-RGRW-04048
Sabana Grande, Puerto Rico

**Procedure for Making Determination on Wetlands Eight Step Process E.O. 11988 as
Provided by 24 CFR §55.20**

The Puerto Rico Department of Housing (PRDOH) intends to use U.S. Department of Housing and Urban Development (HUD) - Community Development Block Grant - Disaster Recovery (CDBG-DR), Puerto Rico Department of Housing (PRDOH) – Re-Grow Program funding to acquire approximately 8.8 acres of land to continue agricultural activities on the parcel. The Mabel Vega-Almodovar project is proposed to take place at PR 367 Km 0.3, Bo. Machuchal, Sabana Grande, PR 00637, 18.044973, -66.940199.

This project is for land acquisition with the intent to farm the property. The land has previously been used for agricultural purposes for more than 10 years and will remain for agricultural use (focuses on the cultivation of various fruits and will continue to be used as such). There is a mapped NWI riverine and inland wetland mapped on the property. The parcel is 8.8 acres, and the wetlands on the property are 0.56 acres.

Pursuant to Executive Order (EO) 11990, the PRDOH has determined portions of the parcel to be occupied by an NWI mapped riverine and freshwater forested/shrub wetlands. The EO was enacted to “*avoid long and short-term adverse impacts associated with the destruction or modification of wetlands; avoid direct or indirect support of new construction in wetlands; minimize the destruction, loss or degradation of wetlands; preserve and enhance the natural and beneficial values served by wetlands; and involve the public throughout the wetlands protection decision-making process.*”

However, wetland impacts are expected to be minimal, since the proposed action involves the continued land use of cultivating fruits in an area that has been disturbed for agricultural purposes for more than 10 years. Additionally, all ground disturbing activities associated with the plowing of fields and harvesting crops will occur outside the NWI mapped riverine and in an area already used for harvesting crops. The northern part of the parcel will be used for cattle grazing and will not be used for harvesting crops. The southern part of the parcel is already being farmed and will continue in the manner as seen on aerial imagery today. No removal of trees or overgrowth is necessary.

A wetlands study was conducted by a qualified wetlands biologist on March 14, 2024. A review of the property and presence of hydraulic flora was completed. It was determined that using the parameters of vegetation and wetland hydrology, the existing wetland area is limited to the area of the creek pass Majina. Based on these two parameters it is understood that the presence of wetlands in the rest of the property is unlikely or non-existent, and therefore should not be impacted by the proposed project activities of land acquisition to continue harvesting crops. See attached Wetlands study in Appendix 1 and Wetlands Map in Appendix 2.

Detailed below is a summary of the eight-step process and how the PRDOH has or will comply with EO 11990, as the project site occurs within an NWI mapped wetland.

Step 1- Determination of whether the proposed action is located within a Wetland

Regarding EO 11988, based on the National Wetlands Inventory map the location lies within a Freshwater Emergent Wetland and Riverine.

Wetland impacts are expected to be minimal as a result of this action because the project activities involve the acquisition of land to continue the existing land use of harvesting fruits. The land has been used for harvesting for more than 10 years and there will be no removal of trees or overgrowth required with the project. (see Appendix 2)

Step 2- Early Notification and Involvement of the Public in the Decision-Making Process

The Re-grow PR Urban-Rural Agriculture Program, under the Puerto Rico Community Development Block Grant Program for Disaster Recovery (CDBG-DR) allocated funds to help shape and implement the future vision in communities that were affected by Hurricanes Irma and María.

Based on the program goals, it was determined for Sabana Grande that this project, purchase of land, would be beneficial to the surrounding community. For the improvements, the Municipality of Sabana Grande and PRDOH notified the public of the proposed actions located within the Freshwater Emergent Wetland and Riverine through an Early Wetlands Notice in local newspapers, for purposes of eliciting public comments for consideration during this review.

Copies of the Early Wetlands Notice were sent to potentially interested parties, such as the Environmental Protection Agency, State Environmental Natural Resources Department, Puerto Rico Planning Board, Puerto Rico Department of Economic Development Commerce, Federal Emergency Management Agency, the National Oceanic and Atmospheric Administration, U.S. Department of Housing and Urban Development, Fish and Wildlife Service, the United States Department of Agriculture Natural Resource Conservation Service, the State Department of Transportation and Public Works. A copy of the Early Wetlands Notice has been included within the Environmental Review Record for this action. No comments were received during the 15-day public comment period applicable to the Early Floodplain Notice (see Wetlands Publications Attachment).

Step 3- Identification and Evaluation of Practicable Alternatives.

This project includes land acquisition. The project aims to restore and grow Puerto Rico's agriculture. In accordance with the Department of Housing and Urban Development guidelines, practical alternatives to locating the proposed action in a wetland were identified and evaluated. These included the following alternatives:

- 1) Locating the actions outside of the wetlands
- 2) Finding alternative methods to accomplish the proposed objectives;
and

3) Impact of taking no action.

For each of these alternatives, various factors were considered including cost, feasibility, technology, hazard reduction, and environmental impacts. The evaluation of each alternative is summarized below.

Alternative 1

The project activities involve land acquisition with continued use of harvesting crops on the parcel. There are two NWI mapped wetlands on the parcel, a riverine and freshwater forested/shrub wetland. The applicant could be limited to farming only the areas not within or directly adjacent to the wetlands, however that would limit the amount of crops the applicant would be able to harvest and sell, and directly impact the applicant's return on investment. This option would not allow the applicant to grow and expand to the fullest extent possible and would limit the agricultural supply they could produce to help sustain the need for agriculture in the area.

Alternative

2

The project activities involve land acquisition with continued use of harvesting crops on the parcel. The applicant could provide alternative properties to purchase, however those properties may be in an area further from the applicant and would not support the expansion of agricultural supply in the area. Additionally, other properties may be available at a higher cost, which would put further financial strain on the applicant. Additionally, the parcel proposed has been used for harvesting crops for over 10 years. A new location may require a change in land use and more time for the applicant to plow and prepare the land. This option would not allow the applicant to grow and expand to the fullest extent possible and could result in higher costs and longer wait time.

Alternative

3

The project activities involve land acquisition with continued use of harvesting crops on the parcel. Under the no action alternative, the applicant would not receive federal funding to acquire the land and continue harvesting crops for the Sabana Grande area. Consequently, the applicant may not be able to recover and continue agricultural production. Given the degree of need for greater agricultural capacity in Puerto Rico following Hurricanes Irma and María, the costs of foregoing the project would exceed the benefits.

Step 4- Potential Direct and Indirect Impact of the Proposed Action on the Wetlands

Potential direct and indirect impacts resulting from the proposed action on the wetlands are anticipated to be minimal. The proposed project is the acquisition of land which has been farmed for more than 10 years to continue harvesting crops. There will be no change in land use as the land will continue to be used to harvest crops such as fruits. In September of 2017, Hurricanes Irma and María produced sustained winds and intense rainfall that decimated agricultural production across the island of Puerto Rico. These hurricanes caused the loss of eighty percent of crop value island wide, exacerbating challenges to food security and agricultural business development. The Puerto Rico Department of Agriculture (PRDA) estimated seven hundred and eighty million dollars (\$780 million) worth of damages from the hurricanes to the agricultural sector of the economy. The proposed project will aid in keeping agricultural production thriving in the area of Sabana Grande and will provide economic support to the surrounding areas by providing produce and will allow financial expansion for the applicant.

A wetlands study was conducted by a qualified wetlands biologist on March 14, 2024. A review of the property and presence of hydraulic flora was completed. It was determined that using the parameters of vegetation and wetland hydrology, the existing wetland area is limited to the area of the creek pass Majina. Based on these two parameters it is understood that the presence of wetlands in the rest of the property is unlikely or non-existent, and therefore should not be impacted by the proposed project activities of land acquisition to continue harvesting crops. See attached Wetlands study in Appendix 1 and Wetlands Map in Appendix 2. The area identified by the biologist as having hydraulic flora will not be altered. This area of the parcel will not be plowed for harvest, nor is it located adjacent to where any heavy farm machinery will be used. Therefore, the project activities will have no impact on the existing wetlands.

Step 5- Minimization of Potential Adverse Impacts via Design or Modifications to the Proposed Actions

The proposed project is the acquisition of land which has been farmed for more than 10 years to continue harvesting crops. There is no change in land use associated with the proposed project, therefore the proposed project will have no impact on natural state of the property or the surrounding community. No new ground disturbing activities or removal of trees or overgrowth will occur within the NWI mapped wetlands on the project site. A wetlands study was conducted on the property by a qualified wetlands biologist, and it was determined that there is no hydraulic flora within the area proposed for harvesting crops. Additionally, the area where there was hydraulic flora found is not accessible by large farm equipment nor is it located directly adjacent to the area that will be used for harvesting crops. Therefore, the project activities of acquiring land for the continued use of farming will have no impact on the wetland or natural features of the property. The applicant will be restricted from cutting or removing any trees or vegetation from the area identified as a wetland in the attached study.

Step 6- Reevaluation of the Proposed Action

Although potential adverse impacts to the wetlands may be reduced by prohibiting any future construction or renovation within it, this option is not practical due to the existing severe need within Puerto Rico for developing agricultural capacity and the costs and logistics prohibiting the re-establishment of entire agricultural businesses outside of the floodplain.

Wetland impacts are expected to be minimal, since the proposed action involves the continued land use of cultivating fruits in an area that has been disturbed for agricultural purposes for more than 10 years. Additionally, all ground disturbing activities associated with the plowing of fields and harvesting crops will occur outside the NWI mapped riverine and in an area already used for harvesting crops. The northern part of the parcel will be used for cattle grazing and will not be used for harvesting crops. The southern part of the parcel is already being farmed and will continue in the manner as seen on aerial imagery today. No removal of trees or overgrowth is necessary.

Based on a review of the practical alternatives and their implementation wherever possible, the proposed action of the Mabel Vega-Almodovar project is deemed to be the most appropriate and is selected as the final action. This determination is made on the basis of feasibility, cost, enhancement of quality of life, features for the community, land availability, and lack of impacts to wetlands.

Step 7- Publication of the Final Notice

In our reevaluation we have determined that there is no other practical alternative to the proposed actions. Therefore, a Final Floodplain Explanation Notice for the Mabel Vega-Almodovar project was published in the local newspaper. This notice cites the reasons why the proposed actions must be located within the wetland, a list of the alternatives considered, and the design modifications taken to minimize adverse impacts and preserve natural and beneficial wetland values. The notice is attached to this document (see Wetlands Publications Attachment). No concerns were expressed by the public concerning this notice.

Step 8- Implementation of the Proposed Action

The Municipality will ensure that the project will be developed as planned, and that conservation and mitigation measures are implemented during the project's construction. They will also monitor the construction process to ensure unnecessary impacts or risks are not taken. Moreover, an Environmental Review in accordance with 24 CFR Part 58 has been conducted for the proposed project. The proposed action is anticipated to begin in calendar year 2024.

WETLANDS PUBLICATIONS



GOBIERNO DE PUERTO RICO
DEPARTAMENTO DE ESTADO

AVISO DE REGLAMENTOS

Número 9552 - REGLAMENTO OPERACIONAL DEL INSTITUTO DE CIENCIAS FORENSES DE PUERTO RICO. Radicado el 12 de abril de 2024, por el Instituto de Ciencias Forenses.

Este Reglamento se emite para atemperar los asuntos operacionales del Instituto de Ciencias Forenses, su manejo y con el fin de facilitar el acceso a la información sobre el reclutamiento y selección del recurso humano en el servicio de carrera, sistema de turnos de prioridad y preferente, Registro de Licitadores del Instituto de Ciencias, compras, subastas formales, entre otros. La fecha de vigencia es 12 de mayo de 2024.

Número 9553 - ENMIENDA AL REGLAMENTO DE APUESTAS, REGLAMENTO 8945 DE 6 DE ABRIL DE 2017. Radicado el 12 de abril de 2024, por la Comisión de Juegos.

La Comisión de Juegos del Gobierno de Puerto Rico, (en adelante, "Comisión de Juegos"), adopta la Enmienda al Reglamento Número 8945 de 6 de abril de 2017, conocido como Reglamento de Apuestas, con el fin de enmendar la Sección 1603 del Artículo XVI, a los fines de decodificar la redistribución de los pagos a realizarse a los ganadores del Pool de Seis. Tradicionalmente, la modalidad de apuesta más popular entre los aficionados de la industria hípica ha sido el Pool de Seis. Sin embargo, en los últimos años, ha surgido una disminución en el porcentaje de participación de esta modalidad. Dado que la industria hípica depende significativamente de los ingresos generados por las apuestas, es necesario ajustar la distribución de premios con el fin de revitalizar el interés en el pool de seis. Actualmente, el jugador que acierta a los seis ejemplares ganadores en cada carrera recibe el 60% de los ingresos recaudados, mientras que aquel que acierta cinco ejemplares recibe el 40%. La enmienda propuesta a través de este reglamento tiene como objetivo hacer que el pool de seis sea una opción de apuesta más atractiva al aumentar el porcentaje de premios asignados. El cual será de 75% por las combinaciones que acierten seis ejemplares ganadores, los cuales serán denominados primeros agraciados y el 25% para las combinaciones que acierten cinco ganadores. Este reglamento se aplicará a la toma y aceptación de apuestas en las carreras de caballos purasangre que se llevan a cabo en directo, así como todas aquellas carreras sobre las cuales la Junta de Comisionados autorice la realización y aceptación de apuestas, de acuerdo con lo establecido y descrito aquí. Además, se aplicará a las apuestas realizadas por aquellas personas autorizadas por la Junta y a todas las personas que paguen tales apuestas. Todo esto, junto con los reglamentos complementarios del Negociado del Deporte Hípico, tiene como objetivo garantizar el cumplimiento del mandato establecido en la Ley Hípica, asegurando que las carreras se lleven a cabo con la máxima transparencia y confiabilidad. Esta enmienda al Reglamento de Apuestas, como se mencionó anteriormente, busca resolver la disminución en la participación del Pool de Seis mediante la decodificación de la redistribución de los pagos a los ganadores. Con la aprobación de este la apuesta en el pool de seis será una más atractiva que aumentará el porcentaje de los premios asignados. La fecha de vigencia es 12 de mayo de 2024.

"Autorizado por la Oficina del Contralor Electoral OCE-SA-2023-00475"

Aprobado por:

Omar J. Marrero Díaz
Secretario de Estado

aviso público

Aviso Preliminar y Revisión Pública de una Actividad Propuesta en un humedal

Mabel Vega Almodóvar
PR-RGRW-04048

Para: Todas las partes interesadas, grupos e individuos

Este aviso notifica que el Departamento de la Vivienda de Puerto Rico (Vivienda, en adelante) ha determinado que la siguiente acción propuesta bajo el Programa Renacer Agrícola de Puerto Rico - Agricultura Urbana y Rural, Subvención en Bloque para el Desarrollo Comunitario - Recuperación ante Desastres (CDBG-DR), número de subvención B-17-DM-72-0001 y B-18-PP-72-0001, se encuentra en un humedal. Vivienda estará evaluando e identificando alternativas prácticas para realizar la acción propuesta y el impacto potencial en el humedal debido a la acción propuesta, según establecido por la Orden Ejecutiva 11990, de acuerdo con las regulaciones de HUD en 24 CFR 55.20 Subparte C - Procedimientos para tomar determinaciones sobre el manejo de llanuras aluviales y la protección de humedales. El proyecto propuesto, **PR-RGRW-04048**, se encuentra dentro de un municipio que sufrió daños debido a los huracanes Irma y María y está localizado en la carretera PR-367 km 0.3, barrio Machuchal, Sabana Grande, PR 00637; coordenadas 18.044973, -66.940199. La actividad propuesta consiste en la adquisición de terrenos con la intención de cultivar la propiedad. El proyecto tendrá una superficie total de 8.8 acres, de los cuales 0.56 acres son humedal interior y ribereño. El área del humedal se encuentra en la página del Inventario Nacional de Humedales en <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

Este aviso tiene tres propósitos principales. En primer lugar, las personas que puedan verse afectadas por las actividades en el humedal y aquellos que tengan interés en la protección del ambiente natural deben tener la oportunidad de expresar sus inquietudes y proveer información sobre estas áreas. Se exhorta a la comunidad a ofrecer ubicaciones alternas fuera del humedal, métodos alternos para cumplir el mismo propósito del proyecto y métodos para minimizar y mitigar los impactos. Segundo, un programa adecuado de avisos públicos puede ser una herramienta importante para la educación pública. La divulgación de información sobre humedales puede facilitar y mejorar los esfuerzos federales por reducir los riesgos e impactos asociados con la ocupación y alteración de estas zonas especiales. Tercero, como materia de justicia, cuando el gobierno federal determine participar en acciones ubicadas en el humedal, debe informárselo a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Vivienda considerará todos los comentarios recibidos en o antes de 15 de mayo de 2024. Pueden enviar los comentarios de forma impresa a la siguiente dirección: Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918-8461, Atención: Santa D. Ramírez-Lebrón, Especialista en Permisos y Cumplimiento Ambiental. Una descripción completa del proyecto está disponible al público para revisión de 8:30 a.m. a 4:00 p.m. en el Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918. El número para obtener información es (787)274-2527 ext. 4320. Como alternativa, también pueden enviar los comentarios a Vivienda por medio electrónico a environmentcdbg@vivienda.pr.gov.

