

# **Environmental Assessment**

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

### **24 CFR Part 58**

#### **Project Information**

**Project ID:** PR-RGRW-01576

**Project Name:** Milton Omar Aguilar Cerezo

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

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

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

**Preparer:** Clifford Jarman

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

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

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

#### **Project Location:**

The property is a 104.56-acre site located at Carr 108 Km 19.4 Bo Río Arriba in the Municipality of Añasco, Puerto Rico. The proposed project would be located across three parcels (Parcel ID#s 183-000-001-84-000; 183-000-001-73-000; and 183-022-132-04-000). The coordinates of the three project parcels are 18.27269494, -67.05665614; 18.2706493, -67.0521868; and 18.27089445, -67.05285841, respectively.

The land is currently being used for growing eggplant, papaya, cassava, avocados, soursop, plantains, and oranges. The land was previously an empty lot. Some areas were graded in January 2019 to create different areas to grow different kinds of fruit and create different spaces for the animals.

There is no water or electricity connections. There is a water well on the property, according to the applicant it is not currently in use and the mechanism of the water well was damaged before the current owner acquired the property in 2017.

There is river located north of the project site at coordinates 18.2749326, -67.0553149. These coordinates are adjacent to parcel 183-000-001-84.

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

The proposed use of grant funds is for the purchase of livestock (originally proposed to buy goats but subsequently decided that sheep would be better), an all-terrain-vehicle, (ATV) and supplies for the construction of three separate fences that will be used to separate areas for pasture and breeding grounds for the sheep.

The Scope of Work (SOW) #1 is the construction of a fence approximately 1,600 feet long around an area with a center located at 18.27049, -67.05255. The fence would be constructed of with 6-foot wood posts and metal wire and will have three gates.

SOW #2 is the construction of a fence approximately 1,200 feet long around an area with a center located at 18.27110, -67.05420. The fence would be constructed of with 6-foot wood posts and metal wire and will have two gates.

SOW #3 is the construction of a fence approximately 2,200 feet long around an area with a center located at 18.27234, -67.05709. The fence would be constructed of with 6-foot wood posts and metal wire and will have two gates.

The maximum width of expected ground disturbance is three (3) feet.

The site has no water or electricity connections. No new water or electric power connection is required.

The applicant also plans to use a rainwater collection system to provide water for the sheep. While the applicant plans to pay for this activity themselves and no HUD funds would be utilized for this portion of work, the potential impacts from this action are included in the analyses below.

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

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

The Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) will increase agricultural capacity while promoting and increasing food security island wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities. The purpose of this project is to increase the productivity of the farm. This agricultural project associated with the construction of three new fences, and the purchase of sheep and an ATV is in keeping with the overall objectives of the Economic Development Program.

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

The land proposed for the installation of the three fences is used for agricultural purposes. Therefore, there is no change in land use associated with the project. Some ground disturbance will be required.

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

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

- Appendix A – Site Inspection
- Appendix B – Maps
- Appendix C – Additional Documentation
- Appendix D – Endangered Species
- Appendix E – SHPO Consultation

**Funding Information**

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

**Estimated Total HUD Funded Amount:** \$50,000

**Estimated Total Project Cost** (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$50,000

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

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

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.6</b>		

<p><b>Airport Hazards</b></p> <p>24 CFR Part 51 Subpart D</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project consists of the purchase of sheep and an ATV and the construction of three new fences around three parcels. The nearest civil airport is approximately 28,987 feet from the closest parcel of the proposed project site. The nearest military airport is approximately 364,296 feet from the closest parcel of the proposed project site. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Refer to Figure 2 in <b>Appendix B.</b></p>
<p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>Puerto Rico has various Coastal Barrier Resources Systems (CBRS). The project is in eastern Puerto Rico. The distance to the nearest CBRS unit is 53,856 feet from the nearest parcel of the Project site. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. Refer to Figure 3 in <b>Appendix B.</b></p>
<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C0545H, effective date April 19, 2005. This project is in compliance with Floodplain Insurance requirements. (See Figures 4 and 5 in <b>Appendix B.</b>)</p>

<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a county or air quality management district that is in attainment status or non-attainment status for any criteria pollutants. The Municipio of Anasco is not listed in the EPA Green Book "Puerto Rico Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants" (See the List in Appendix C). The purchase of sheep and an ATV and the construction of three new fences would have no impact on air quality. The project is in compliance with Clean Air Act. Refer to EPA listing in <b>Appendix C.</b></p>

<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The closest parcel of the project site is located 35,534 feet from the nearest Coastal Zone Management area and does not affect a Coastal Zone as defined in the PR Coastal Zone Management Plan. The project is in compliance with the Coastal Zone Management Act. See Figure 7 in <b>Appendix B</b>.</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 58.5(i)(2)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>A site visit conducted on April 11, 2023, some debris, wooden pallets, and an empty barrel was noted at the project site. There were no visible signs of vegetative stress, contamination, or toxic substances.</p> <p>Site contamination was evaluated through online data searches to determine if toxic sites are located within 3,000-feet of the proposed project.</p> <p>A RCRA hazardous waste site is shown in NEPAassist as being 2,963 feet from the gateway of SOW #1 at Route 108. The site is listed as the Lauro Gonzalez School. Examination of the maps show no structures at the listed location and show the school to be located 5,100 feet further to the southeast. The reports (see Appendix C) show no violations within the last 3 years. With these conditions and the distance, there would not be any impacts to the project site.</p> <p>There are no sites of environmental concern identified within 3,000 feet of the closest edge of the closest parcel of the project site.</p> <p>The project consists of the purchase of sheep and an ATV and the construction of three new fences. Refer to Figures 8 and 9 in <b>Appendix B</b>. The project is in compliance with Contamination and Toxic Substances.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The three new fences would be located in an area that has been used for agricultural purposes and the sheep and ATV used in an area currently under cultivation.</p> <p>According to EPA NEPAassist Enviromapper, the nearest critical or proposed critical habitat is 31,700 feet to the southeast of the closest parcel</p>

		<p>of the project site. Per the Official Species List from the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website, the Puerto Rican Boa and the Puerto Rico Harlequin Butterfly can be found, but there are no critical habitats at this location.</p> <p>A site-specific review of endangered species was conducted in accordance with the Fish and Wildlife Act (47 Stat. 401, as amended: 16 U.S.C. 661 et seq.) and the Self-Certification guidelines in the 2014 USFWS Caribbean Ecological Services Field Office Blanket Clearance Letter (See <b>Appendix D</b>).</p> <p>The project is Not Likely to Adversely Affect the Puerto Rican Boa or the Puerto Rico Harlequin Butterfly, provided conservation measures are implemented as part of the project.</p> <p>Conservation measures will be implemented to train construction staff to identify and avoid the butterfly, larva, and the plant <i>Oplonia spinosa</i> which is used by the butterfly for egg laying and larval feeding. Other conservation measures are listed in the mitigation section below.</p> <p>If a Puerto Rican Boa is encountered, work will cease until it moves off the site or, failing that, the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers will be notified for safe capture and relocation of the animal, in accordance with the USFWS Puerto Rican Boa Conservation Measures guidelines and the July 27, 2023 Amended Programmatic Biological Opinion.</p> <p>Refer to Figures 10 and 11 in <b>Appendix B</b> and reports in <b>Appendix D</b>. This project is in compliance with the Endangered Species Act.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project does not include development, construction, or rehabilitation that will increase residential density.</p> <p>The project is in compliance with Explosive and Flammable Hazard requirements.</p> <p>Refer to site visit report in <b>Appendix A</b>.</p>

<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project site is not designated as prime farmland or farmland of statewide importance. The project consists of the purchase of sheep and an ATV and the construction of three new fences. The project does not include any activities that could potentially convert agricultural land to nonagricultural use. Although the project includes new construction, the project is exempt from review under the Farmland Protection Policy Act (FFPA) as the project is limited to construction of on-farm structures needed for farm operations. No further review is required.</p> <p>This project is in compliance with the Farmland Protection Policy Act. Refer to Figure 12 in <b>Appendix B</b>.</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Project site is not located in a 100-year floodplain per Floodplain Insurance Map 72000C0545H, effective date April 19, 2005. The project site is not located in Preliminary Firm or an Advisory Base Flood Elevation (ABFE) special flood hazard area. See Figures 4, 5 and 6 in <b>Appendix B</b>. This project is in compliance with Executive Order 11988.</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The site was evaluated on April 17, 2023, by an SOI Qualified Archaeologist. Documentation with maps was subsequently submitted to SHPO on June 2, 2023 (<b>Appendix E</b>). SHPO concurred with a finding of <b>No Historic Properties Affected</b> within the project's Area of Potential on Effects on June 20, 2023. Refer to Figure 13 in <b>Appendix B</b> and the report in <b>Appendix E</b>. This project is in compliance with Historic Preservation requirements.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>HUD's noise regulations protect residential properties from excessive noise exposure. The project consists of the purchase of sheep and an ATV and the construction of three new fences at a farm site. HUD noise regulations do not apply as the project does not include new construction for residential use or rehabilitation of an existing residential property. The proposed project is in compliance with Noise Abatement and Control.</p>

<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.</p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The closest fresh water source is the Quebrada A Zumbadura (a tributary to the Río Grande de Añasco River) approximately 347 feet north of the closest parcel of project site. The closest coast is the Mona Passage, approximately 41,448 feet west of the closest parcel of the project area.</p> <p>The NWI maps shows two riverine wetlands associated with two unnamed tributaries to the Quebrada A Zumbadura. One tributary is approximately 540 feet to the northeast of the closest parcel of the project site. The tributary to the south and west of the project parcels defines, or is adjacent to, the southern boundary of the Scope of Work #2 area, and the western and southern boundaries of the Scope of Work #3 area.</p> <p>The fence construction along the banks of this tributary would include standard construction BMPs to control erosion and runoff during installation. With this mitigation the project would not impact any on- or off-site wetlands and includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. Refer to Figure 14 in <b>Appendix B</b>.</p>
<p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project is not within proximity of a National Wild and Scenic River (WSR). The distance to the nearest WSR is approximately 436,526 feet from the closest parcel of the project site. The project is in compliance with the Wild and Scenic Rivers Act. Refer to Figure 15 in <b>Appendix B</b>.</p>

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

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed project is located on a private farm. The project consists of the purchase of sheep and an ATV and the construction of three new fences. The project parcels are zoned Agricola Productivo. The proposed action is compliant with the current agricultural land use of the Project area.

Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>The property is mainly on Consumo clay (CoF2) soil with 40 to 60 percent slopes. The project area is approximately 670 feet above sea level.</p> <p>The proposed project is located in wooded terrain. The areas through which the fences will be installed range from low to extremely high for landslide susceptibility (see Figure 16 in <b>Appendix B</b>).</p> <p>There will be no human habitation associated with the fences, therefore, extensive mitigation measures will not be required, such as retaining walls or special engineering design.</p> <p>There will be little to no additional runoff associated with the project.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>During implementation of the project, construction activities may result in temporary elevation of ambient noise levels in immediate areas around active construction areas. The only nearby receptors are the residents of the farm.</p> <p>There is no access to the project area by the public.</p>
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	<p>Temporary employment of workers related to construction activities would result, but no new permanent jobs would be created as a result of this project. These workers are expected to come from the local region. However, since the project will include an economic component, it may aid in restoring some employment opportunities and increase income.</p> <p>The proposed project would not negatively impact employment or income patterns.</p>
Demographic Character Changes, Displacement	2	<p>The proposed project would not result in demographic character changes or displacement. Given the nature of the project area, no relocations or demolition of residential structures or businesses would occur as part of this project.</p>
Environmental Justice	1	<p>The project consists of the purchase of sheep and an ATV and the construction of three new fences. The proposed construction of the fences will result in temporary employment and the purchase of sheep and an ATV will result in an increase in income in the local area. The impacts would be beneficial.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. The project would not result in any change to regional or local area educational and cultural facilities or increase demand for them.
Commercial Facilities	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. The agricultural activity of the project property will improve. Other commercial facilities would not be impacted by the proposed project.
Health Care and Social Services	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. Health care and social services facilities would not be impacted by the proposed project. The project would not increase demand for health care and social services facilities.
Solid Waste Disposal / Recycling	2	Waste vegetation from the fence construction activities will either be composted on site or at regional composting centers. Any soil from the construction of the fence would be recycled on the farm as fill. Left over construction materials that could be reused on the farm (e.g., posts, fence wire) would be stored for later use. Any remaining construction solid waste materials would be collected for transport to the local landfill. The amount of impact of solid waste resulting from the construction of the proposed project would be minor. During operations, the products and by-products would be agricultural, which waste would be biodegradable.
Wastewater / Sanitary Sewers	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. The proposed project would not include any bathrooms, wastewater, or sewage facilities. Current farm conditions would remain unchanged.
Water Supply	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. Applicant has an inactive damaged well. The proposed project does not include repair of the well. The source of water for the sheep is planned to be a rainwater collection system that is not part of the application for funding. There would be no impact on water usage.

Public Safety - Police, Fire and Emergency Medical	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. The proposed project would not create any new demand for emergency or health services.
Parks, Open Space and Recreation	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. The proposed project would not create or destroy any new parks, open space, or recreational activities. It also would not increase use of those facilities.
Transportation and Accessibility	2	The proposed project would not involve the creation of new roads nor any increase in long-term traffic on existing roads. There would be some minor use of the existing road during construction. All residents and businesses would retain access to their properties during and after the project.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The proposed project will be situated on land previously used for agriculture and will have no impact to unique natural features. With the implantation of standard construction BMPs would be used to control erosion and runoff during installation of the fence, there would be no impact to surface water resources.
Vegetation, Wildlife	2	The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. The proposed project will have no impact on vegetation and wildlife.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>CLIMATE AND ENERGY</b>		
Climate Change Impacts	2	The project consists of the purchase of sheep and an ATV and the construction of three new fences. This is a small project with no measurable impact on climate change factors.  The project area is rural and does not have urban heat island effects.

		There would be no changes to the site configuration or structure that would specifically address the possibility and uncertainty of rising sea levels or the possibility of increases in rainfall intensity.  With respect to climate change impact on the project, agricultural activities could be affected by drought.
Energy Efficiency/Energy Consumption	2	The proposed project is an agricultural project that does not involve energy use. The project would not be connected to the local electricity provider. There would be no change in energy demand in the area.

**Additional Studies Performed:** None required.

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

Site inspection was conducted on April 11, 2023 by Josue Troche.

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

Puerto Rico State Historic Preservation Office

FAA, National Plan for Integrated Airport Systems:

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

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

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

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

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

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

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

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

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

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

Puerto Rico Coastal Zone Management Program Plan, September 2009.

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

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

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

None required

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

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

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

While not included in the activities proposed to be funded by HUD, the applicant has stated their intention to use a rainwater collection system to provide water for the sheep. There would be no impact on water usage.

In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the proposed project. The growth of agricultural products at the farm would change from cultivation to raising of livestock but would not increase. The project would allow more efficient processing of the agricultural products. Surface or ground water use would not increase.

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

The RGRW Program's goal is to increase agricultural capacity while promoting and increasing food security island-wide. This Program seeks to enhance and expand agricultural production related to economic revitalization and sustainable development activities. The applicant submitted a proposal to enhance and expand agricultural production on their property. The proposed use of grant funds will allow the applicant to expand the cultivation, processing, and delivery of agricultural

products through the construction of three new fences and the purchase of an ATV and sheep. Any alternative that would involve an off-property location would not enhance and expand agricultural production or allow for the economic development for this applicant. The actions are proposed in area suitable for the grazing of sheep and able to be fenced with access to existing roads. The proposed site has been previously cultivated. Alternative locations on the property would be farther from the roads and more difficult to fence.

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

Under the No Action Alternative, the applicant would not receive federal funding for the construction of three new fences and the purchase of an ATV and sheep which would inhibit the economic growth opportunity that the applicant would not otherwise have under the PRDOH Re-Grow Puerto Rico program. As a result, these owners may not be able to experience the growth needed to recover and expand their agriculture activities. A provision of the grant allows for economic development for businesses. The No-Action alternative would not allow for the economic development for this applicant.

**Summary of Findings and Conclusions:**

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

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

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

Law, Authority, or Factor	Mitigation Measure
Wetlands Protection	Standard construction BMPs would be used to control erosion and runoff during construction.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	Standard construction BMPs would be used to control erosion and runoff during construction.
Endangered Species	Train personnel to identify and avoid the Puerto Rican harlequin butterfly (all life stages) or its occupied host plant prickly bush ( <i>Oplonia spinosa</i> ) in the project areas.

Endangered Species	Train construction staff to identify and avoid the plant <i>Oplonia spinosa</i> which is used by the butterfly for egg laying and larval feeding.
Endangered Species	Work areas must be clearly delineated in the field before clearing or construction to avoid unnecessary habitat impacts. Personnel with knowledge and able to identify the Puerto Rican harlequin butterfly (all life stages) and the prickly bush, must survey the marked areas.
Endangered Species	<p>If the Puerto Rican harlequin butterfly is found on the project site, any work activity must stop in the area where the species is present. If the Puerto Rican harlequin butterfly (adult) is found flying in the area where the prickly bush is present, project-related activities must stop in this area and a 50-meter (164 feet) buffer zone of no activity or human disturbance should be established around the prickly bush until the butterfly moves out of the project site on its own.</p> <p>If the prickly bush is occupied by any life stage of the Puerto Rican harlequin butterfly, the host plant should be clearly marked with a flagging tape and a 5-meter (16.4 feet) buffer zone around the plant must be established and clearly delineated for its protection.</p> <p>Avoid cutting off the prickly bush within the project site even if no eggs, caterpillars or chrysalids are present. Works outside of the buffer zone, where no Puerto Rican harlequin butterflies are observed, may continue.</p>
Endangered Species	For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office to José Cruz-Burgos – Endangered Species Program Coordinator at <a href="mailto:Caribbean.es@fws.gov">Caribbean.es@fws.gov</a>
Endangered Species	If a Puerto Rican Boa is encountered, work will cease until it moves off the site or, failing that, the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers will be notified for safe capture and relocation of the animal.
Wetlands	Standard construction BMPs to control erosion and runoff during installation of fencing.

**Determination:**

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

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

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

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

Preparer Signature:  Date: 12/28/23

Name/Title/Organization: Clifford Jarman, Senior Environmental Scientist, Tetra Tech Inc.

Certifying Officer Signature:  Date: 3/11/2024

Name/Title: I. Lorenzo, Permits and Environmental Compliance Specialist

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

# Appendix A

## Environmental Field Observation - Puerto Rico Department of Housing

APPLICANT INFORMATION			
Application ID	PR-RGRW-01576		
Applicant Name	Milton Omar Aguilar Cerezo		
Property Address	Bo Rio Arriba Carr 108 Km.Hm 19.4		
Parcel ID	183-000-001-73, 183-00-001-84, 182-022-132-04		
Coordinates	18.2706493, -67.0521868		
Inspector Name	Josue Troche		
Inspection Date	04/11/2023		
Building Type	vacant		
Number of Units	0		
Number of Stories	0		
Year Built; Data Source	NA;		
ENVIRONMENTAL OBSERVATIONS (attach photos and notes, as necessary, for any YES answers)			
OBSERVATION ITEMS	YES	NO	COMMENTS
A. Is the structure in use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land is currently in use for growing eggplant, papaya , cassava, avocados, guanabana , plantains and oranges.
B. is structure a greenhouse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
C. Is Electricity connected?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D. Is water connected? (Utilities or Well)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1. Are there signs of <b>poor housekeeping</b> on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A small amount of construction materials, wooden pallets, and old tires used to anchor a greenhouse frame,
2. Are there any <b>55-gallon drums</b> visible on site? If yes, are they leaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	One empty barrel was noted
3. Are there any (or signs of any) <b>underground storage tanks</b> on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Are there signs of <b>ASTs</b> on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Is there any <b>stained soil or pavement</b> on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Is a water <b>drainage system</b> in use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is a warehouse in use for storage of <b>Fertilizer or Pesticides</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Are there any <b>groundwater monitoring wells</b> on the site or adjacent parcel?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Applicant stated that has a well on the property, It's not currently in use, mechanism of the water well it's damage before he bought the property.
9. Is there evidence of a <b>faulty septic system</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Is there <b>distressed vegetation</b> on the parcel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Is there any visible indication of <b>MOLD</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

12. Is there any visible evidence of <b>asbestos, chipping, flaking or peeling paint, or hazardous materials</b> present in or on the structure?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Are any <b>additional site hazards</b> observed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Is there any <b>permanent standing water</b> , such as a pond or stream, located on the site (do not include ponding from recent rain / weather events)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Located to the north side of the property with coordinates 18.2749326, -67.0553149
15. Does the subject property have <b>water frontage</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is there any indication of the presence of <b>Wetlands</b> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Are there any obvious signs of <b>animals or birds nesting</b> on or near the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. Is the applicant aware of any <b>significant historical event or persons</b> associated with the structure, or of it being located in a historic district/area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
19. Is a <b>historic marker</b> present?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Additional Notes:

Re Grow Additional Notes:  
Case: PR-RGRW-01576  
Coordinates: 18.2706493, -67.0521868

Is the field graded? For what purpose the field was graded? Month, Year field graded: Purpose: Create different areas to grow different kinds of fruits and create different spaces for the animals. The approximate time of grading of the field is January 2019.

Scope of Work:

Scope of work 1

Construction of a fence to pasture and breed sheep's an approximate of 1600ft located at 18.27049, -67.05255

Scope of work 2

Construction of a fence to pasture and breed sheep's an approximate of 1200ft located at 18.27110, -67.05420

Scope of work 3

Construction of a fence to pasture and breed sheep's an approximate of 2200ft located at 18.27234, -67.05709

Land current in use for: For growing eggplant, papaya , cassava, avocados, guanabana , plantains and oranges.

Past Land use was: empty lot

The applicant plans to do: 3 scopes of work for breeding and pasturing sheep's.

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

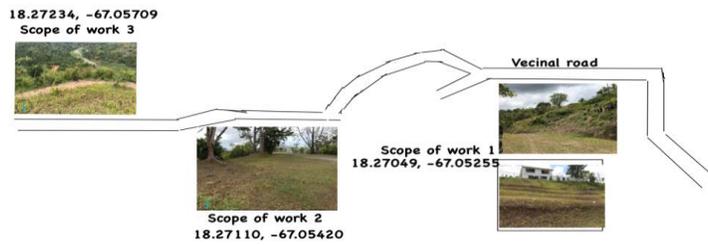
Scope of work 1: approximate of 1600ft located at 18.27049, -67.05255

Scope of work 2: approximate of 1200ft located at 18.27110, -67.05420

Scope of work 3: approximate of 2200ft located at 18.27234, -67.05709

Any new water connection or power connection?: No

## Site Sketch



**Front of Structure**

Photo Direction: West



**Facing Away From Front**

Photo Direction: East



**Side #1 of Structure**

Photo Direction: Northwest



**Facing Away From Side #1**

Photo Direction: Southeast



**Back of Structure**

Photo Direction: East



**Facing Away From Back**

Photo Direction: West



**Side #2 of Structure**

Photo Direction: Southeast



**Facing Away From Side #2**

Photo Direction: Northwest



**Streetscape #1**

Photo Direction: East



**Streetscape #2**

Photo Direction: West



Address

Photo Direction: Northwest



Outbuildings

Photo Description: Garage

Photo Direction: West



Outbuildings

Photo Description: Water tank (not in service)

Photo Direction: West



Outbuildings

Photo Description: Garage

Photo Direction: Northeast



Structural Details

Photo Description: Architectural details

Photo Direction: West



Structural Details

Photo Description: Architectural details

Photo Direction: North



Structure Occupied

Photo Description: Land in use

Photo Direction: Northwest



Groundwater Monitoring Well

Photo Description: Water tank

Photo Direction: East



Standing Water

Photo Description: River of añasco

Photo Direction: Northwest



**Scope Of Work**

Photo Description: Overview

Photo Direction: North



**Scope Of Work**

Photo Description: Scope of work 1

Photo Direction: South



**Scope Of Work**

Photo Description: Scope of work 1

Photo Direction: Northeast



**Scope Of Work**

Photo Description: Scope of work 1

Photo Direction: East



**Scope Of Work**

Photo Description: Scope of work 1

Photo Direction: South



**Scope Of Work**

Photo Description: Scope of work 1

Photo Direction: West



**Scope Of Work**

Photo Description: Scope of work 1

Photo Direction: North



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: East



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: Southwest



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: West



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: West



**Scope Of Work**

Photo Description: Scope of work 2

Photo Direction: North



**Scope Of Work**

Photo Description: Scope of work 3

Photo Direction: Northwest



**Scope Of Work**

Photo Description: Scope of work 3

Photo Direction: Southeast



**Scope Of Work**

Photo Description: Scope of work 3

Photo Direction: Northwest



**Scope Of Work**

Photo Description: Scope of work 3

Photo Direction: North



**Scope Of Work**

Photo Description: Scope of work 3

Photo Direction: Northeast



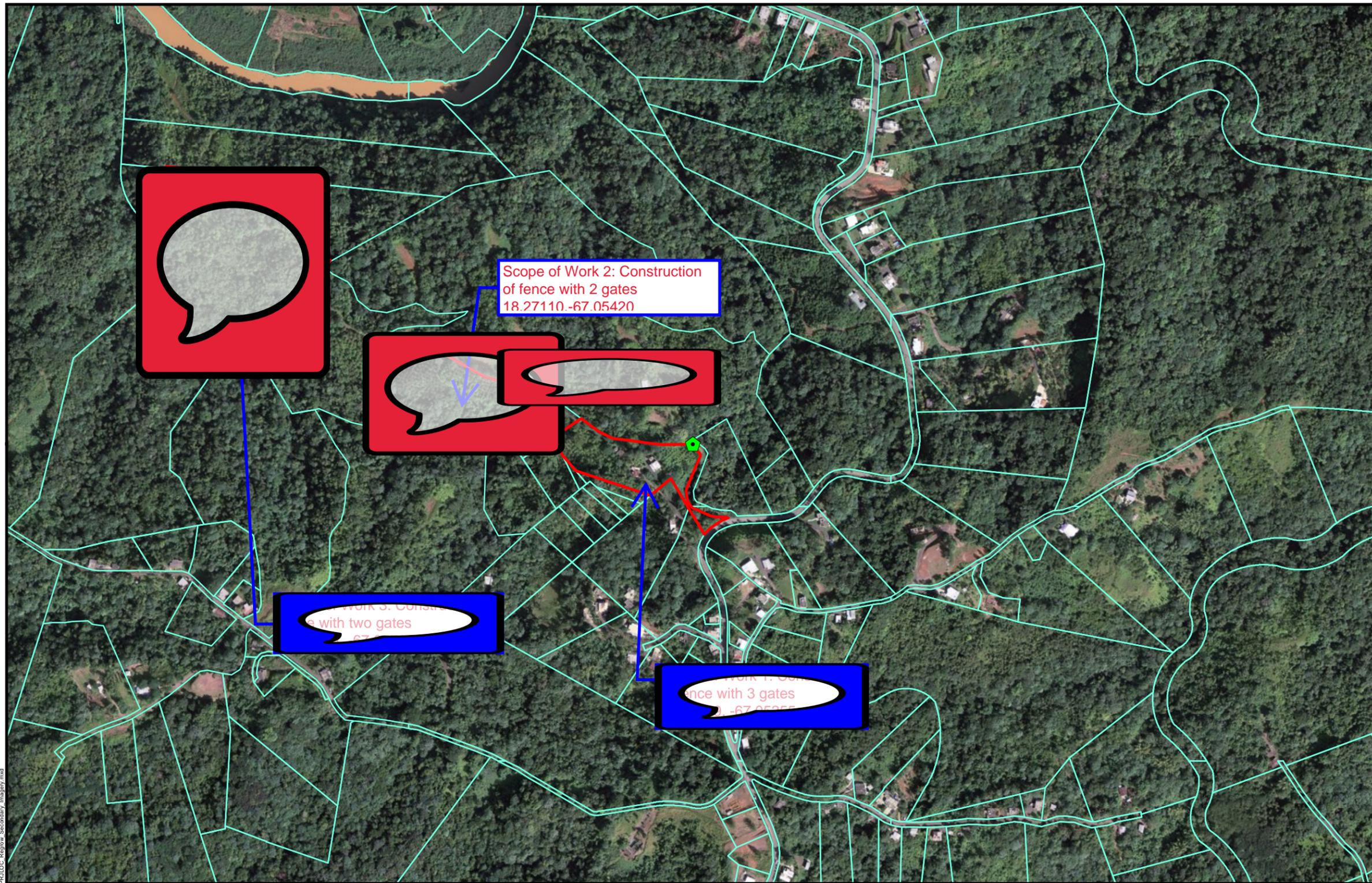
**Scope Of Work**

Photo Description: Scope of work 3

Photo Direction: North



# Appendix B



**Legend**

-  Project Parcel
-  Scope of Work 1
-  Scope of Work 2
-  Scope of Work 3
-  Parcels