Fecha: 30 de abril de 2024

Lcdo. William O. Rodríguez Rodríguez
Secretario del Departamento de la Vivienda

Autorizado por la Oficina del Contralor Electoral OCE-SA-2023-00076

public notice

Early Notice and Public Review of a Proposed Activity in a Wetland

Mabel Vega Almodóvar
PR-RGRW-04048

To: All Interested Parties, Groups & Individuals

This is to give notice that the Puerto Rico Department of Housing (PRDOH) has determined that the following proposed action under the Re-Grow Puerto Rico Urban-Rural Agriculture Program, Community Development Block Grant - Disaster Recovery (CDBG-DR), Grant number B-17-DM-72-0001 and B-18-PP-72-0001, is located within a wetland. PRDOH will be identifying and evaluating practicable alternatives to locating the action in the wetland and the potential impacts on the wetland from the proposed action, as required by the Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands. The proposed project, **PR-RGRW-04048** is within a municipality with structures damaged by Hurricanes Irma and Maria, and it's located at PR-367 Km 0.3, Machuchal Ward, Sabana Grande, PR 00637; coordinates 18.044973, -66.940199. The proposed activity consists in the acquisition of land with the intention of cultivating the property. The project will have a total footprint of 8.8 acres, of which 0.56 acres are interior and riverine wetland. The wetland in the project area can be found at the National Wetlands Inventory at <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.

There are three primary purposes for this notice. First, people who may be affected by activities in the wetland and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites outside of the wetland, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in the wetland, it must inform those who may be put at greater or continued risk.

PRDOH will consider all comments received on or before May 15, 2024. Written comments can be sent to the following address: Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918-8461, Attention: Santa D. Ramírez-Lebrón, Permits and Environmental Compliance Specialist. A complete description of the project is available to the public for review from 8:30 am to 4:00 pm at the Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918. The number to get information is (787)274-2527 ext. 4320. In the alternative, comments may also be sent to PRDOH by email at environmentcdbg@vivienda.pr.gov.

Date: April 30, 2024

William O. Rodríguez Rodríguez, Esq.
Secretary of the Department of Housing

Authorized by the Office of the Electoral Comptroller OCE-SA-2023-00076



Validation Letter

May 16, 2024

To whom it may concern,

This letter is to validate that no comments were received in the Permits and Environmental Compliance Division e-mail: environmentcdbg@vivienda.pr.gov, for the project **Mabel Vega Almodóvar (PR-RGRW-04048)**, as part of the CDBG-DR Re-Grow PR Urban-Rural Agriculture Program. The Early Notice and Public Review of a Proposed Activity in a Wetland was published in the *Primera Hora* newspaper of Puerto Rico on April 30, 2024, with a comment period that concluded on May 15, 2024.

Cordially,

Permits and Environmental Compliance Division
Disaster Recovery Office
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320

Andrea Curbelo-Marty

From: Kenneth M. Garcia-De Leon
Sent: Thursday, May 16, 2024 10:56 AM
To: environmentcdbg
Subject: RE: Comentarios - Aviso Preliminar PR-RGRW-04048

Saludos:

Por correo postal no llegaron comentarios para mencionado proyecto.

Cordialmente,

Kenneth M. García De León

Especialista en Control de Documentos / Operaciones
Oficina Recuperación de Desastres
kgarcia@vivienda.pr.gov | [787.274.2527](tel:787.274.2527) Ext. 4013

Visítanos: recuperacion.pr.gov

Contactanos: infocdbg@vivienda.pr.gov

DEPARTAMENTO DE LA
VIVIENDA



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From: environmentcdbg <environmentcdbg@vivienda.pr.gov>
Sent: Thursday, May 16, 2024 10:18 AM
To: Kenneth M. Garcia-De Leon <kgarcia@vivienda.pr.gov>
Subject: Comentarios - Aviso Preliminar PR-RGRW-04048

Saludos Kenneth,

Con respecto a la publicación del Aviso Preliminar y Revisión Pública de una Actividad Propuesta en un humedal para el proyecto **Mabel Vega Almodóvar (PR-RGRW-04048)**, ¿habrá llegado algún comentario a través del correo postal? De ser así, por favor nos lo hace llegar.

Cordialmente,

Permits and Environmental Compliance Division

Disaster Recovery Office

environmentcdbg@vivienda.pr.gov | 787.274.2527

Visit us: recuperacion.pr.gov

Contact us: infocdbg@vivienda.pr.gov

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aviso público

Aviso Final y Explicación Pública de una Actividad Propuesta en un humedal

Mabel Vega-Almodóvar
PR-RGRW-04048

Para: Todas las partes interesadas, grupos e individuos

Este aviso notifica que el Departamento de la Vivienda de Puerto Rico (Vivienda, en adelante) completó una evaluación según establece la Orden Ejecutiva 11990, de acuerdo con los reglamentos de HUD en 24 CFR 55.20 Subparte C - Procedimientos para hacer determinaciones sobre el manejo del valle inundable y la protección de humedales. La actividad está subvencionada con fondos del Programa de Renacer Agrícola de PR-Agricultura Urbana y Rural, Subvención en Bloque para el Desarrollo Comunitario - Recuperación ante Desastres (CDBG-DR), números de subvención B-7-R-DW-72-0001 y B-8-R-DW-72-0001. El proyecto propuesto, PR-RGRW-04048, está localizado en la carretera PR-367 km 0.3, barrio Machuchal, Sabana Grande, PR 00637, coordenadas 18.044973, -66.940199. La actividad propuesta consiste en la adquisición de terrenos con la intención de cultivar la propiedad, según se ha utilizado durante los últimos diez años. Los terrenos se utilizarán para seguir cosechando cultivos, específicamente frutas, y pastoreo de ganado. La huella total del proyecto es de 8.8 acres, de los cuales 0.56 acres están situados en un humedal boscoso/arbustivo interior y un humedal ribereño. Los humedales en el área del proyecto se encuentran en la página del Inventario Nacional de Humedales en <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. No habrá nuevas perturbaciones del suelo en los humedales.

Vivienda ha considerado las siguientes alternativas y medidas de mitigación para minimizar los impactos adversos y restaurar y preservar los valores naturales y beneficiosos: (1) ubicar las acciones fuera de los humedales, (2) mover el proyecto a otro sitio, y (3) no tomar ninguna acción. Bajo la alternativa 1, el solicitante podría limitarse a cultivar solo las áreas que no están dentro o directamente adyacentes a los humedales; esto limitará la cantidad de cultivos que el solicitante podrá cosechar y vender, también impactará directamente el retorno de la inversión del solicitante. Las alternativas 2 y 3 no son factibles. El solicitante podría proporcionar propiedades alternas para comprar, sin embargo, esas propiedades pueden estar en un área más alejada del sitio y no respaldarían la expansión de la oferta agrícola en el área. También, es posible que otras propiedades disponibles a un costo más alto, lo que supondría una mayor presión financiera para el solicitante. Además, la parcela propuesta se ha utilizado para cosechar cultivos durante más de 10 años. Una nueva ubicación puede requerir un cambio en el uso de la tierra y más tiempo para que el solicitante prepare la tierra. De no tomar ninguna acción, el solicitante no recibiría fondos federales para adquirir la tierra y continuar cosechando cultivos para el área de Sabana Grande. En consecuencia, es posible que el solicitante no pueda recuperar y continuar la producción agrícola.

Vivienda reevaluó las alternativas para construir en los humedales y determinó que no cuenta con alternativas prácticas. La documentación ambiental que evidencia el cumplimiento de los pasos 3 a 6 de la Orden Ejecutiva 11990, está disponible para inspección, revisión y reproducción de parte del público, de ser solicitado, en el horario y lugar indicado en el último párrafo sobre recibo de comentarios de este aviso.

Este aviso tiene tres propósitos principales. Primero, las personas que pueden verse afectadas por actividades en los humedales y aquellos que tengan interés en la protección del ambiente natural deben recibir la oportunidad de expresar sus inquietudes y proveer información sobre estas áreas. Segundo, un programa adecuado de avisos públicos puede ser una importante herramienta de educación pública. La divulgación de información y solicitud de comentarios sobre humedales puede facilitar y mejorar los esfuerzos federales para reducir los riesgos e impactos asociados con la ocupación y alteración de estas áreas especiales. Tercero, como materia de justicia, cuando el gobierno federal determine participar en acciones ubicadas en los humedales, debe informarse a quienes puedan ser expuestos a un riesgo mayor o similar al presente.

Vivienda considerará todos los comentarios recibidos en o antes del 31 de mayo de 2024. Pueden enviar los comentarios de forma impresa a la siguiente dirección: Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918-8461. Atención: Santa D. Ramírez-Lebrón, Especialista en Permisos y Cumplimiento Ambiental. Una descripción completa del proyecto está disponible al público para revisión de 8:30 am a 4:00 pm en el Departamento de la Vivienda de Puerto Rico, edificio Juan C. Cordero Dávila, 606 avenida Barbosa, Río Piedras, PR 00918. El número para obtener información es (787) 724-2527 ext. 4320. Como alternativa, también pueden enviar los comentarios a Vivienda por medio electrónico a environmentcdbg@vivienda.pr.gov.

Fecha: 24 de mayo de 2024


Lcdo. William O. Rodríguez Rodríguez
Secretario del Departamento de la Vivienda

Autorizado por la Oficina del Contralor
Electoral OCE-SA-2023-00076

public notice

Final Notice and Public Explanation of a Proposed Activity in a Wetland

Mabel Vega-Almodóvar
PR-RGRW-04048

To: All Interested Parties, Groups & Individuals

This is to give notice that the Puerto Rico Department of Housing (PRDOH) has conducted an evaluation as required by the Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the Re-Grow PR Urban/Rural Agriculture Program, Community Development Block Grant - Disaster Recovery (CDBG-DR), Grant numbers B-7-R-DW-72-0001 and B-8-R-DW-72-0001. The proposed project, PR-RGRW-04048, is located at PR-367 Road km 0.3, Machuchal Ward, Sabana Grande, PR 00637, coordinates 18.044973, -66.940199. The project consists in land acquisition with the intent to farm the property, as it has been done for the last 10 years. The land will be used to continue harvesting crops, specifically fruits, and grazing cattle. The project will have a total footprint of 8.8 acres, of which 0.56 acres are located in an inland forested/shrub wetland and riverine wetland. The wetlands in the project area can be found in the National Wetlands Inventory at <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>. There will be no new ground disturbance in the wetlands.

PRDOH has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values: (1) locating the actions outside of the wetlands, (2) moving the project to another site, and (3) take no action. Under alternative 1, the applicant could be limited to farming only the areas that are not within or directly adjacent to the wetlands; this will limit the amount of crops the applicant will be able to harvest and sell. It will also directly impact the applicant's return on investment. Alternatives 2 and 3 are not feasible. The applicant could provide alternative properties to purchase; however, those properties may be in an area further from the applicant and would not support the expansion of agricultural supply in the area. Also, other properties may be available at a higher cost, which would put further financial strain on the applicant. Additionally, the proposed parcel has been used to harvest crops for over 10 years. A new location may require a change in land use and more time for the applicant to prepare the land. If no action is taken, the applicant would not receive federal funding to acquire the land and continue harvesting crops for the Sabana Grande area. Consequently, the applicant may not be able to recover and continue agricultural production.

PRDOH has reevaluated the alternatives to building in the wetlands and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of 24 Executive Order 11990 are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in the wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public education tool. The dissemination of information and request for public comment about wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in the wetlands, it must inform those who may be put at greater or continued risk.

PRDOH will consider all comments received on or before May 31, 2024. Written comments can be sent to the following address: Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918-8461. Attention: Santa D. Ramírez-Lebrón, Permits and Environmental Compliance Specialist. A complete description of the project is available to the public for review from 8:30 am to 4:00 pm at the Puerto Rico Department of Housing, 606 Barbosa Avenue, Juan C. Cordero Dávila Building, Río Piedras, PR 00918. The number to get information is (787) 724-2527 ext. 4320. In the alternative, comments may also be sent to PRDOH by email at environmentcdbg@vivienda.pr.gov.

Date: May 24, 2024


William O. Rodríguez Rodríguez, Esq.
Secretary of the Department of Housing

Autorizado by the Office of the Electoral
Comptroller OCE-SA-2023-00076

AVISO PUBLICO

CIERRE DE OFICINA

El Dr. Rehuel Rivera Montañez, Cirujano Colo-Rectal, con Licencia Núm. 6976, notifica a sus pacientes y al público en general que efectivo el 3 de mayo de 2024, cerró en definitivo la operación de su oficina localizada en HIMA PLAZA I, Ste. 511, Caguas, P.R.

Todo paciente interesado en que se le entregue el original de su expediente, deberá personarse de 9:00 am a 12:00 mediodía los viernes 24 y 31 de mayo de 2024

De tener alguna duda, favor de comunicarse al
(787) 750-1399

REHUEL RIVERA MONTAÑEZ, MD

Edicto sobre Recusación de Electores por Motivo de Domicilio y otras Causales

La Hon. Karina Díaz Pérez, presidenta de la Comisión Local de la Comisión Estatal de Elecciones de Puerto Rico, en el Precinto de Maunabo 092, señaló la vista de estos casos:

Nombre del Elector	Número Electoral	Número Recusación
Bermúdez Rosa, Kiyomayra Lu	4428076	06432
Delgado Morales, Jesús Ernesto	3675631	06435
Delgado Morales, Laura Elena	3737763	06436
Delgado Ramos, Eliot Leonardo	3332290	06437
Espinosa Bernardi, Mariell Ivette	4188928	06440
García, Neyva Illinois	4515786	06442
García, Stephanie Illi	6102168	06443
Lamb Lozada, Ismarie	6398858	06448
Lebrón Burgos, Héctor Omar	4138514	06449
Lebrón Gómez, Jesús David	4515671	06450
Lebrón Gómez, Juan Gabriel	3993499	06451
Marquez Burgos, Kemarys	6398749	06455
Márquez León, Mara Nicole	4406087	06456
Márquez Rodríguez, Luis Enrique	6623740	06457
Morales Díaz, Yolanda	3644515	06459
Neco Santiago, Nereida	2040186	06460
Olmada Olmeda, Edgar Joel	6399851	06461
Ortiz Ortiz, Jean Carlos	6304192	06462
Ortiz Rosa, Marivee	3475566	06465
Ortiz Santiago, Legna Sul	3475680	06466
Ramos Curet, Gloria Enid	3842655	06471
Ramos Dávila, Misael	2237049	06472
Rivera Colón, José Alberto	6102038	06473
Rodríguez Salinas, José Luis	2640891	06480
Rodríguez Salinas, Samuel	2757678	06481
Rodríguez Vega, José Antonio	2337370	06482
Sanchez Bermúdez, Nilda Judith	3423497	06483
Santiago Vázquez, Marcos A.	2639121	06484
Torres García, Jorge L.	3852143	06485

Para el día 6 de junio de 2024, a llevarse a cabo en las Oficinas de la Comisión Local, localizadas en: Centro Gubernamental Escuela José S. Navarro, Ave. Kennedy de Maunabo, PR, con el teléfono (787) 850-7535, a las 6:00 PM. Se le APERCIBE a las personas citadas sobre la obligación de comparecer en el lugar, fecha y hora señalada en esta Citación y que de no hacerlo podrá tomarse la determinación o decisión que proceda en su ausencia incluso concediendo el remedio solicitado, sin más citarle u oírle. Autorizado por la Honorable Karina Díaz Pérez el 16 de mayo de 2024.