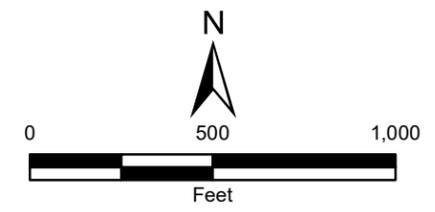
**PUERTO RICO**



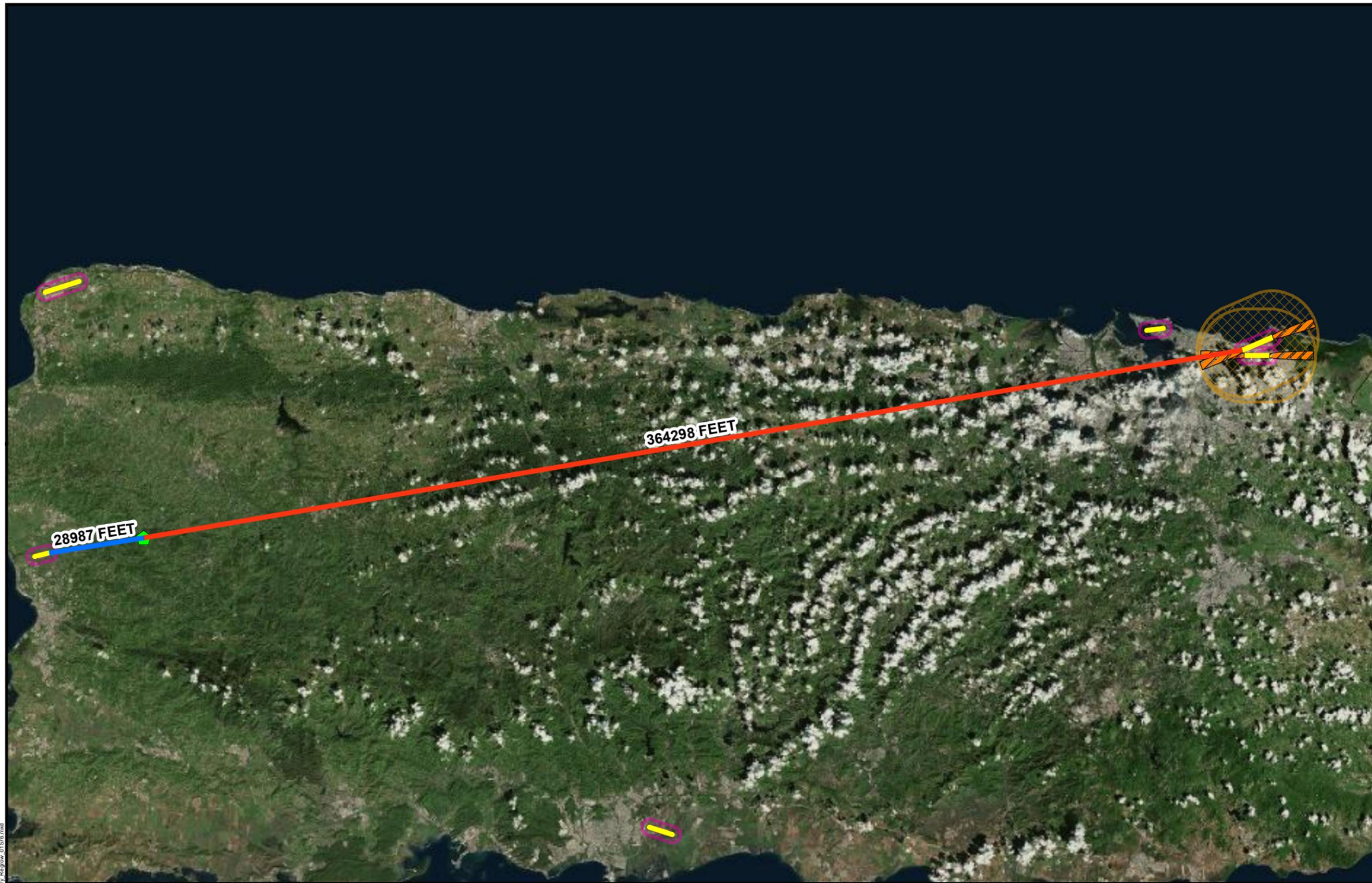
**Figure 1: PROJECT LOCATION**



Source: CRIM  
<https://catastro.crimpr.net/cdprpc/>  
 Author: TG Date: 12/27/2023



File Path: \\sala20\gis\CDPR\Acceso\Shane\TDR\Datos\USPRT\Fig\PR\LOC\_Resprow\_Secondary\_Imagenr.mxd



**Legend**

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

**Distance to Nearest Airport  
in Feet: 28987**

**PUERTO RICO**



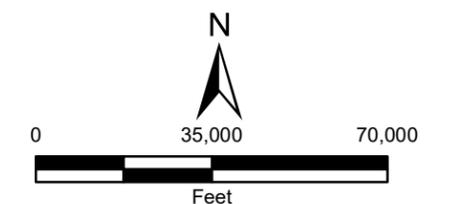
**Figure 2: AIRPORT ZONES  
APPLICANT ID: PR-RGRW-01576**

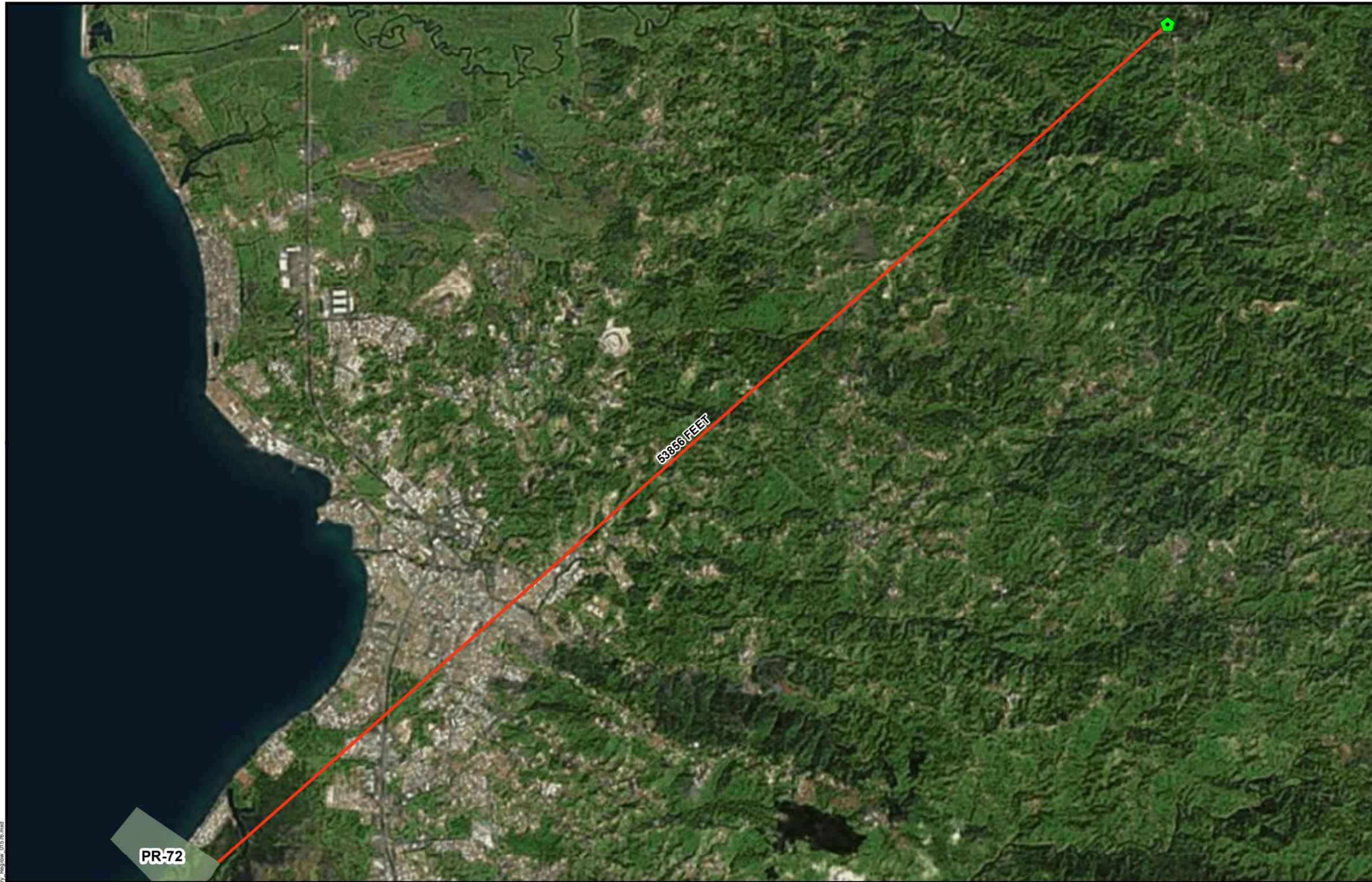
**ADDRESS:** Bo Rio Arriba Carr 108 Km.Hm 19.4, Aillasco, PR 00610  
**Name of Development:** Milton Omar Aguilar Cerezo  
**Parcel Coordinates:** 18.270649, -67.052186