Validation Letter

June 4, 2024

To whom it may concern,

This letter is to validate that no comments were received in the Permits and Environmental Compliance Division e-mail: environmentcdbg@vivienda.pr.gov, for the project **Mabel Vega-Almodóvar (PR-RGRW-04048)**, as part of the CDBG-DR Re-Grow PR Urban-Rural Agriculture Program. The Final Notice and Public Explanation of a Proposed Activity in a Wetland was published in the *Primera Hora* newspaper of Puerto Rico on May 24, 2024, with a comment period that concluded on May 31, 2024.

Cordially,

Permits and Environmental Compliance Division
Disaster Recovery Office
environmentcdbg@vivienda.pr.gov | 787.274.2527 ext. 4320

From: [Kenneth M. Garcia-De Leon](#)
To: [environmentcdbg](#)
Subject: RE: Comentarios - Aviso Final PR-RGRW-04048
Date: Tuesday, June 4, 2024 10:26:38 AM
Attachments: [image002.png](#)
[image003.png](#)

Buenos días:

Por correo postal no llegaron comentarios para mencionado proyecto.

Cordialmente,

Kenneth M. García De León

Especialista en Control de Documentos / Operaciones

Oficina Recuperación de Desastres

kgarcia@vivienda.pr.gov | [787.274.2527](tel:787.274.2527) Ext. 4013

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From: environmentcdbg <environmentcdbg@vivienda.pr.gov>

Sent: Tuesday, June 4, 2024 10:20 AM

To: Kenneth M. Garcia-De Leon <kgarcia@vivienda.pr.gov>

Subject: Comentarios - Aviso Final PR-RGRW-04048

Saludos Kenneth,

Con respecto a la publicación del Aviso Final y Explicación Pública de una Actividad Propuesta en un humedal (Paso 7) para el proyecto **Mabel Vega-Almodóvar (PR-RGRW-04048)** ¿habrá llegado algún comentario a través del correo postal? De ser así, por favor nos lo hace llegar.

Cordialmente,

Permits and Environmental Compliance Division

Disaster Recovery Office

environmentcdbg@vivienda.pr.gov | 787.274.2527

Visit us: recuperacion.pr.gov

Contact us: infocdbg@vivienda.pr.gov

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Appendix 1: Wetlands Study



EVALUACIÓN PARA DETERMINAR LA POSIBLE PRESENCIA DE HUMEDALES

PROYECTO

**TERRENO DE 35614.9681 M.C. E IDENTIFICADO CON EL
NÚMERO DE CATASTRO 359-050-025-04**

LOCALIZACIÓN

**BARRIO MACHUCHAL
SABANA GRANDE - PUERTO RICO**

PREPARADO POR

Quantum Consulting Group, LLC

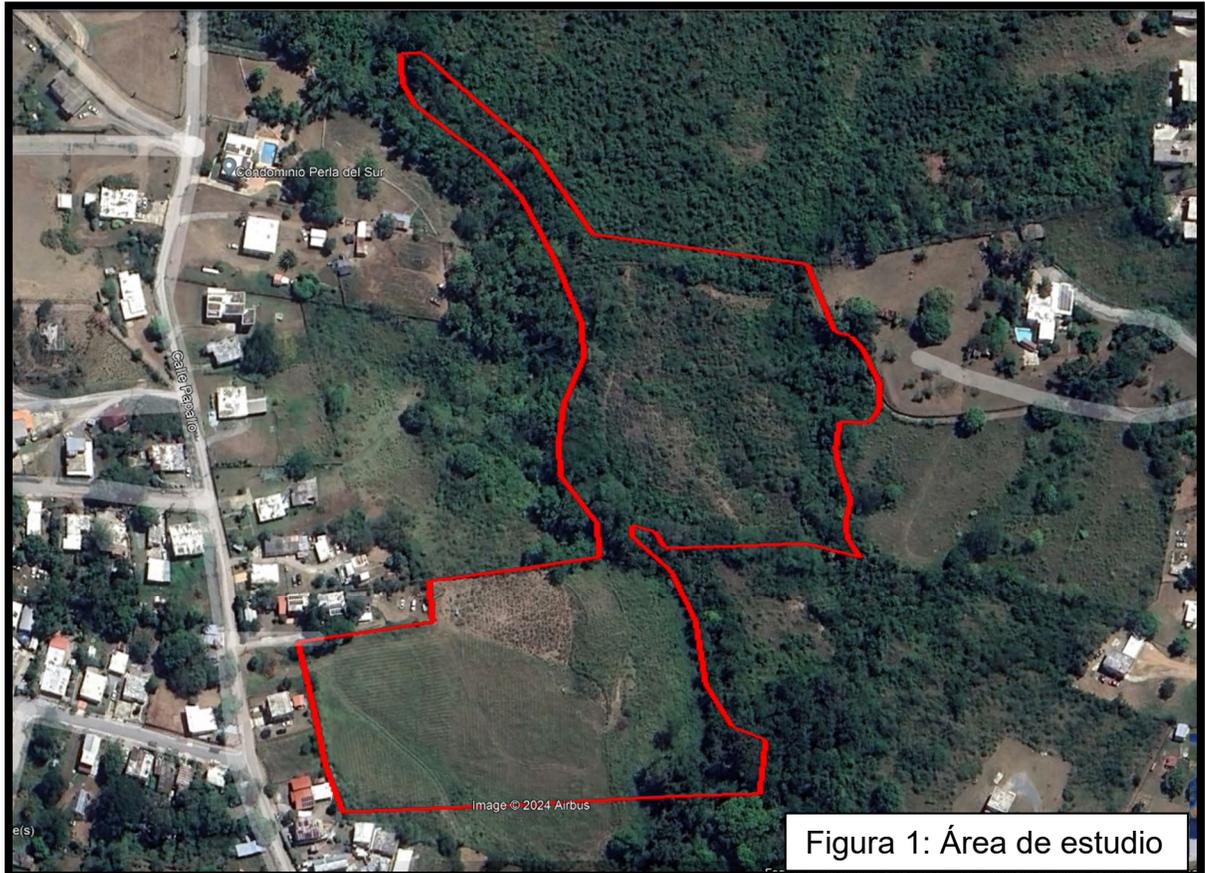
MARZO - 2024

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I. INTRODUCCIÓN

A petición de SWCA se procedió a evaluar una finca de 35614.9681 M.C., localizada en el Barrio Machuchal en el municipio de Sabana Grande, Puerto Rico (Figura 1).



El objetivo de esta evaluación es determinar la posible presencia de humedales dentro de la finca identificada con el número de catastro **359-050-025-04**.

II. DESCRIPCIÓN DE LA FINCA

La finca evaluada físicamente está dividida en dos áreas por el paso de la Quebrada Majina. La misma consta de un predio de aproximadamente 35614.9681 M.C. La vegetación en general está compuesta por diferentes niveles de estratos, entiéndase gramíneas, herbáceas, trepadoras y árboles.

Entre las especies arbóreas dominantes se encuentran: Úcar (*Terminalia buceras*), Almendro (*Terminalia catappa*), Moca (*Andira inermis*) y Zarcilla (*Leucaena leucocephala*). Además, podemos observar que el predio sur está en su mayoría deforestado y cubierto por la gramínea Pajón (*Dichanthium annulatum*).

La topografía de la finca en la porción sur es relativamente llana, la topografía en la parte oeste presenta una depresión pronunciada relacionada a la Quebrada Majina. La finca en cuestión está fuera de zona de inundación entendiéndose Zona (X), según se desprende de los mapas de FEMA, Panel 72000C1590H, con vigencia del 13/04/2018.

III. METODOLOGÍA

Para determinar la posible presencia de humedales en la finca se procedió utilizar como indicador la presencia de especies hidrofíticas e hidrología típica de humedal dentro del área. Para el monitoreo e identificación de especies terrestres se procedió a caminar las áreas en su totalidad. Conjuntamente, se utilizó técnicas de percepción remota, sistemas de información geográfica y uso de tecnología de drones entre otros recursos. La visita al área se realizó el 14 de marzo de 2024.

IV. OBSERVACIONES

a. FLORA OBSERVADA

En este informe se prestó especial atención a las especies de plantas hidrofíticas las cuales son indicativo de presencia de humedal.

Cabe señalar que los estratos de vegetación están dominados por especies de tierras altas (Upland). Entre las especies arbóreas dominantes se encuentran las siguientes: Úcar (*Terminalia buceras*), Almendro (*Terminalia*

catappa), *Moca* (*Andira inermis*) y *Zarcilla* (*Leucaena leucocephala*). Además, podemos observar que el predio sur está en su mayoría deforestado y cubierto por la gramínea Pajón (*Dichanthium annulatum*), (ver figura 2).



Las especies hidrofíticas se limitan a la zona por donde discurre la Quebrada Majina, (ver figura 3).



b. HIDROLOGÍA DE HUMEDAL

Es muy importante mencionar que la finca bajo estudio está fuera de toda área inundable según FEMA. La determinación de presencia de hidrología se realizó caminando las áreas accesibles. Cabe señalar que la presencia de hidrología de humedal se limita a las zonas correspondientes a la Quebrada Majina, (ver figura 4).



Es importante destacar que no se observó hidrología superficial típica de humedal en el resto del área evaluada.

V. CONCLUSIÓN

Utilizando los parámetros de vegetación e hidrología de humedales podemos decir que el área de humedal existente se circunscribe al área del paso de la quebrada Majina, (ver figura 5).

Basándonos en estos dos parámetros entendemos que la presencia de humedales en el resto de la finca es poco probable o nula.

Es importante aclarar que esta evaluación es general cualitativa y no constituye un estudio jurisdiccional de humedales.

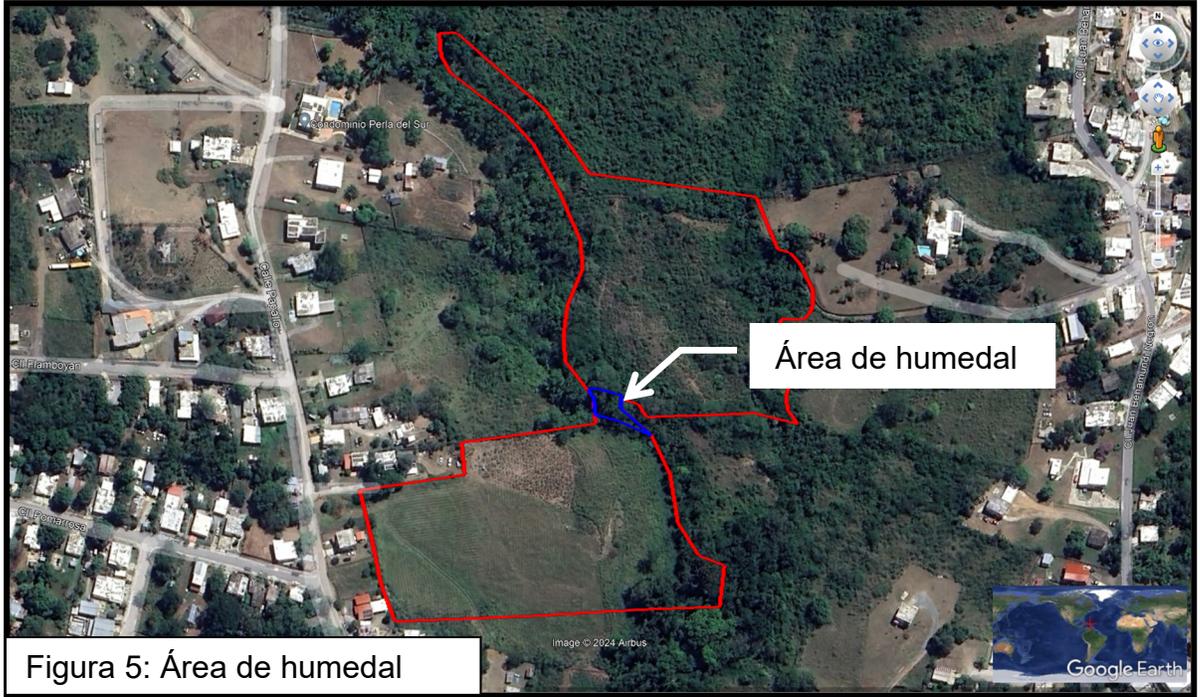
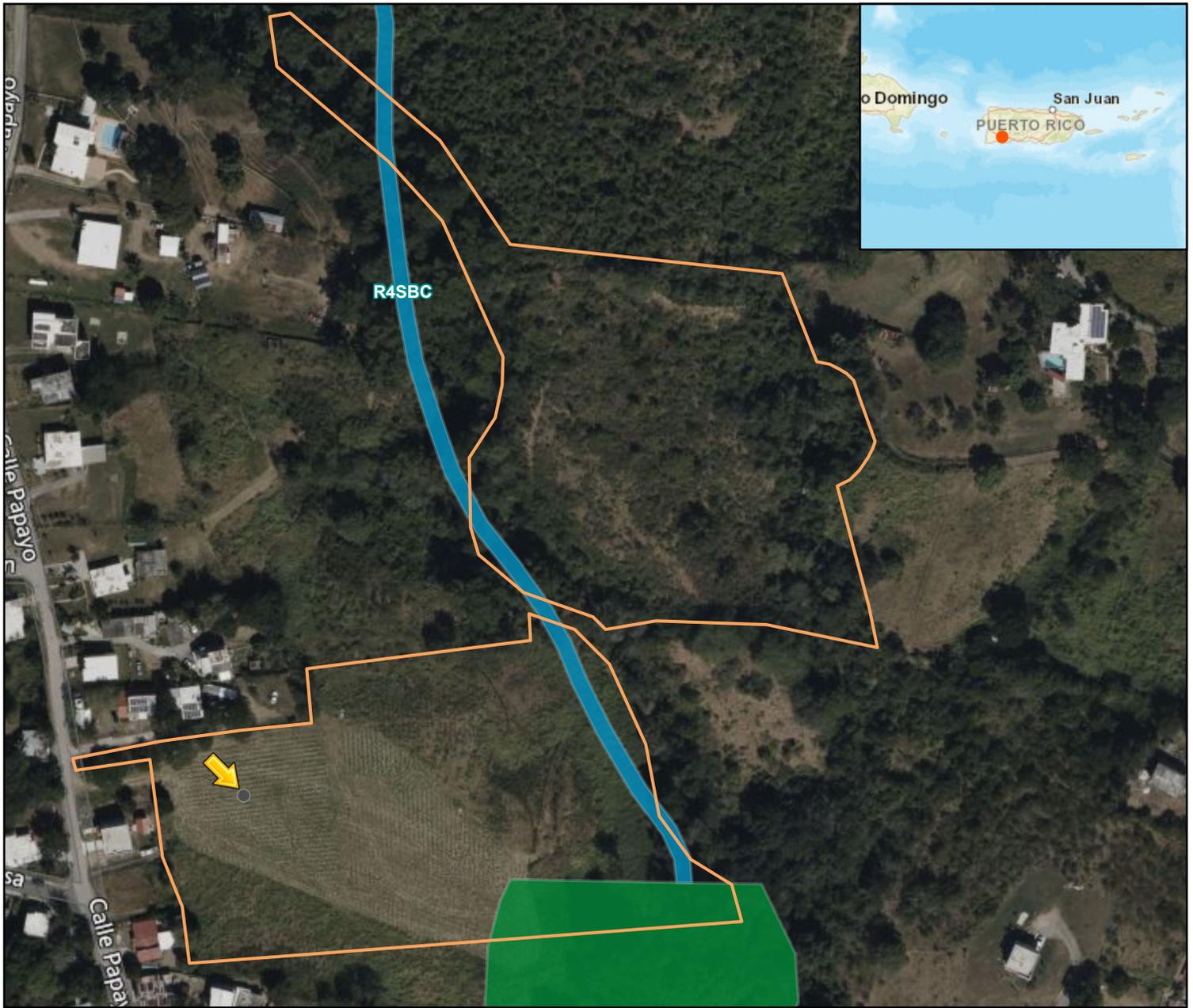


Figura 5: Área de humedal

Appendix 2: Wetlands Map

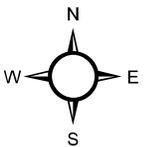
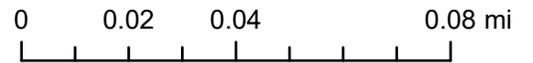


PR-RGRW-04048 NWI



Legend

- Freshwater Forested/Shrub Wetland
- Riverine



National Wetlands Inventory

U.S. Fish and Wildlife Service

Date: May 29, 2024

Applicant ID: PR-RGRW-04048

Street Address: PR 367 Km 0.3, Sabana Grande, PR 00637

Municipality: Sabana Grande

RE: No Effect Determination for PR-RGRW-04048

EXECUTIVE SUMMARY

Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure the actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").