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

Author: TG Date: 10/26/2023





**Legend**

◆ Project Parcel

**Coastal Barrier Resources System Boundary**

**Unit**

■ PR-72

Distance to Nearest Coastal Barrier Resources System in Feet:  
53856

**PUERTO RICO**



File Path: Z:\data\USFWS\PR\CBRS\Secondary\_Imagery\_Regrow\_01576.mxd



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

Author: TG

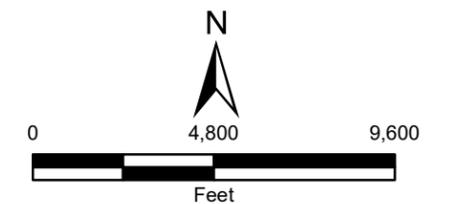
Date: 10/26/2023

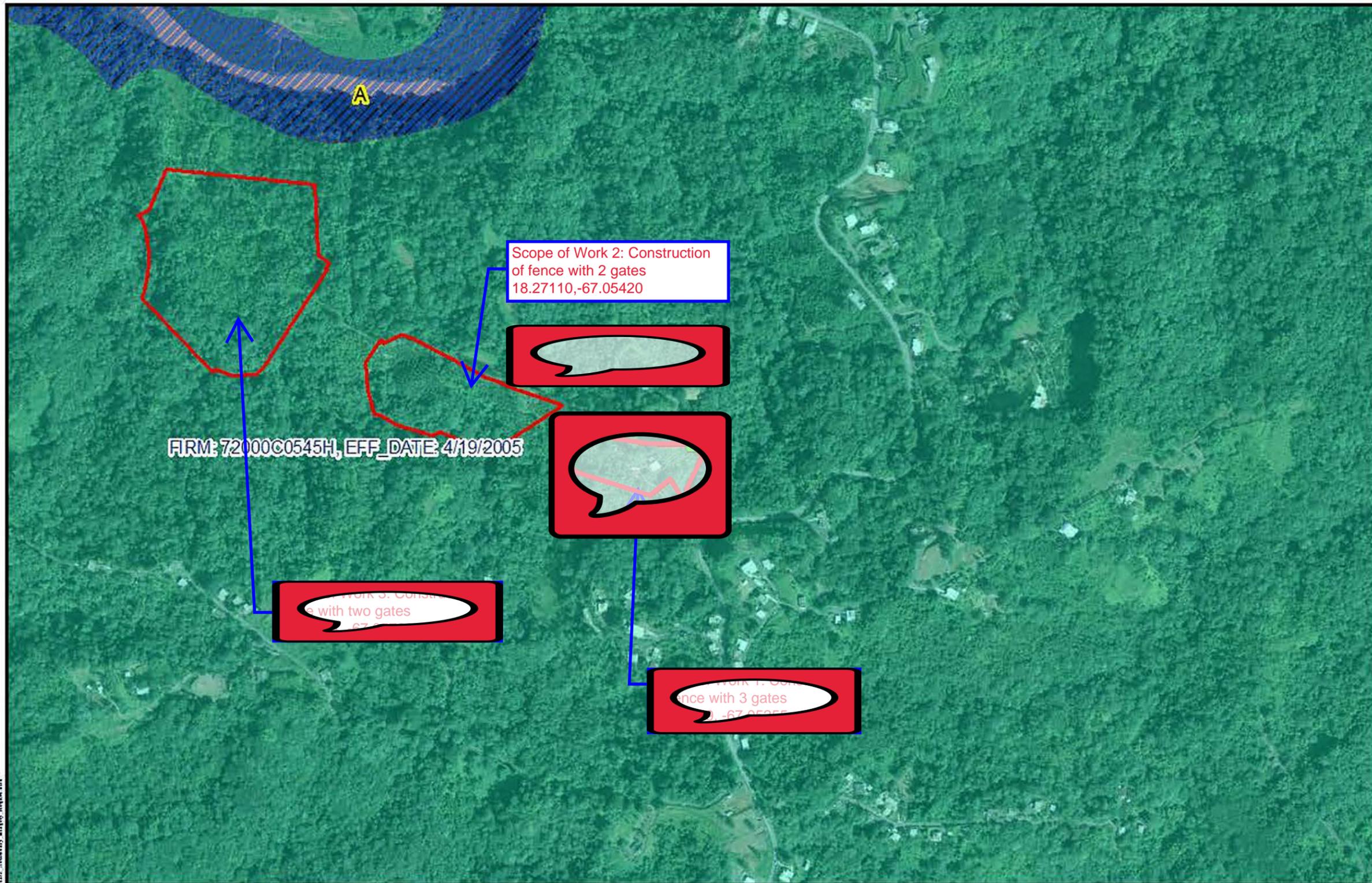
**Figure 3: COASTAL BARRIERS IMPROVEMENT ACT**  
**APPLICANT ID: PR-RGRW-01576**

**ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, Anasco, PR 00610**

Name of Development: Milton Omar Aguilar Cerezo

Parcel Coordinates: 18.270649, -67.052186





**Legend**

-  Project Parcel
-  Scope of Work 1
-  Scope of Work 2
-  Scope of Work 3
-  FIRM Panels
-  Floodway
-  100 Yr Floodzone
-  500 Yr Floodzone
-  Area Of Minimal Flood Hazard
-  Unmapped for Floodplain

**PUERTO RICO**



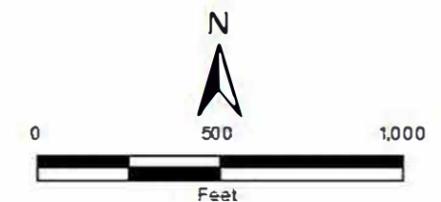
**Figure 4: FLOODPLAIN MANAGEMENT  
APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, PR 00610  
 Name of Development: Milton Omar Aguilar Cerezo  
 Parcel Coordinates: 18.270649, -67.052186



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

Author: TS Date: 6/29/2023



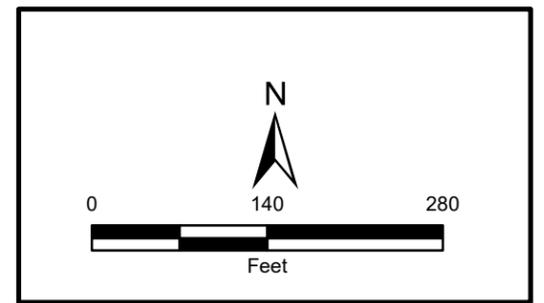


**Legend**

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

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



**FIGURE 5: NATIONAL FLOOD HAZARD LAYER FIRMETTE**

**APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, Añasco, PR 00610

Name of Development: Milton Omar Aguilar Cerezo

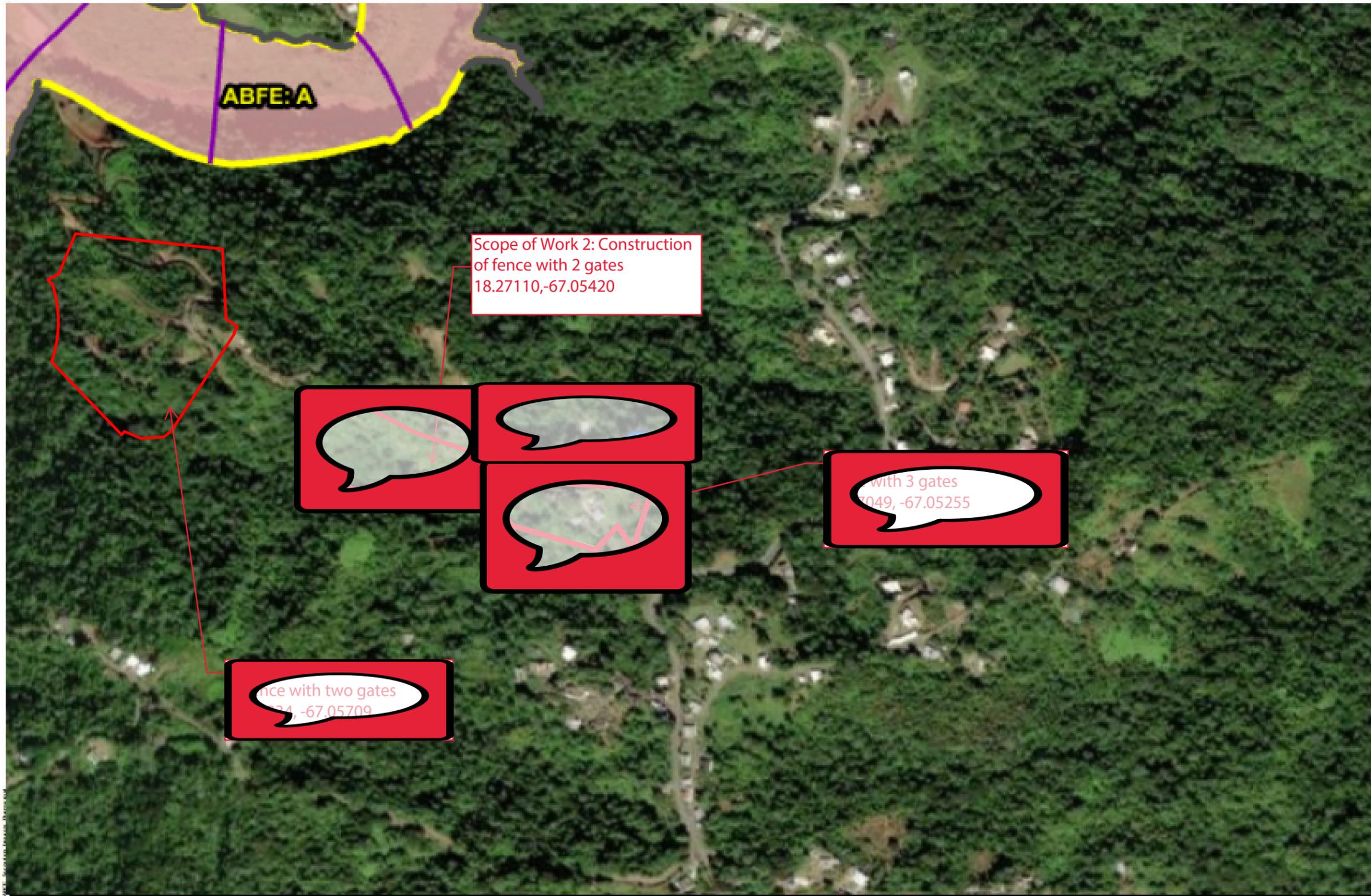
Parcel Coordinates: 18.270649 , -67.052186



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

Author: TG Date: 5/31/2023

File Path: \\sala20\gis\GIS\CDR\PR\Acc\GIS\SHAPE\PR\LOC\_Regrow\_Secondary\_Imagery.mxd



- Legend
- PuertoRico\_ABFE\_1PCT
    - Advisory Base Flood Elevation (zoom in to make visible)
  - Flood Hazard Boundary (zoom in to make visible)
    - Limit of Moderate Wave Action (LIMWA)
  - Flood Hazard Extent
    - 1% Annual Chance Flood
    - 0.2% Annual Chance Flood
  - Zone/BFE Boundary
  - Flood Hazard Area (zoom in to make visible)
    - Flood Hazard Zone
      - A
      - AO
      - AE
      - Coastal A Zone
      - VE
      - X 0.2% Annual Chance Flood
      - A-Floodway
      - AE-Floodway
      - Coastal A Zone and Floodway



**Figure 6: ADVISORY BASE FLOOD ELEVATION**  
**APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, Añasco, PR 00610

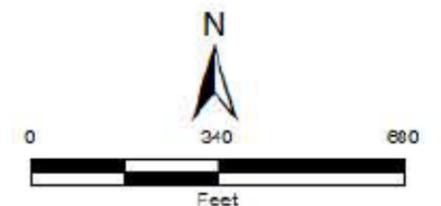
Name of Development: Milton Omar Aguilar Cerezo

Parcel Coordinates :18.270649 , -67.052186



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

Author: TG Date: 6/7/2023





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

Distance to Nearest Coastal Zone:  
35534 FEET

**PUERTO RICO**



**Figure 7: COASTAL ZONE MANAGEMENT  
APPLICANT ID: PR-RGRW-01576**

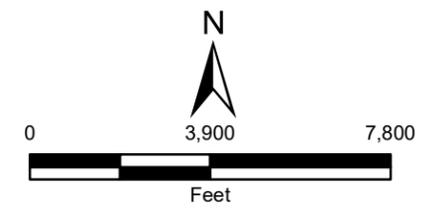
**ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, Aiasco, PR 00610**