This memo serves to document that the proposed project, PR-RGRW-04048, located at PR 367 Km 0.3, Sabana Grande, PR 00637 (Parcel ID# 359-050-025-04-864) was reviewed in accordance with Section 7 of the Endangered Species Act of 1973 (16 USC 1536) as well as the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) by a qualified Biologist, resulting in a 'No Effect' determination.

The goal of the Re-Grow program is to build agricultural capacity and focus on promoting and increasing the security of food supply island-wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities.

Project Description

The subject property is a farm located in Sabana Grande, PR. The project scope includes land acquisition. The land being acquired is at Latitude: 18.044973, Longitude: -66.940199 (see Site map at Appendix A Figure 1). The Field Observation Form and RFAI Responses depicting and clarifying the extent and location of project activities, are included in Appendix B.

As indicated by the Official Species List obtained from the Information for Planning and Consultation (IPaC) system (Appendix C) and USFWS Critical Habitat data (Appendix A, Figure 2), the proposed project lies within the ranges of the following federally listed species and critical habitats:

Species	Status
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered

Critical Habitat
None.

Existing Conditions:

The project area where activities will be taking place consists of approximately 8.80-acres of land located at PR 367 Km 0.3, Sabana Grande, PR 00637. According to the U.S. Geological Survey National Land Cover Database (NLCD) (Appendix A, Figure 4) the majority of the parcel consists of shrub/scrub, herbaceous vegetation, evergreen forest, and developed low intensity space. A topographic map is included (see Appendix A, Figure 3). The project is located in Zone X on the FEMA Flood map and ABFE map, panel number 72000C1590H dated 4/19/2005 (see Flood Map Appendix A, Figure 5 and ABFE map Appendix A, Figure 6). A Preliminary FIRM has not been developed for this area. There is a mapped NWI riverine, known by the National Wetlands Inventory as R4SBC, and a freshwater forested/shrub wetland in the lower right quadrant of the parcel known as PFO3A (see wetlands map Appendix A, Figure 7).

Effect Determination:

Based on a review of site photos and other information gathered during a site visit on May 24, 2024, none of the species listed above were observed in the vicinity of the proposed project activities and no critical habitat was identified within the proposed project area. Having carefully analyzed the project site and the information available, including the IPaC species list and available Dkey(s), critical habitat data, nature of the project, previous site disturbance, and scope of project activities, the following effect determinations have been made:

Species	Effect Determination	Conservation Measures to be Implemented (if needed)
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	No Effect	None required

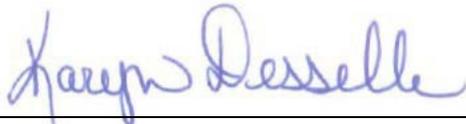
SPECIES ANALYSIS

Puerto Rican Boa (*Chilabothrus inornatus*)

Considered to be a habitat generalist, the Puerto Rican Boa tolerates a wide variety of terrestrial and aboreal habitats, including rocky areas, haystack hill, trees and branches, rotting stumps, caves, plantations, various types of forested areas such as karst and mangrove forests,

forested urban and rural areas, and along streams and road edges (see Appendix D for citations). The IPaC Determination Key (Dkey) for the Puerto Rican Boa, dated February 8, 2023, was used to evaluate the potential impacts to federally listed species from this project. Based on the Dkey responses, it was determined that the proposed project will have 'No Effect' on the Puerto Rican Boa (Appendix C).

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.



Karyn Desselle, Staff Biologist

5/29/2024

Date

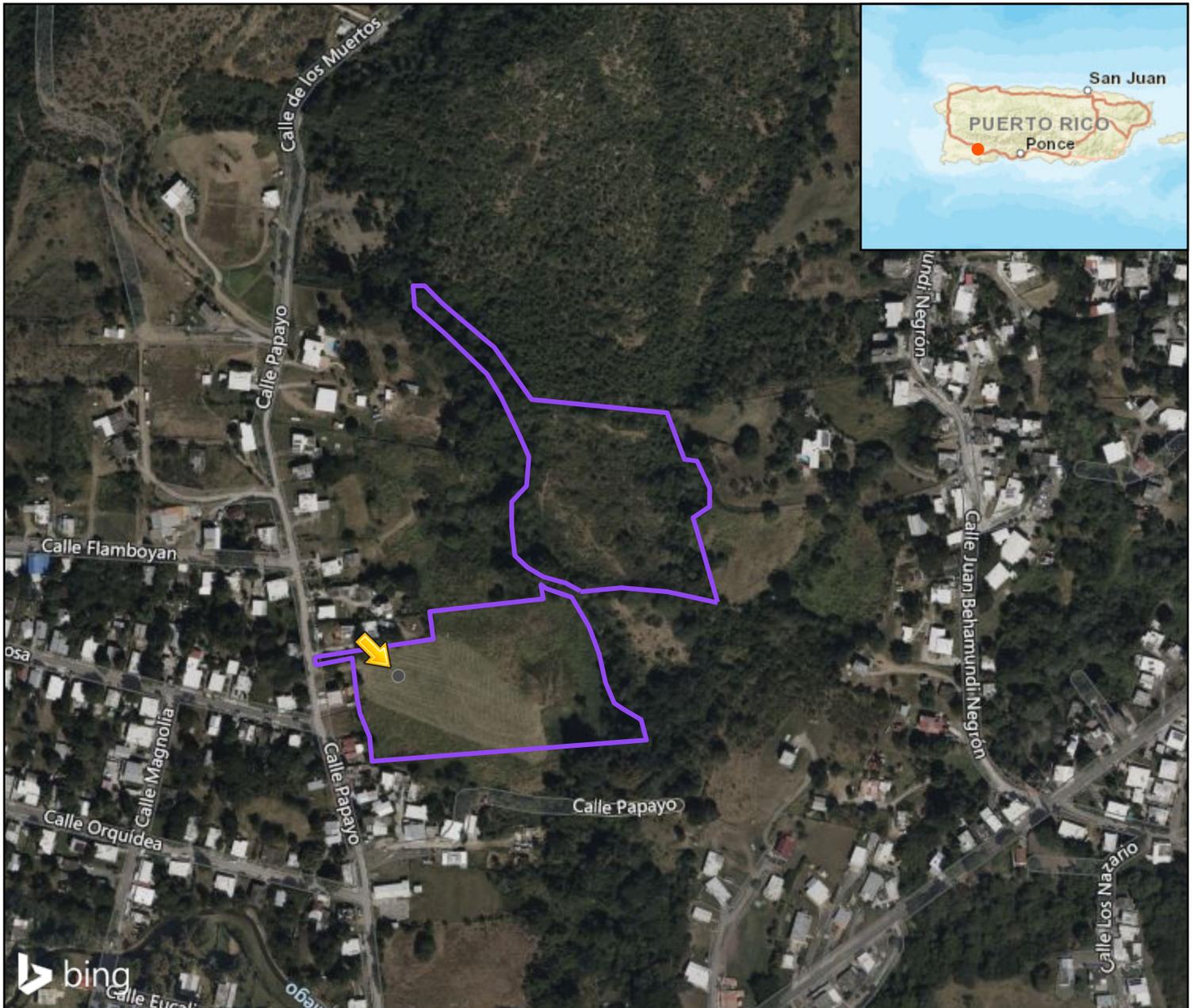
Appendix A

Maps

Figure 1

Site Location Map

PR-RGRW-04048 Site Map



Legend

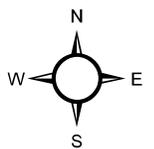
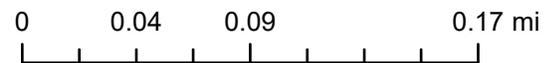
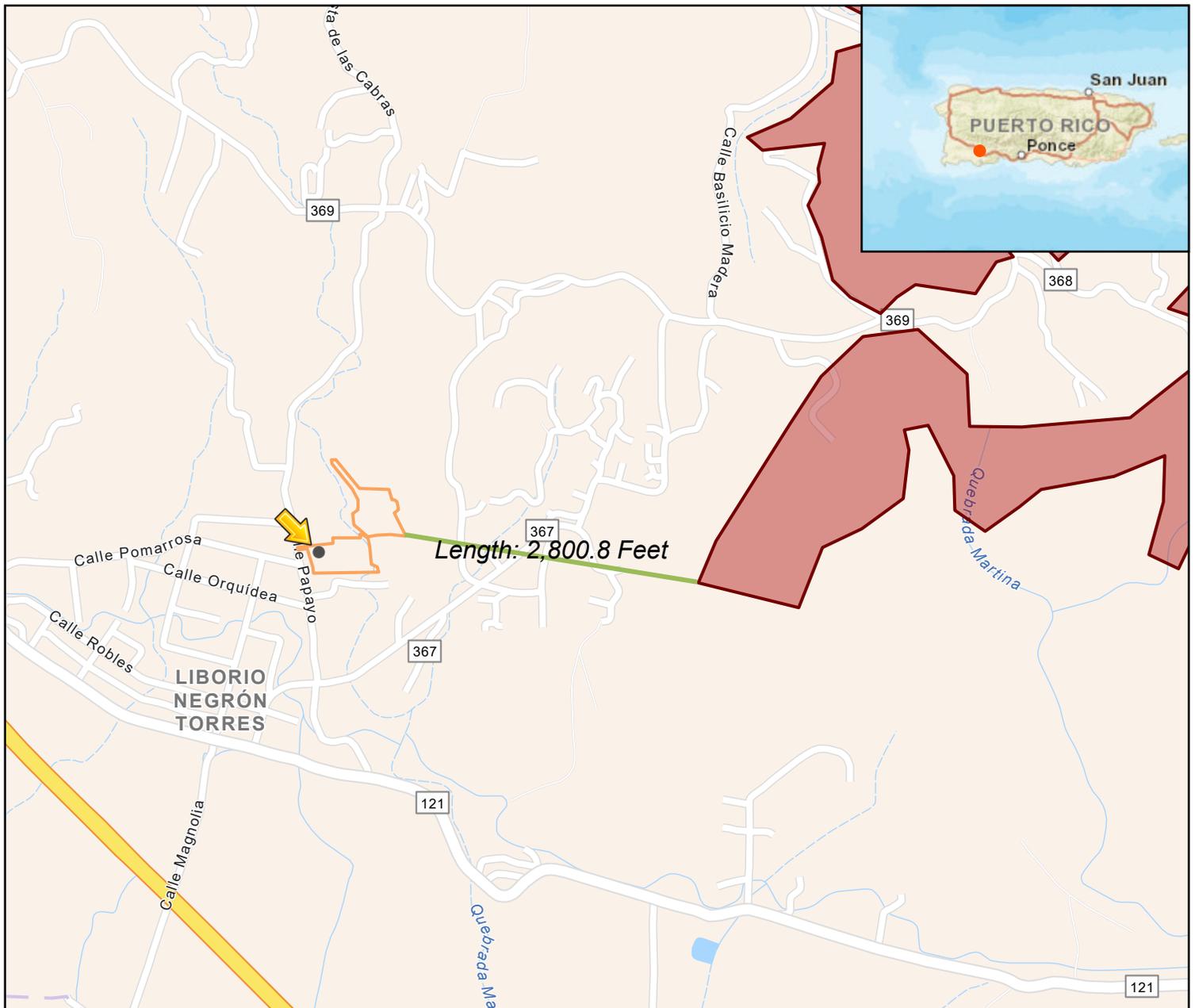


Figure 2

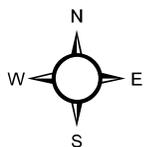
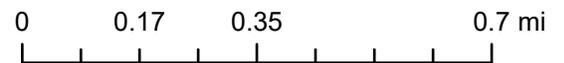
Endangered Species Map

PR-RGRW-04048 Endangered Species



Legend

 USFWS Critical Habitat - Polygon (live agency service)



Endangered Species Habitat

U.S. Fish and Wildlife Service

Figure 3

Topographic Map

USGS - Topographic Base
Puerto Rico Department of Housing
Re-Grow Program

Latitude: 18.044973°N
Longitude: -66.940199°W

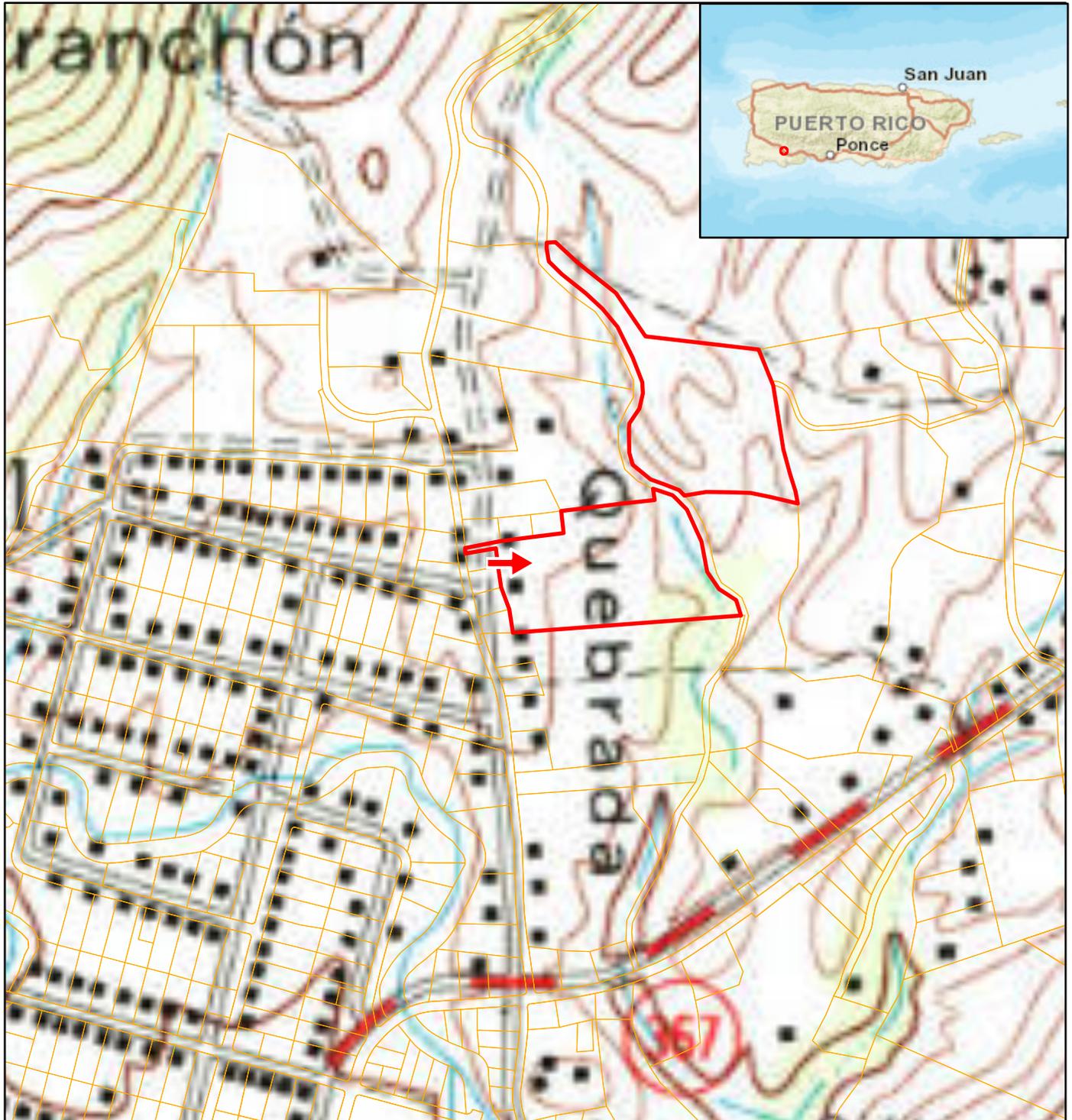


DEPARTAMENTO DE LA
VIVIENDA



Application ID#: PR-RGRW-04048

Address: PR 367 Km 0.3, Sabana Grande, PR 00637



 Applicant Structure

 Applicant Parcel

 Parcels

N
1:5,000
1 inch equals 417 feet
0 225 450Feet

Sources: Esri Imagery Basemap service.

Figure 4

Land Cover Map



PR-RGRW-04048 Land Cover Map

Legend

National Land Cover Database, land cover - Puerto Rico

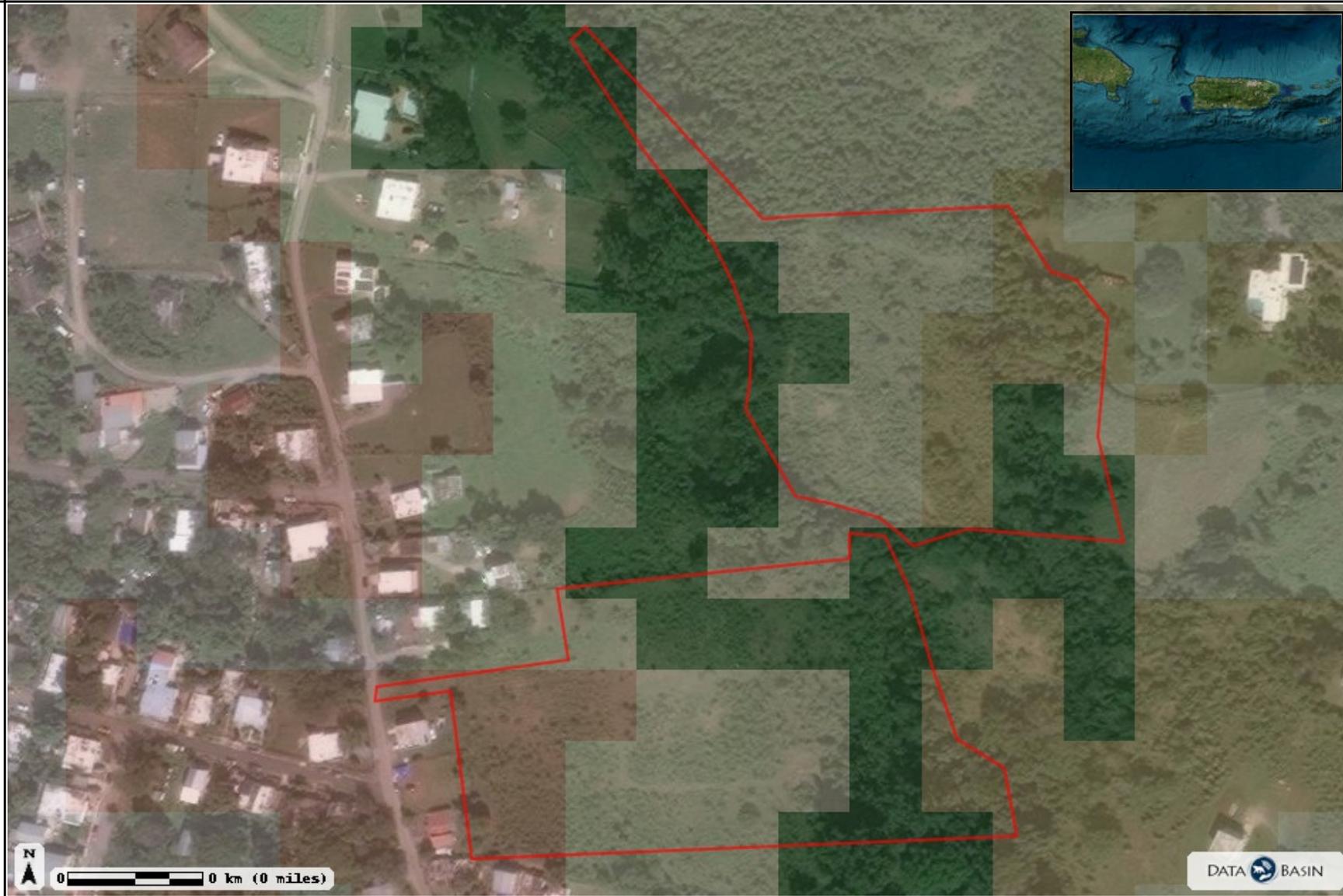
- Barren Land
- Cultivated Crops
- Developed, High Intensity
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed, Open Space
- Emergent Herbaceous Wetlands
- Evergreen Forest
- Hay/Pasture
- Herbaceous
- Open Water
- Shrub/Scrub
- Woody Wetlands

Parcel

Parcel

66.94°W

18.05°N



66.94°W

18.04°N

Map Details

Datasets

National Land Cover Database, land cover - Puerto Rico

<https://databasin.org/datasets/e95aa06e05624f3087559eca884db034/>

Credits: USGS National Land Cover Database 2001

Layers: • layer1



Mabel Vega-Almodovar

PR 367 Km 0.3

Sabana Grande, PR 00637

18.044973, -66.940199

Figure 5
Flood Map

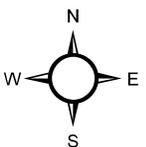
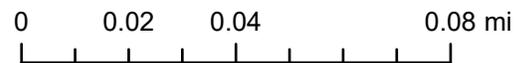


PR-RGRW-04048 Flood Map



Legend

-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  FEMA Floodzone Panels - Effective



FEMA Map Service

Flood Insurance Rate Maps

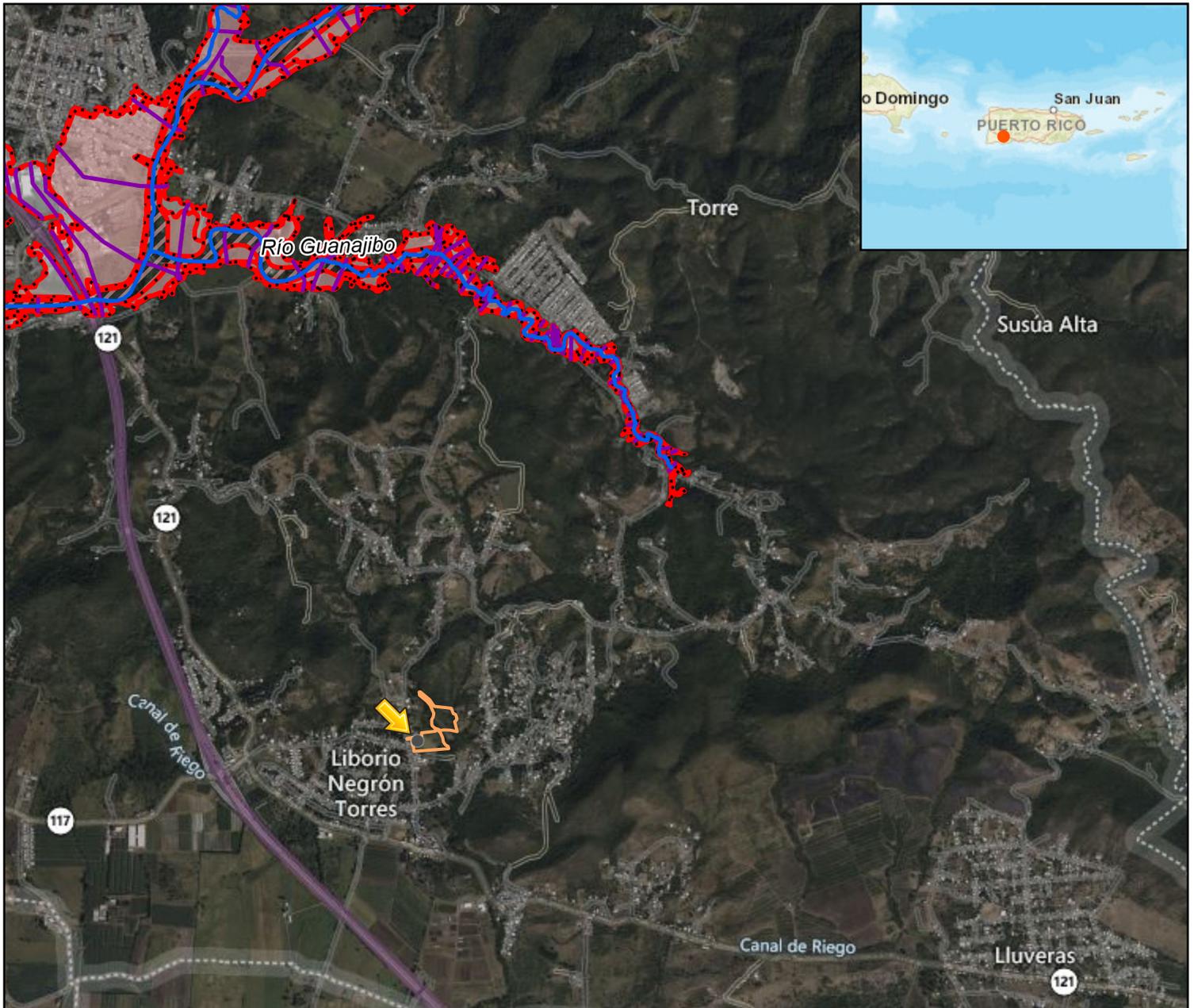
2/17/2023 9:27 AM

Figure 6

ABFE

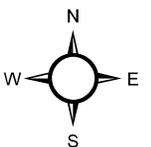
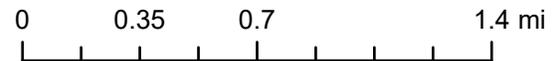


PR-RGRW-04048 ABFE



Legend

- A
- 0.2% Annual Chance Flood Zone
- A-Floodway
- Zone/BFE Boundary
- Advisory Base Flood Elevation
- Streamline



FEMA Map Service

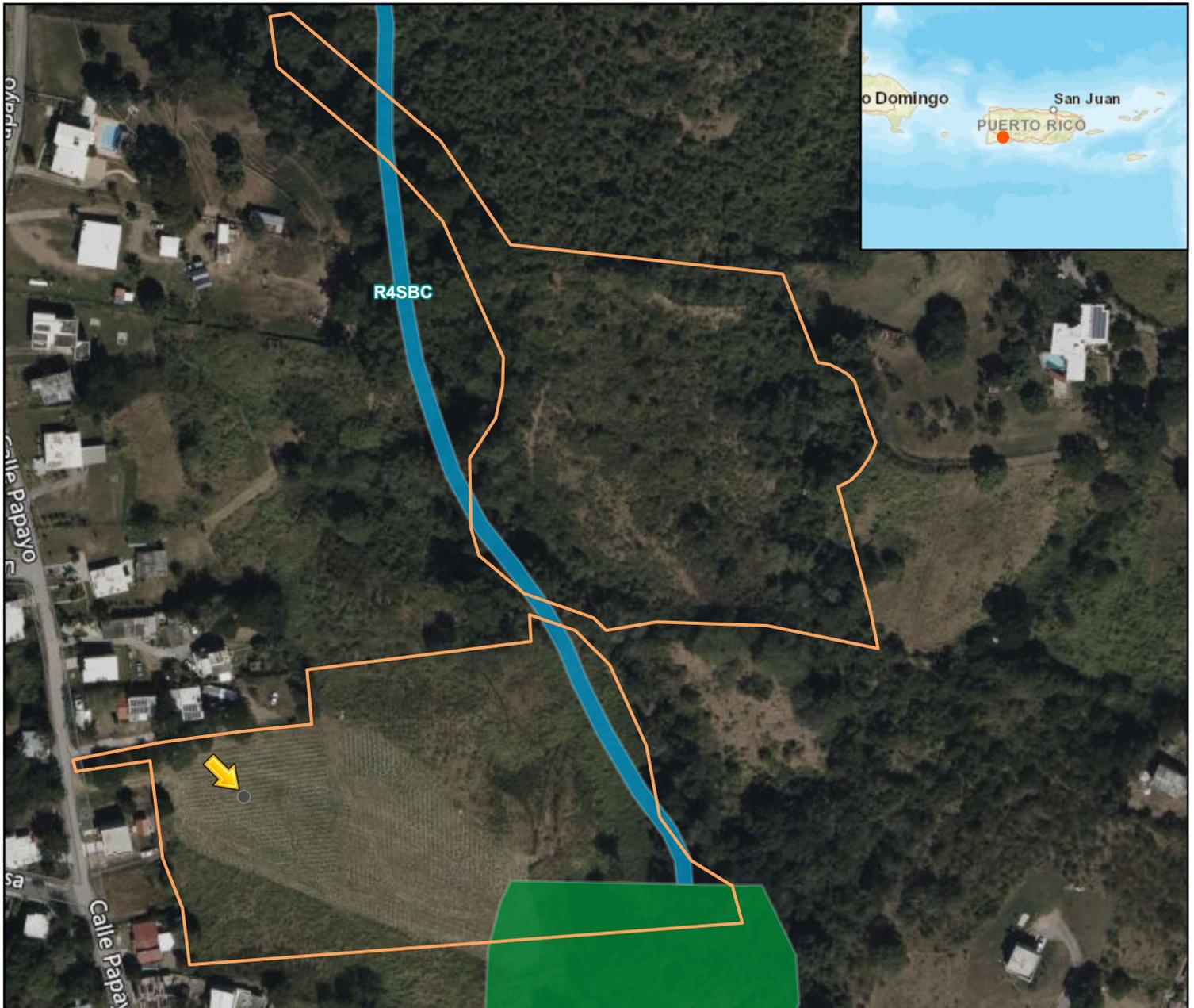
ABFE 1PCT

Figure 7

Wetlands Map

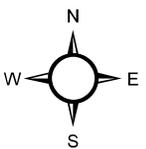
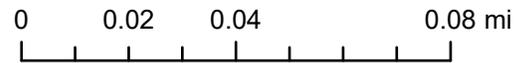


PR-RGRW-04048 NWI



Legend

- Freshwater Forested/Shrub Wetland
- Riverine



National Wetlands Inventory

U.S. Fish and Wildlife Service

Appendix B

Field Observation Report

ENVIRONMENTAL OBSERVATIONS

Item	Observation	Remarks
Are there any signs of poor housekeeping on the site? <i>(mounds of rubble, garbage, or solid waste or improperly stored household quantities of petroleum products, pesticides, paints, thinners, cleaning fluids, automotive batteries, damaged, abandoned, and/or dangerous vehicles or other motorized equipment; pits, pools, lagoons, or ponds of hazardous substances or petroleum products located on the site)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any 55-gallon drums or containers visible on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If drums located, are they leaking?	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No	
Are there any signs of petroleum underground storage tanks (PUSTs) on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any UST locations visible from the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any signs of above-ground storage tanks (ASTs) on the site, or immediate adjacent visible sites?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There is a cistern on the farm.
Are there any signs of surface staining?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there any ground water monitoring or injection wells on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there evidence of a faulty septic system on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any permanent standing water, such as a pond or stream, located on the site? <i>(Do not include run-off or ponding from recent weather events.)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A stream runs along the boundary of the farm.
Is there any distressed vegetation on the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does the subject lot have water frontage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any visible apparent indication of other environmental conditions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any visible apparent evidence of lead-based paint or hazardous materials present in the structure?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are there other unusual conditions on site? <i>(Explain in attached supporting material. Please take photographs, if possible.)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the structure 45 years or older?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the applicant aware of any significant historical events or persons associated with the structure; or does the home have a historic marker?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

REQUIRED PHOTOS



Entrance to Property



Property



Property



Property

PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS (add additional pages as necessary)



Property



Property



AST



Stream

ADDITIONAL PHOTOS (add additional pages as necessary)



Stream



Stream



Stream



Stream

Appendix C

USFWS Information for Planning and Consultation



United States Department of the Interior



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

In Reply Refer To:
Project Code: 2024-0092416
Project Name: PR-RGRW-04048

05/17/2024 19:09:05 UTC

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

To Whom It May Concern:

THE FOLLOWING SPECIES LIST IS NOT A SECTION 7 CONSULTATION. PLEASE CONTACT OUR OFFICE TO COMPLETE THE CONSULTATION PROCESS

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

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". The enclosed species list provides information to assist with the U.S. Fish and Wildlife Service (Service) consultation process under section 7 of the Act. However, **the enclosed species list does not complete the required consultation process.** The species list identifies threatened, endangered, proposed and candidate species, as well as proposed and designated critical habitats, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. A discussion between the Federal agency and the Service should include what types of listed species may occur in the proposed action area and what effect the proposed action may have on those species. This process initiates informal consultation.