Name of Development: Milton Omar Aguilar Cerezo  
Parcel Coordinates: 18.270649, -67.052186

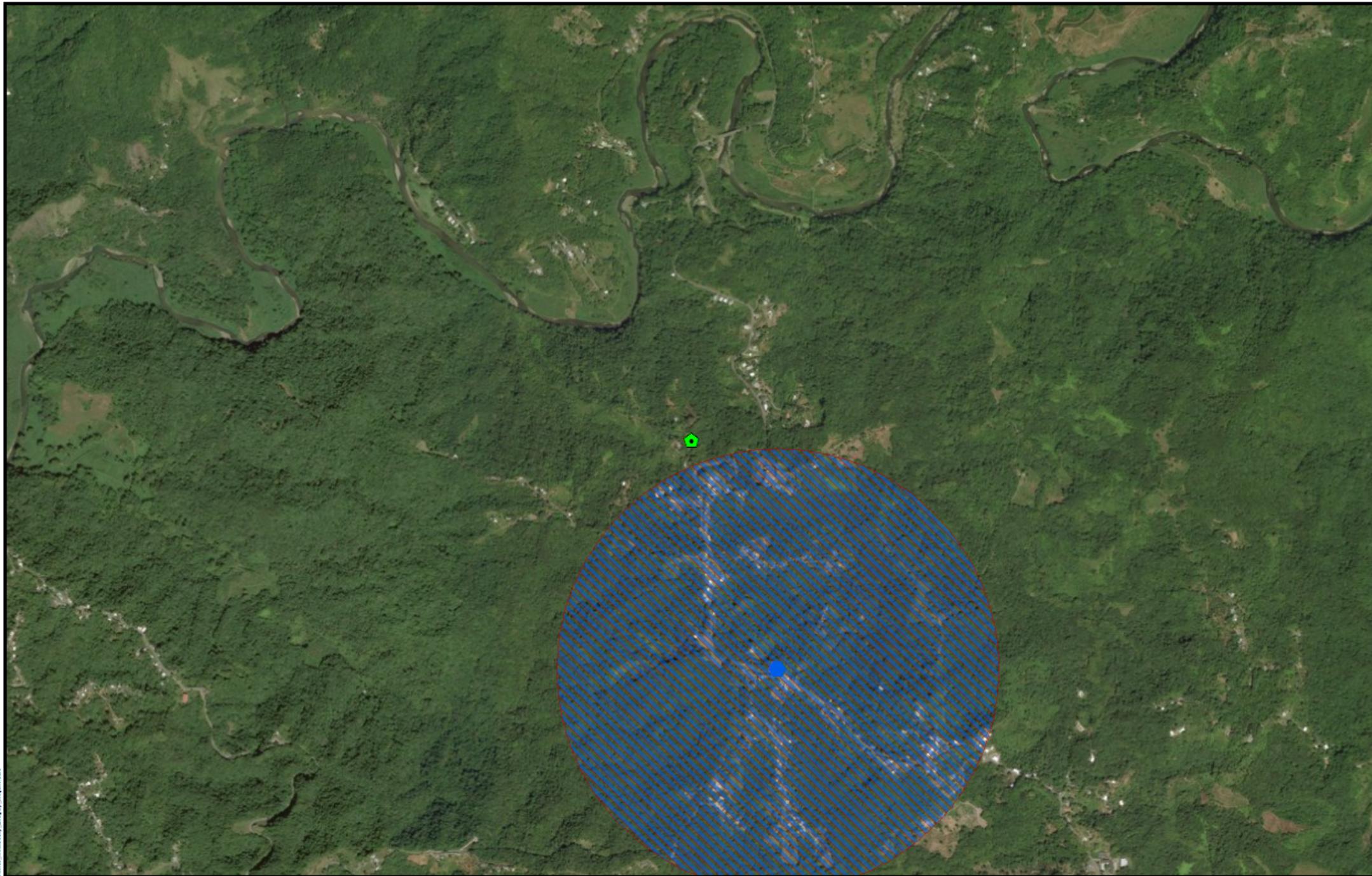


Source: NOAA's Ocean Service  
<https://data.noaa.gov>

Author: TG Date: 10/26/2023



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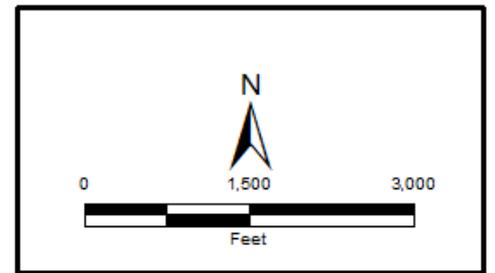
- Legend**
- RCRA
  - ⬠ Project Parcel
  - ▲ Toxic Release Inventory Site
  - Superfund Site
  - Brownfield Sites
  - 3000 Ft Buffer TRI
  - 3000 Ft Buffer Superfund
  - 3000 Ft Buffer RCRA
  - 3000 Ft Buffer Brownfield

**PUERTO RICO**



**Figure 8: TOXIC CHEMICALS AND GASES, HAZARDOUS MATERIALS,  
CONTAMINATION, AND RADIOACTIVE SUBSTANCES  
APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, Añasco, PR 00610  
 Name of Development: Milton Omar Aguilar Cerezo  
 Parcel Coordinates: 18.270649, -67.052186

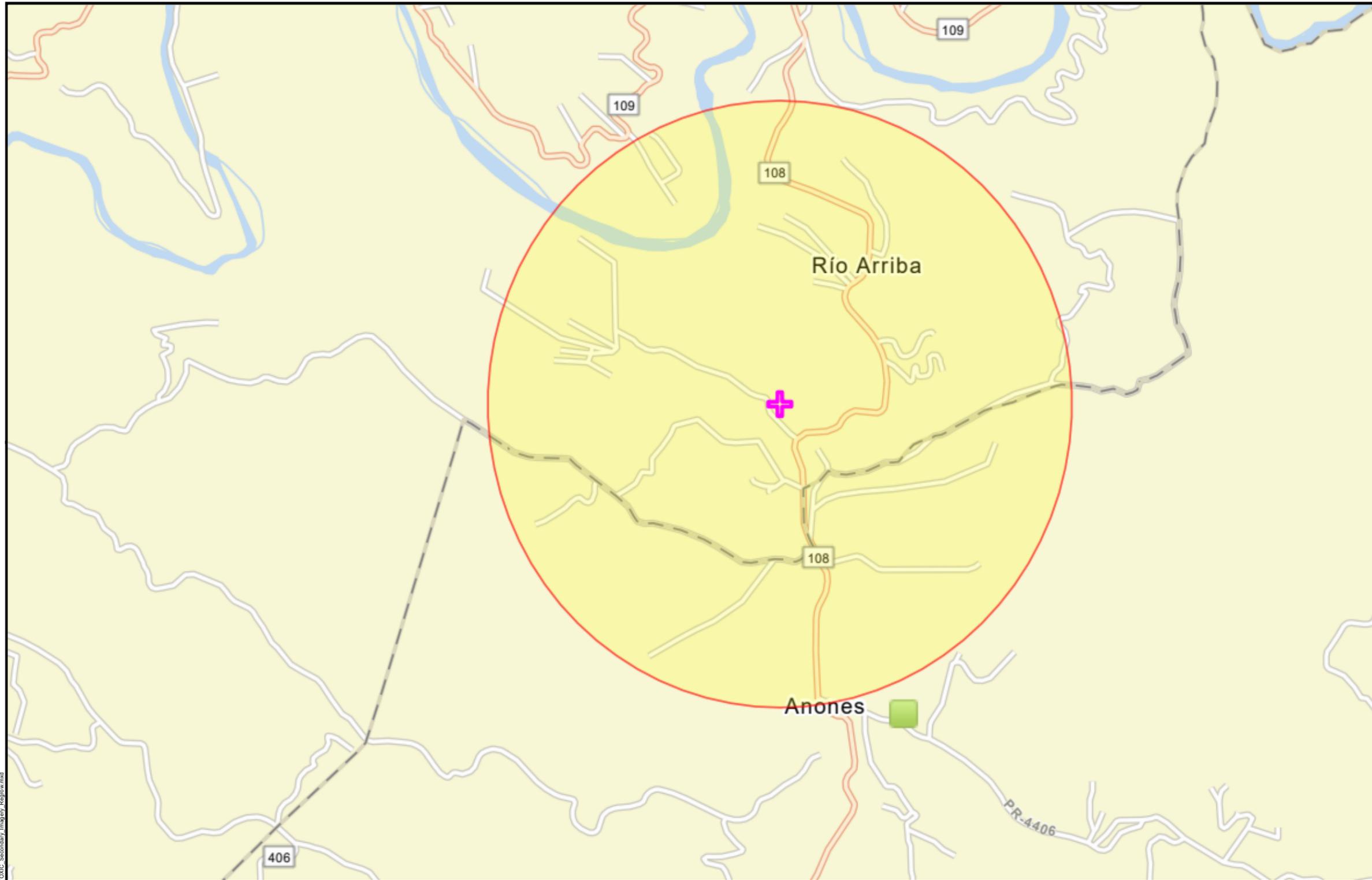


Source: E.P.A.

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

Author: JBI/AK Date: 6/1/2023

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**Legend**

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

**PUERTO RICO**



**Figure 9: NEPA Assist Map**

**APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, Añasco, PR 00610

Name of Development: Milton Omar Aguilar Cerezo

Parcel Coordinates: 18.270649 , -67.052186

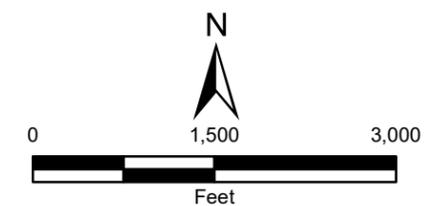


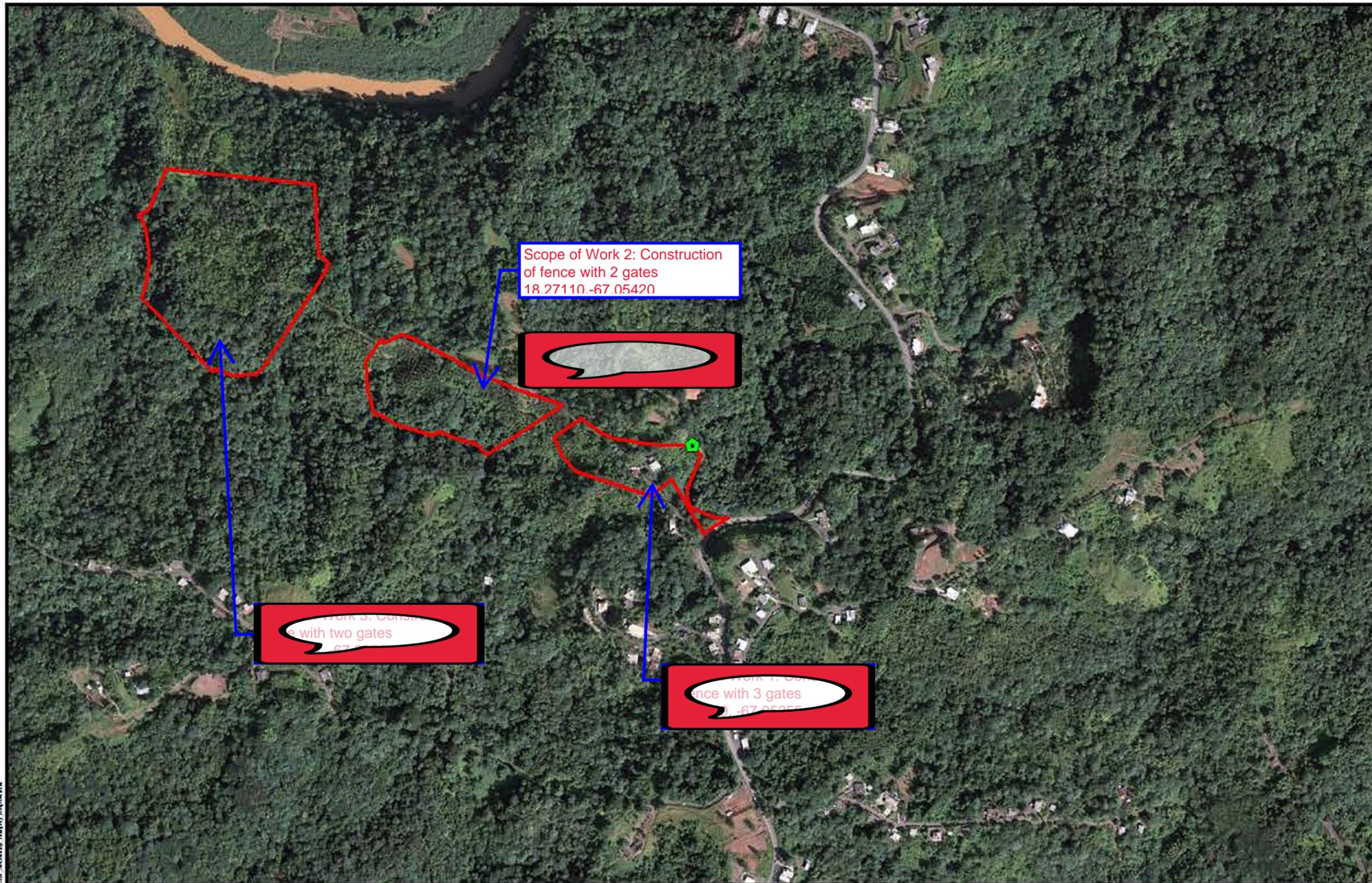
Source: E.P.A.

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

Author: JB/AK

Date: 5/18/2023





- Legend**
- Project Parcel
  - Scope of Work 1
  - Scope of Work 2
  - Scope of Work 3
  - Area of Critical Habitat

**PUERTO RICO**



**Figure 10: ENDANGERED SPECIES ACT**

**APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, PR 00610

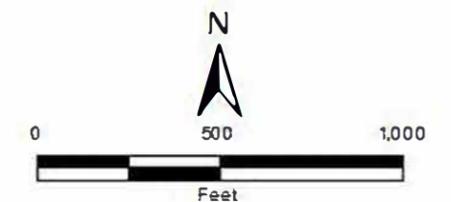
Name of Development: Milton Omar Aguilar Cerezo

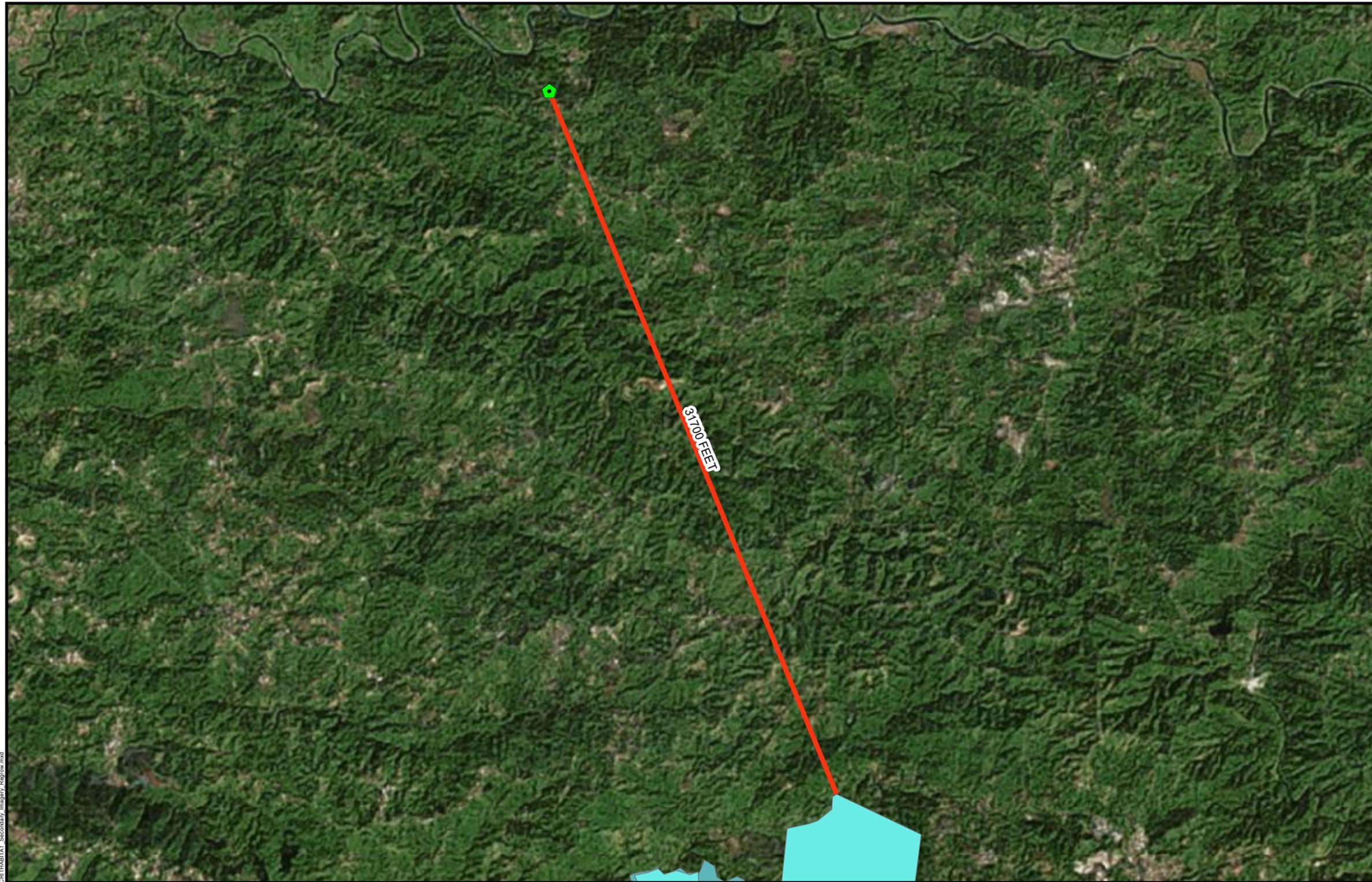
Parcel Coordinates: 18.270649, -67.052186



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

Author: TG Date: 6/29/2023





**Legend**

- ◆ Project Parcel
- comname**
- Elfin-woods warbler
- Puerto Rico harlequin butterfly

Distance to Nearest Critical Habitat in Feet: 31700 FEET

**PUERTO RICO**



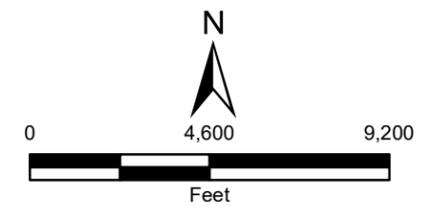
**Figure 11: CRITICAL HABITATS**  
**APPLICANT ID: PR-RGRW-01576**

**ADDRESS:** Bo Rio Arriba Carr 108 Km.Hm 19.4, Añasco, PR 00610  
 Name of Development: Milton Omar Aguilar Cerezo  
 Parcel Coordinates: 18.270649, -67.052186