Once a species list is obtained for the proposed project, an effect determination for endangered and threatened species should be made. The applicant could make an effect determination by using available keys on IPaC for specific species. For species with no determination keys, the applicant should request concurrence from the Service by sending a project package

to caribbean_es@fws.gov. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

<https://www.fws.gov/sites/default/files/documents/consultation-under-section-7-of-the-endangered-species-act-with-the-caribbean-ecological%20Services-field-office-template-letter.pdf>

When a federal agency, after discussions with the Service, determines that the proposed action is not likely to adversely affect any listed species, or adversely modify any designated critical habitat, and the Service concurs, the informal consultation is complete, and the proposed project moves ahead. If the proposed action is suspected to affect a listed species or modify designated critical habitat, the Federal agency may then prepare a Biological Assessment (B.A.) to assist in its determination of the project's effects on species and their habitat. However, a B.A. is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a B.A. where the agency provides the Service with an evaluation on the likely effects of the action to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a B.A. are described at 50 CFR 402.12.

If a federal agency determines, based on its B.A. or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to further consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation process. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species.

This list is provided pursuant to Section 7 of the Endangered Species Act and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action". Please use this list to determine whether your project requires consultation and to make your effects determination. For more guidance, use the Guideline for Consultation under Section 7 of the Endangered Species Act with the Caribbean Ecological Services Field Office by clicking [here](#).

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2024-0092416

Project Name: PR-RGRW-04048

Project Type: Acquisition of Lands

Project Description: The proposed project will be funded under the Re-Grow PR Urban-Rural Agriculture program. The proposed project includes land acquisition of the property located at latitude 18.044973, and longitude -66.940199.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.045931850000002,-66.93886155872457,14z>



Counties: Sabana Grande County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 1 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/2YXZ6M22CNASPMGROEGF4J33CM/documents/generated/7159.pdf	Endangered

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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 OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

WETLANDS

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](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC

FRESHWATER FORESTED/SHRUB WETLAND

- PFO3A

IPAC USER CONTACT INFORMATION

Agency: Horne Government Services
Name: Jaci Fitzmorris
Address: 10000 Perkins Rowe, Building G
Address Line 2: Suite 610
City: Baton Rouge
State: LA
Zip: 70810
Email: jaci.fitzmorris@horne.com
Phone: 2252474285

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development



United States Department of the Interior



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

In Reply Refer To:
Project code: 2024-0092416
Project Name: PR-RGRW-04048

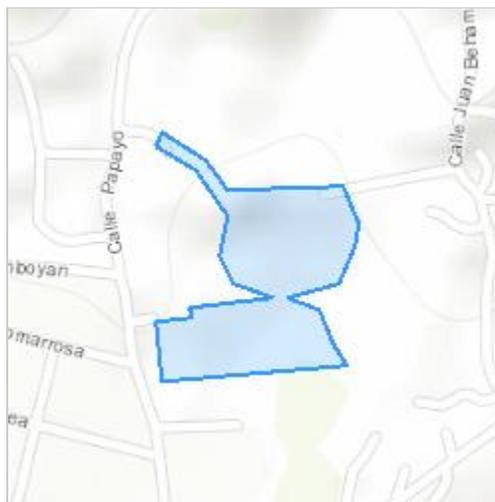
05/17/2024 19:16:09 UTC

Subject: Consistency letter for the project named 'PR-RGRW-04048' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On May 17, 2024, Jaci Fitzmorris used the Caribbean DKey; dated April 03, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-04048'. The project is located in Sabana Grande County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.045931850000002,-66.93886155872457,14z>



The following description was provided for the project 'PR-RGRW-04048':

The proposed project will be funded under the Re-Grow PR Urban-Rural Agriculture program. The proposed project includes land acquisition of the property located at latitude 18.044973, and longitude -66.940199.

Based on your answers and the assistance of the Service's Caribbean DKey, you determined the proposed Action will have "No Effect" on the following species:

Species	Listing Status	Determination
Puerto Rican Boa (<i>Chilabothrus inornatus</i>)	Endangered	No effect

Thank you for informing the Service of your "No Effect" determination(s) for this project. No further consultation/coordination for this project is required for these species. However, be aware that reinitiation of consultation may be necessary if later modifications are made to the project so that it no longer meets the criteria or outcome described above, or if new information reveals effects of the action that could affect listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed.

This letter serves as documentation of your consideration of the federally listed species as required under section 7 of the ESA. However, effects to the other federally listed species or critical habitat as listed below from the "IPaC print-out for the project" (see below) should be considered as part of your ESA review for the project.

The Service will notify you within 30 calendar days if we determine that this proposed Action does not meet the criteria for a "No Effect" (NE) determination for Federally listed species in the Caribbean. If we do not notify you within that timeframe, you may proceed with the Action under the terms of the NE concurrence provided here. This verification period allows the Caribbean Ecological Services Field Office to apply local knowledge to evaluate the Action, as we may identify a small subset of actions having unanticipated impacts. In such instances, the Caribbean Ecological Services Field Office may request additional information to verify the effects determination reached through the DKey.

Note: Projects located within the range of the Puerto Rican boa or the Virgin Islands tree boa might encounter these species during project activities. **This letter does not provide take to handle or move these species.** If relocation of the species is needed, please contact either the Puerto Rico Department of Natural Resources (DNER) at 787-724-5700, 787-230-5550, or 787-771-1124 for projects in Puerto Rico, or the Virgin Islands Department of Planning and Natural Resources, Division of Fish and Wildlife (DFW) at 340-775-6762 for projects in the Virgin Islands. Otherwise, contact the Caribbean Ecological Services Field Office (caribbean_es@fws.gov) to determine whether the consultation needs to be reinitiated.

If the proposed project is located within species range where a DKey has not been developed for those species, please follow the established guidance for initiating section 7 consultation Caribbean Ecological Services Field Office.

We appreciate your interest in protecting endangered species and their habitats. It is the Service's mission to work with others to conserve, protect, and enhance fish, wildlife, and plants and their

habitats for the continuing benefit of our people. If you have any questions or require additional information, please contact our office at Caribbean_es@fws.gov.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

PR-RGRW-04048

2. Description

The following description was provided for the project 'PR-RGRW-04048':

The proposed project will be funded under the Re-Grow PR Urban-Rural Agriculture program. The proposed project includes land acquisition of the property located at latitude 18.044973, and longitude -66.940199.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.045931850000002,-66.93886155872457,14z>



QUALIFICATION INTERVIEW

1. Is the proposed project an EPA Multi-Sector General Permit (MSGP) renewal for an existing project? ([MSGP Fact Sheet](#))

No

2. Is the proposed project within an urban developed area? (i.e., cities, downtowns, shopping malls etc.)

Note: Urban and developed areas has one or more of the following characteristics: Presence of existing buildings, residential areas, and commercial establishments. Well-established infrastructure including roads, utilities, and urban facilities. High population density. Established neighborhoods and urban amenities ("urbanizaciones"). Developed landscape with paved surfaces, parking lots, and industrial areas. Signs of human activity and urbanization, such as shopping centers and recreational facilities. Location within the boundaries of a city or town ("casco urbano"). High concentration of built-up structures and limited open spaces. Aerial imagery might be requested to the applicant. .

Yes

3. [Hidden Semantic] Does the proposed project intersect the Puerto Rican boa area of influence?

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Horne Government Services
Name: Jaci Fitzmorris
Address: 10000 Perkins Rowe, Building G
Address Line 2: Suite 610
City: Baton Rouge
State: LA
Zip: 70810
Email: jaci.fitzmorris@horne.com
Phone: 2252474285

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Department of Housing and Urban Development

Appendix D

Literature Cited

Literature Cited:

Maps: Data basin. Maps | Data Basin. (n.d.). <https://databasin.org/maps/new/#datasets=e95aa06e05624f3087559eca884db034>

U. S. Fish and Wildlife Service (USFWS). 2011. Puerto Rican Boa (*Epicrates inornatus*) 5-Year Review: Summary and Evaluation. U.S. Fish and Wildlife Service, Southeast Region. Boquerón, Puerto Rico.

2023a. Information for Planning and Consultation System (IPaC). Available at: <http://ecos.fws.gov/ipac/>. Accessed April 2024.



EVALUACIÓN PARA DETERMINAR LA POSIBLE PRESENCIA DE HUMEDALES

PROYECTO

**TERRENO DE 35614.9681 M.C. E IDENTIFICADO CON EL
NÚMERO DE CATASTRO 359-050-025-04**

LOCALIZACIÓN

**BARRIO MACHUCHAL
SABANA GRANDE - PUERTO RICO**

PREPARADO POR

Quantum Consulting Group, LLC

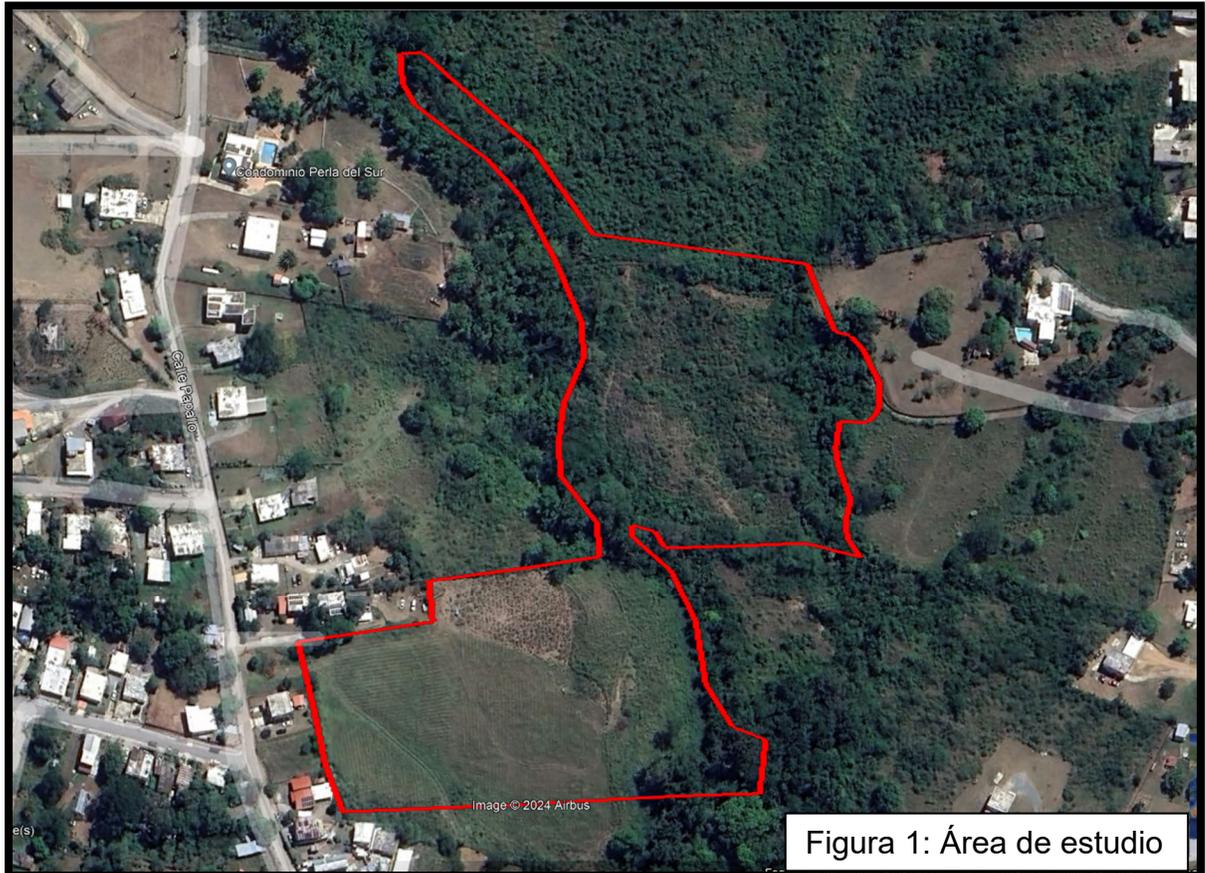
MARZO - 2024

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II.	DESCRIPCIÓN DE LA FINCA.....	3
III.	METODOLOGÍA.....	4
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V.	CONCLUSIÓN	7

I. INTRODUCCIÓN

A petición de SWCA se procedió a evaluar una finca de 35614.9681 M.C., localizada en el Barrio Machuchal en el municipio de Sabana Grande, Puerto Rico (Figura 1).



El objetivo de esta evaluación es determinar la posible presencia de humedales dentro de la finca identificada con el número de catastro **359-050-025-04**.

II. DESCRIPCIÓN DE LA FINCA

La finca evaluada físicamente está dividida en dos áreas por el paso de la Quebrada Majina. La misma consta de un predio de aproximadamente 35614.9681 M.C. La vegetación en general está compuesta por diferentes niveles de estratos, entiéndase gramíneas, herbáceas, trepadoras y árboles.

Entre las especies arbóreas dominantes se encuentran: Úcar (*Terminalia buceras*), Almendro (*Terminalia catappa*), Moca (*Andira inermis*) y Zarcilla (*Leucaena leucocephala*). Además, podemos observar que el predio sur está en su mayoría deforestado y cubierto por la gramínea Pajón (*Dichanthium annulatum*).

La topografía de la finca en la porción sur es relativamente llana, la topografía en la parte oeste presenta una depresión pronunciada relacionada a la Quebrada Majina. La finca en cuestión está fuera de zona de inundación entendiéndose Zona (X), según se desprende de los mapas de FEMA, Panel 72000C1590H, con vigencia del 13/04/2018.

III. METODOLOGÍA

Para determinar la posible presencia de humedales en la finca se procedió utilizar como indicador la presencia de especies hidrofitas e hidrología típica de humedal dentro del área. Para el monitoreo e identificación de especies terrestres se procedió a caminar las áreas en su totalidad. Conjuntamente, se utilizó técnicas de percepción remota, sistemas de información geográfica y uso de tecnología de drones entre otros recursos. La visita al área se realizó el 14 de marzo de 2024.

IV. OBSERVACIONES

a. FLORA OBSERVADA

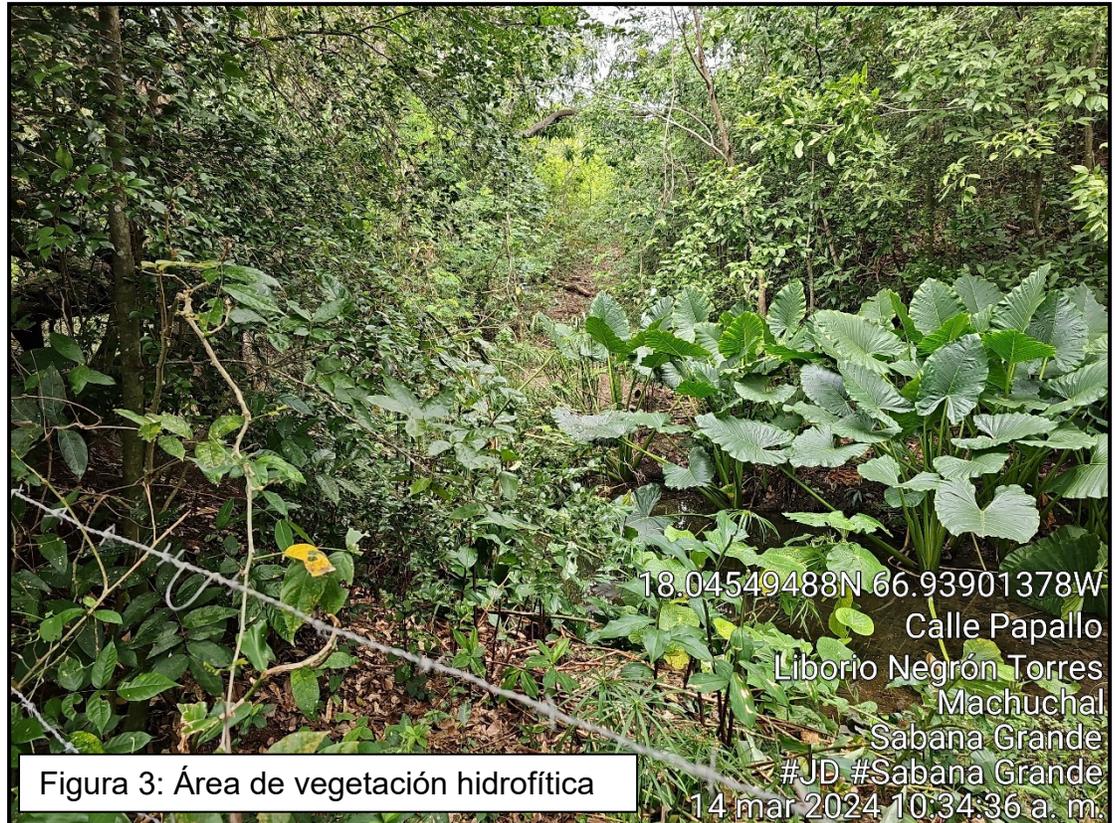
En este informe se prestó especial atención a las especies de plantas hidrofitas las cuales son indicativo de presencia de humedal.

Cabe señalar que los estratos de vegetación están dominados por especies de tierras altas (Upland). Entre las especies arbóreas dominantes se encuentran las siguientes: Úcar (*Terminalia buceras*), Almendro (*Terminalia*

catappa), *Moca* (*Andira inermis*) y *Zarcilla* (*Leucaena leucocephala*). Además, podemos observar que el predio sur está en su mayoría deforestado y cubierto por la gramínea Pajón (*Dichanthium annulatum*), (ver figura 2).



Las especies hidrofíticas se limitan a la zona por donde discurre la Quebrada Majina, (ver figura 3).



b. HIDROLOGÍA DE HUMEDAL

Es muy importante mencionar que la finca bajo estudio está fuera de toda área inundable según FEMA. La determinación de presencia de hidrología se realizó caminando las áreas accesibles. Cabe señalar que la presencia de hidrología de humedal se limita a las zonas correspondientes a la Quebrada Majina, (ver figura 4).



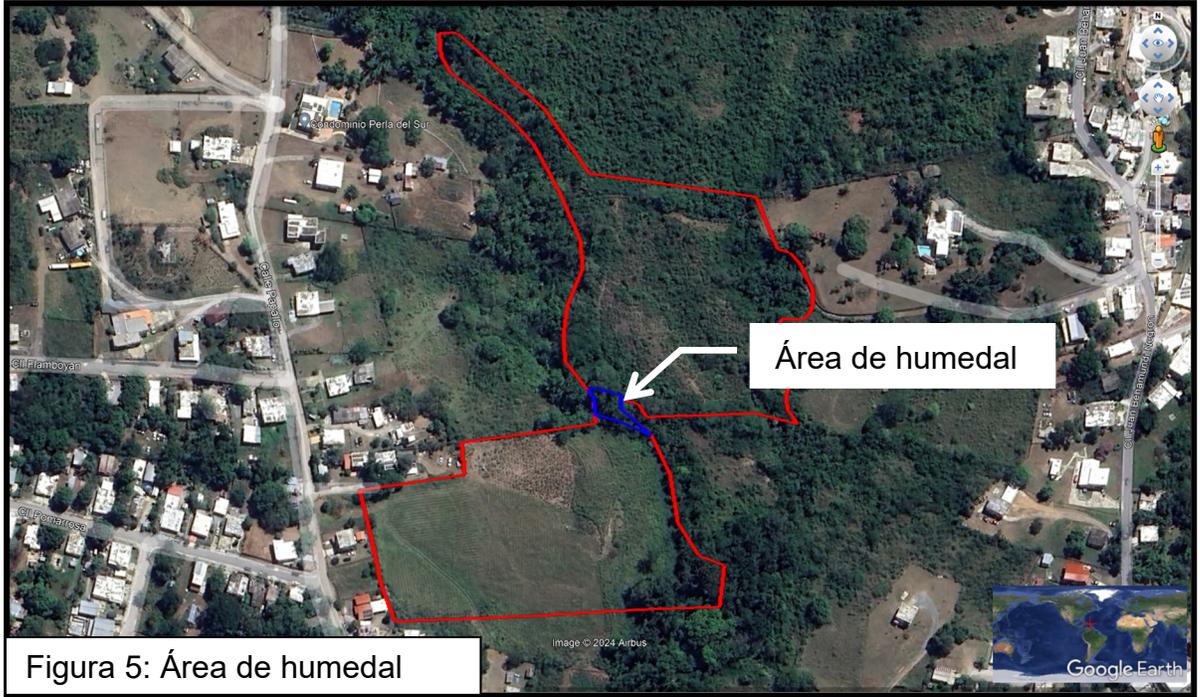
Es importante destacar que no se observó hidrología superficial típica de humedal en el resto del área evaluada.

V. CONCLUSIÓN

Utilizando los parámetros de vegetación e hidrología de humedales podemos decir que el área de humedal existente se circunscribe al área del paso de la quebrada Majina, (ver figura 5).

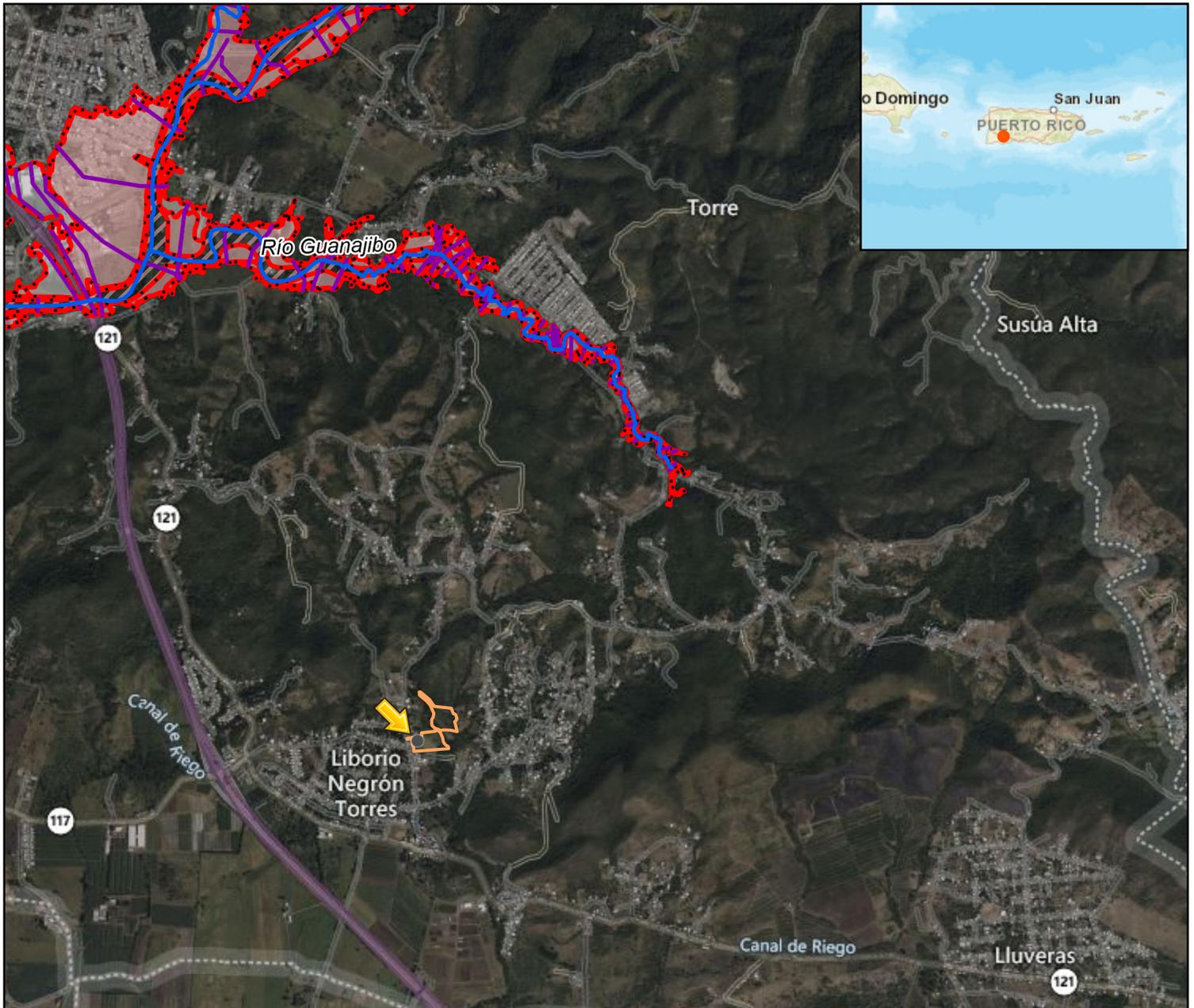
Basándonos en estos dos parámetros entendemos que la presencia de humedales en el resto de la finca es poco probable o nula.

Es importante aclarar que esta evaluación es general cualitativa y no constituye un estudio jurisdiccional de humedales.



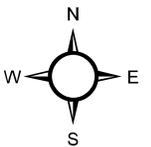
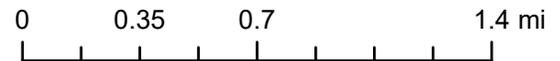


PR-RGRW-04048 ABFE



Legend

- A
- 0.2% Annual Chance Flood Zone
- A-Floodway
- Zone/BFE Boundary
- Advisory Base Flood Elevation
- Streamline



FEMA Map Service

ABFE 1PCT

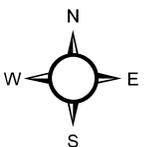
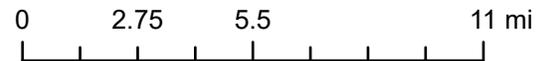


PR-RGRW-04048 Airports



Legend

- Military Airports 15,000ft Buffer
- Civilian Airports 2,500ft Buffer
- Military Accident Potential Zones APZ 2
- Military Accident Potential Zones APZ 1
- Runway Protection Zones
- Airport Runways
- Major
- Minor Airport



Runway Protection Zones

Major Civil and Military Airports

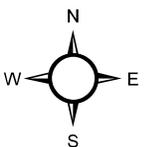
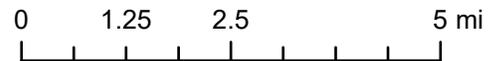


PR-RGRW-04048 CBRS



Legend

- Otherwise Protected Area
- System Unit



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program

2/17/2023 9:30 AM

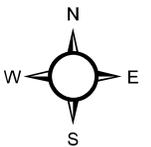
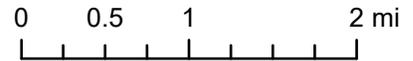


PR-RGRW-04048 CZM



Legend

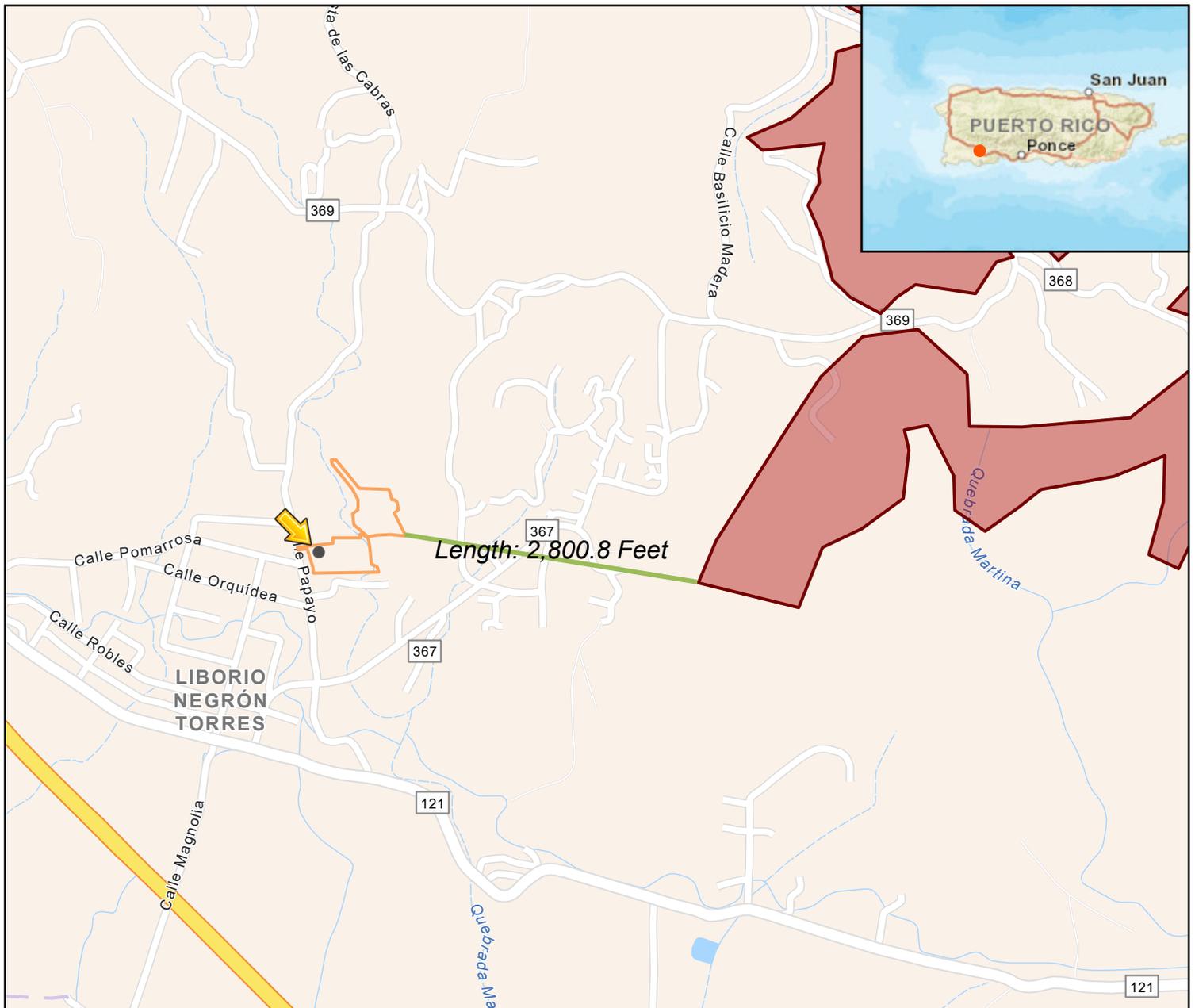
 Coastal Zone Management Act Boundary



NOAA

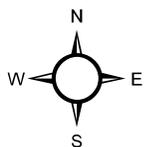
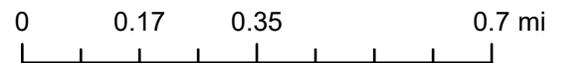
Coastal Zone Management Act

PR-RGRW-04048 Endangered Species



Legend

 USFWS Critical Habitat - Polygon (live agency service)



Endangered Species Habitat

U.S. Fish and Wildlife Service

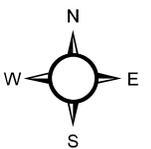
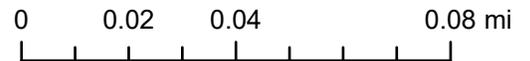


PR-RGRW-04048 Farmlands



Legend

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



USGS USA Soils

Farmland dataset

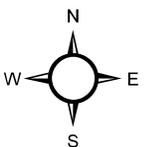
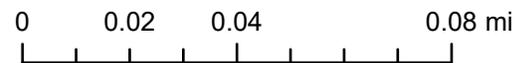


PR-RGRW-04048 Flood Map



Legend

- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee
- FEMA Floodzone Panels - Effective



FEMA Map Service

Flood Insurance Rate Maps

2/17/2023 9:27 AM

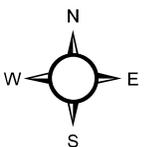
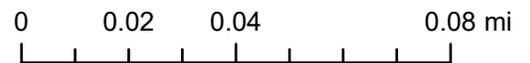


PR-RGRW-04048 Flood Map



Legend

-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  FEMA Floodzone Panels - Effective



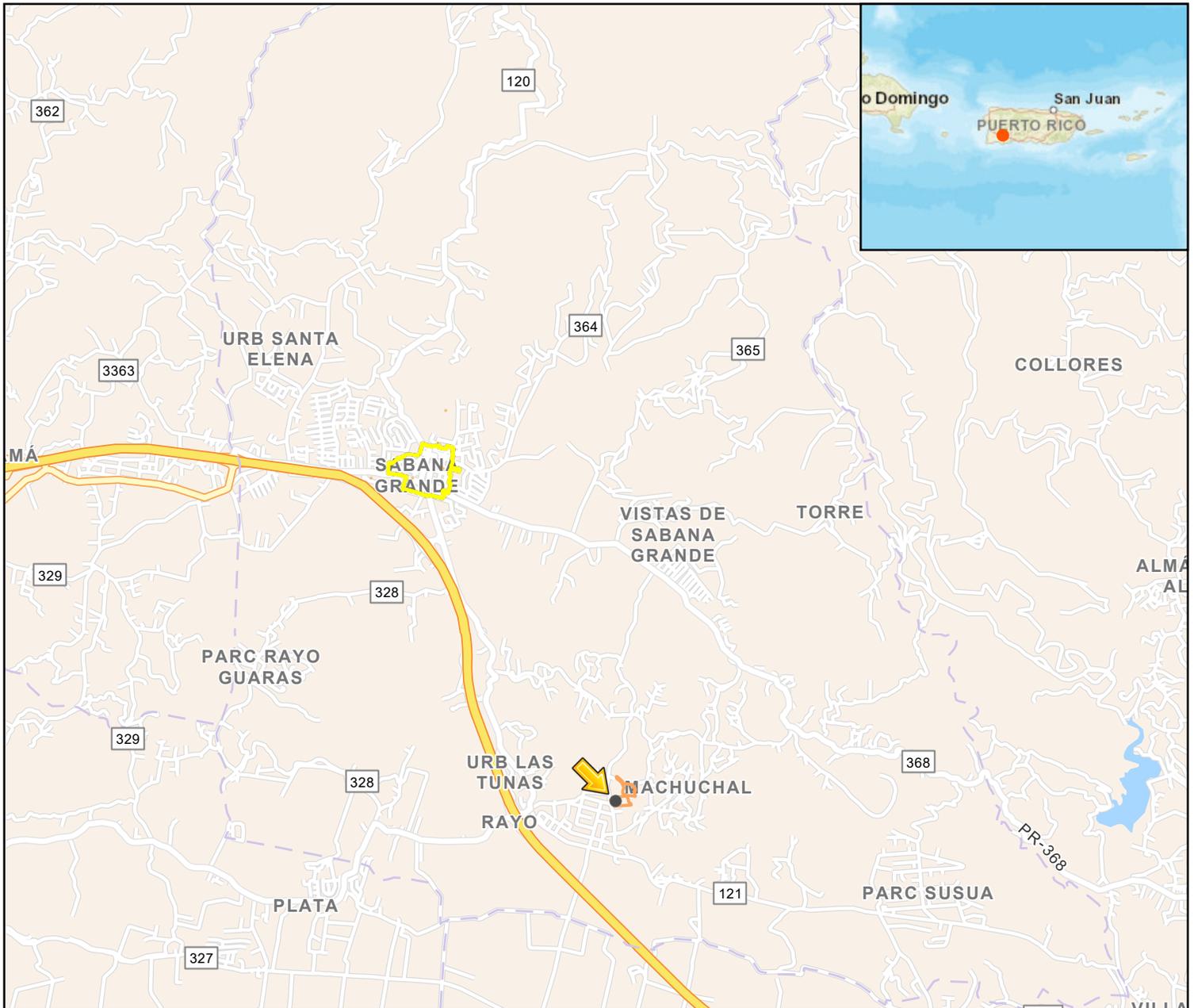
FEMA Map Service

Flood Insurance Rate Maps

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PR-RGRW-04048 Historic

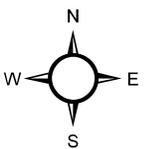
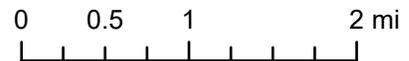


Legend

- National Historic Landmark
- National Register of Historic Places
- National Historic Landmark
- National Register of Historic Places
- Traditional Urban Centers

National Register Of Historic Places Points

National Register of Historic Places Polygons

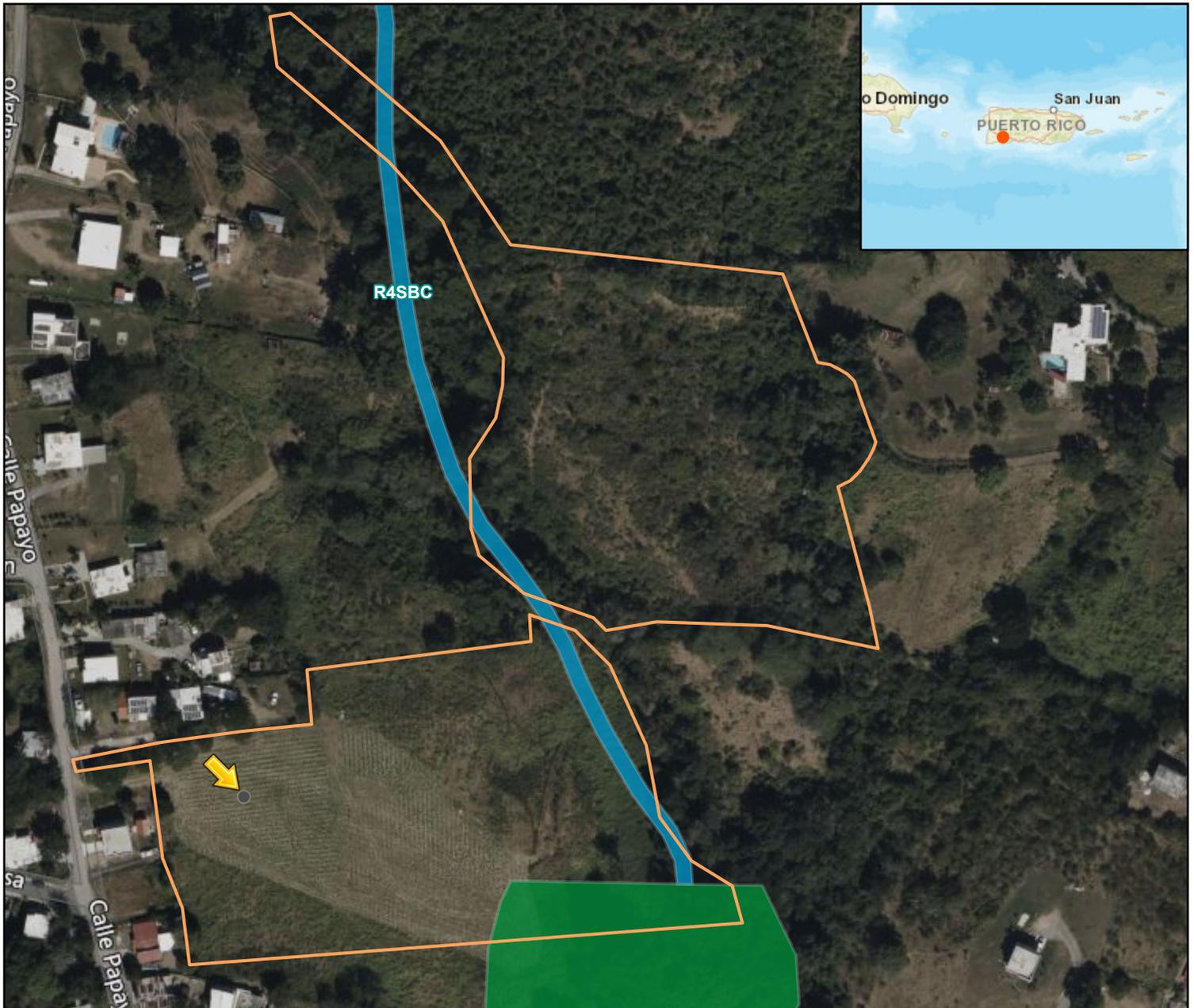


National Register of Historic Places

Local Historic Areas digitized by Horne

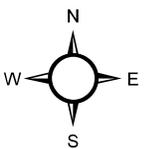
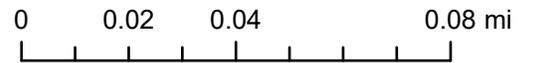


PR-RGRW-04048 NWI



Legend

- Freshwater Forested/Shrub Wetland
- Riverine



National Wetlands Inventory

U.S. Fish and Wildlife Service

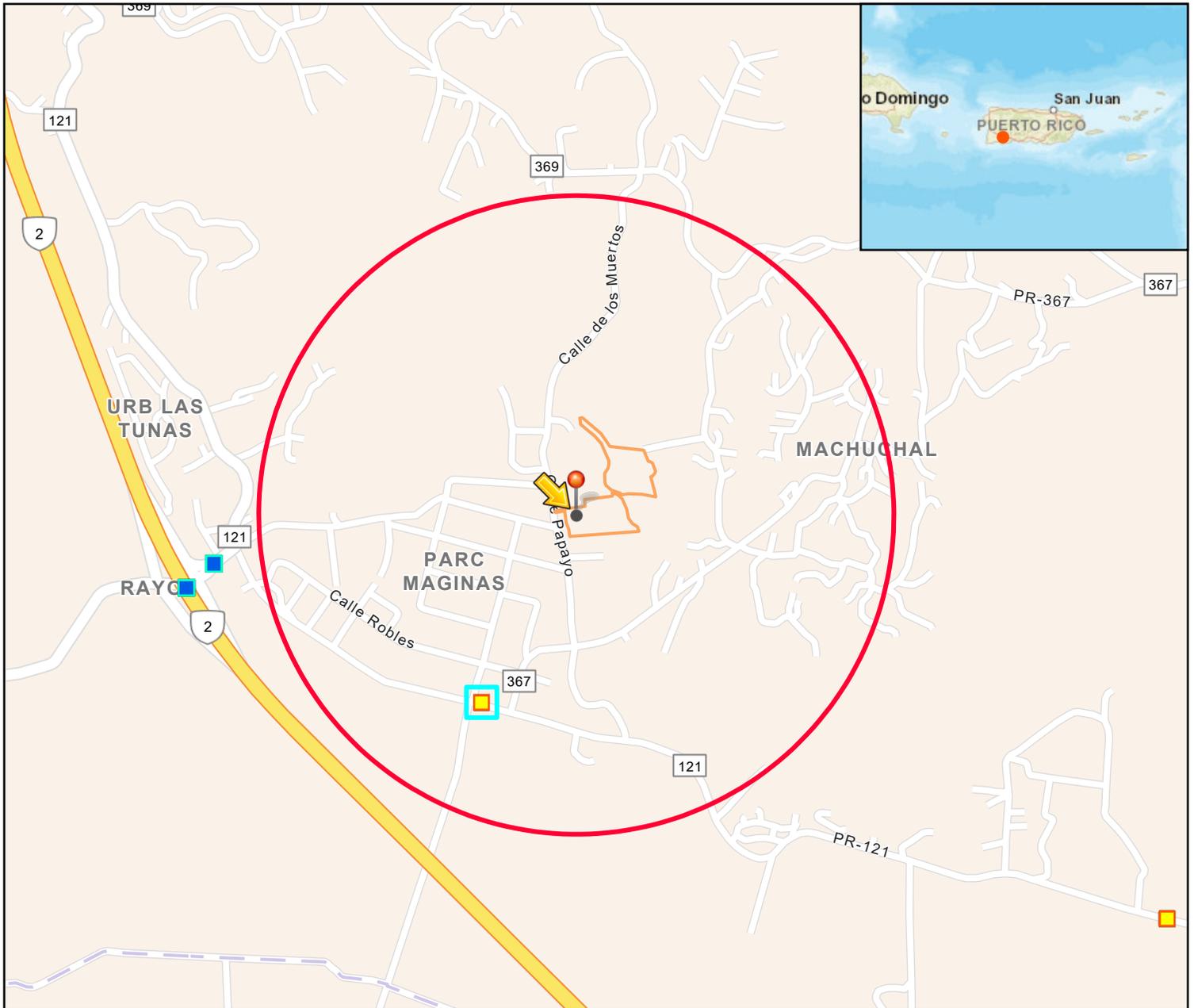
CaseID	Registry_ID	Name	Location
PR-RGRW-04048	110004895105	ESSO STANDARD OIL CO PR CO-370	CARR 121 65TH INFANTERIA 7

Municipio	Latitude	Longitude	Type	Report
SABANA GRANDE	18.040137	-66.942781	RCRAINFO	https://echo.epa.gov/detailed-facility-report?fid=110004895105

Distance	Impact
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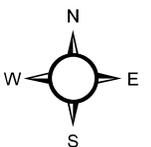
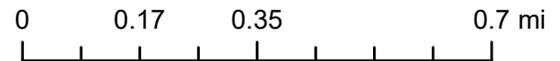


PR-RGRW-04048 Toxics



Legend

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

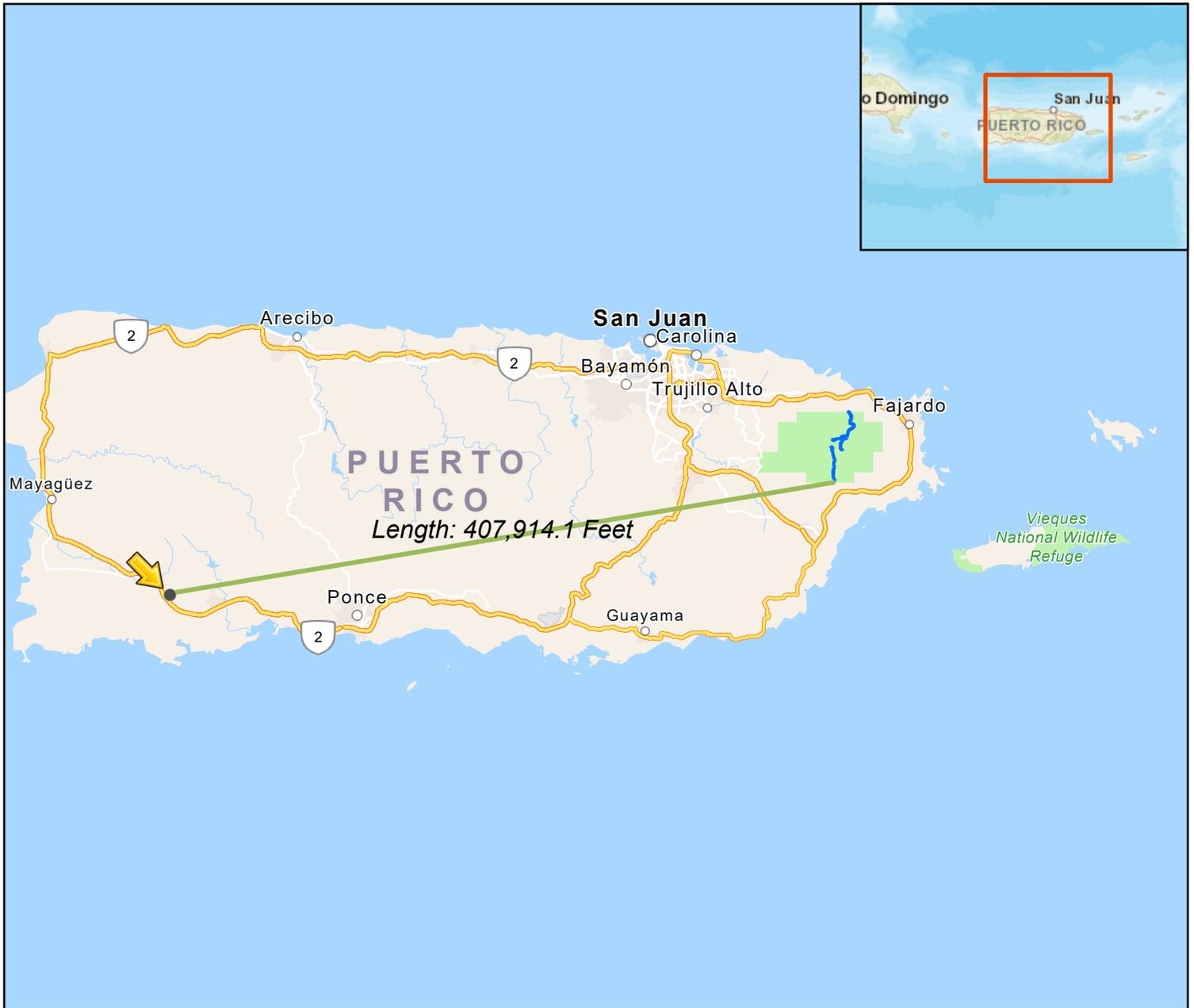


Envirofacts Facility Locations

EPA

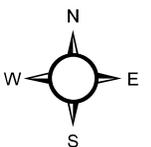
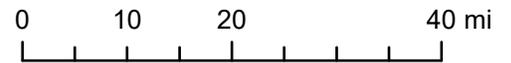


PR-RGRW-04048 Wild and Scenic Rivers



Legend

- Wild and Scenic Rivers
- Dynamic Print Text



National Wild and Scenic River System

National Park Service