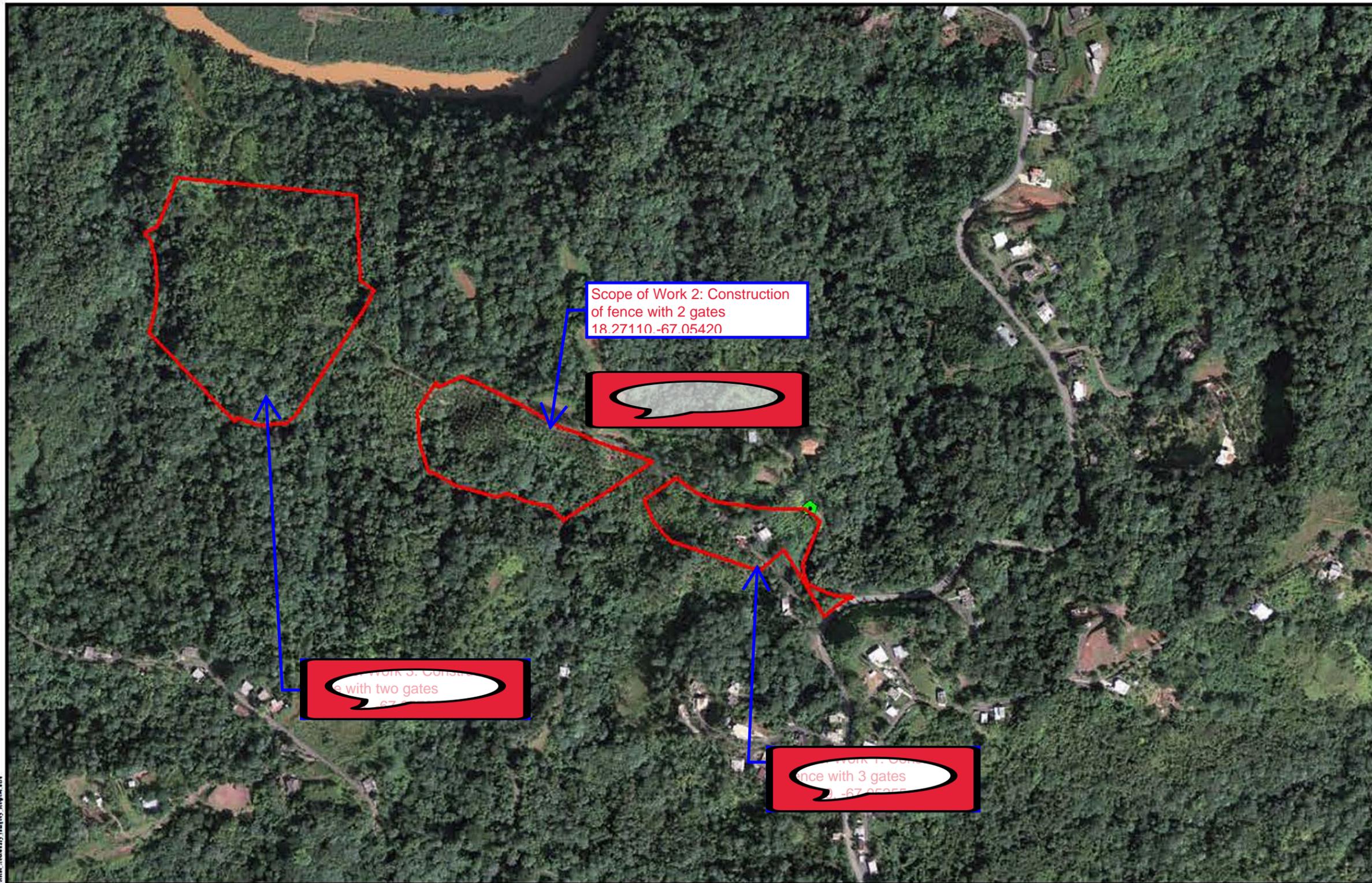


Source: U.S. FISH & WILDLIFE SERVICE  
<https://ecos.fws.gov>

Author: TG Date: 6/1/2023



File Path: \\nas202\gis\GIS\CDR\Access\Share\DR\Data\USPR\Fig\CRITICALHABITATS\_Secondary\_Imagery\_Reproj.mxd



- Legend**
- Project Parcel
  - Farm Class**
  - All areas are prime farmland
  - Farmland of statewide importance
  - Farmland of statewide importance, if irrigated
  - Prime farmland if drained
  - Prime farmland if irrigated
  - Prime farmland if irrigated and reclaimed of excess salts and sodium
  - Prime farmland if protected from flooding or not frequently flooded during the growing season
  - Scope of Work 1
  - Scope of Work 2
  - Scope of Work 3

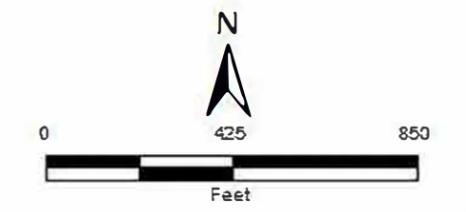
**PUERTO RICO**



Source: USDA  
<https://websoilsurvey.sc.egov.usda.gov>  
 Author: TG Date: 6/29/2023

**Figure 12: FARMLAND PROTECTION**  
**APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, PR 00610  
 Name of Development: Milton Omar Aguilar Cerezo  
 Parcel Coordinates: 18.270649, -67.052186





**Legend**

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

**PUERTO RICO**



**Figure 13: HISTORIC PRESERVATION**  
**APPLICANT ID: PR-RGRW-01576**

**ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, PR 00610**

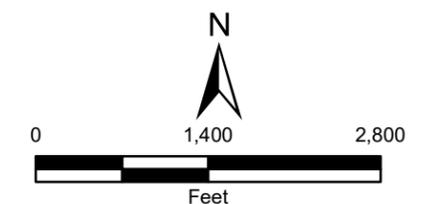
Name of Development:

Parcel Coordinates: 18.270649, -67.052186



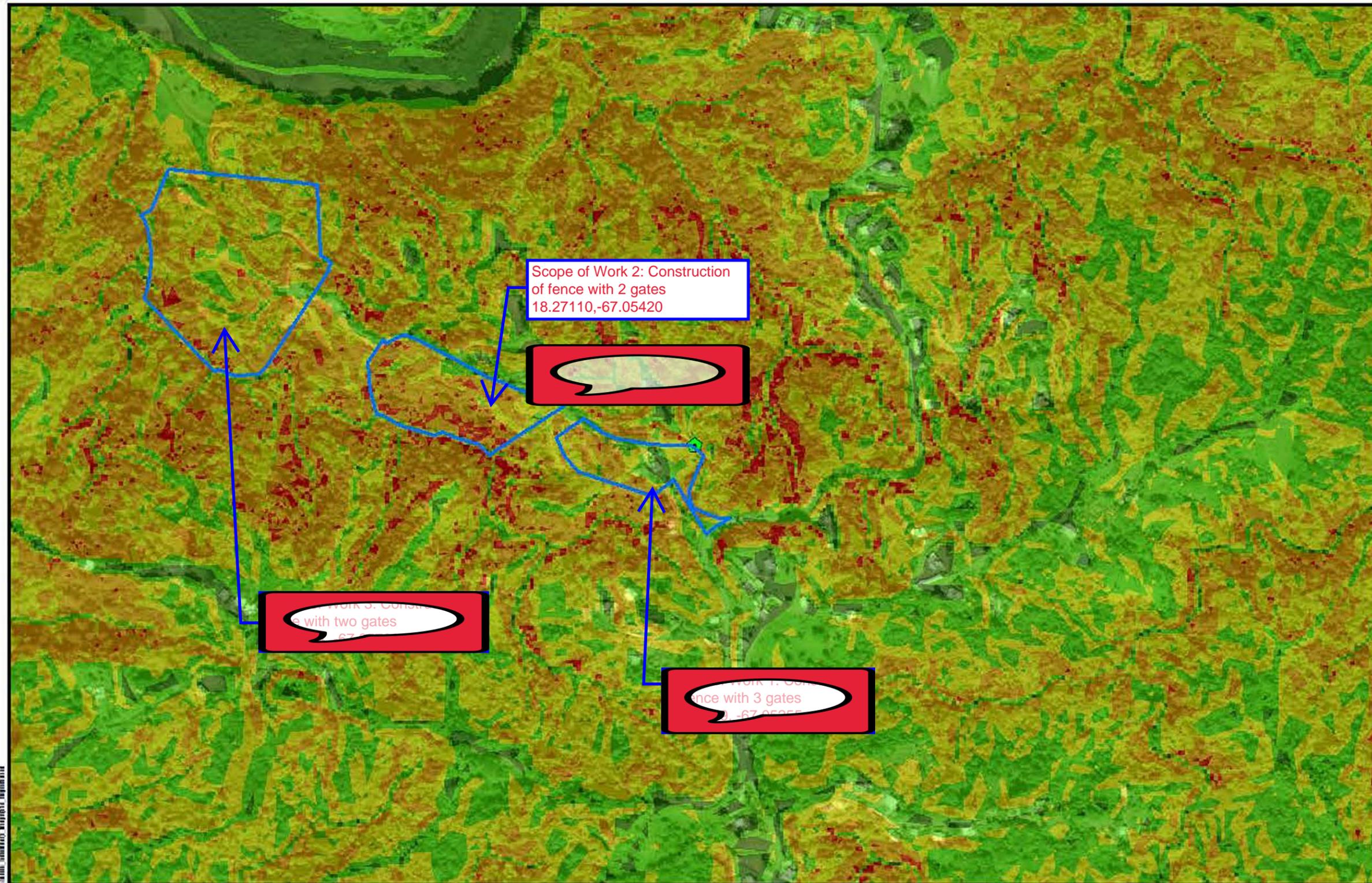
Source: National Park Service  
<https://www.nps.gov/>

Author: TG Date: 10/23/2023









- Legend**
- Project Parcel
  - Scope of Work 1
  - Scope of Work 2
  - Scope of Work 3
- Landslide Susceptibility**
- Extremely High
  - Very High
  - High
  - Moderate
  - Low

Scope of Work 2: Construction of fence with 2 gates  
18.27110, -67.05420

Scope of Work 3: Construction of fence with two gates  
18.270649, -67.052186

Scope of Work 1: Construction of fence with 3 gates  
18.270649, -67.052186

**PUERTO RICO**

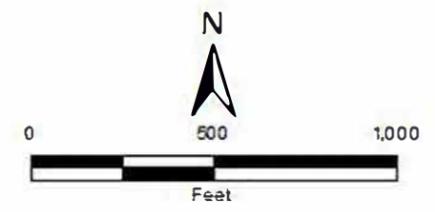


**Figure 16: SLOPE AND EROSION  
APPLICANT ID: PR-RGRW-01576**

ADDRESS: Bo Rio Arriba Carr 108 Km.Hm 19.4, PR 00610

Name of Development: Milton Omar Aguilar Cerezo

Parcel Coordinates: 18.270649, -67.052186



Source: PRCORP  
 Date: 7/6/2023  
 Author: TC

# Appendix C

**Green Book** [Contact Us](#)

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

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

Data is current as of May 31, 2023

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

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

**Change the State:**

[Important Notes](#) Download National Dataset: [dbf](#) | [xls](#) | [Data dictionary \(PDF\)](#)

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/Part County	Population (2010)	State/County FIPS Codes
<b>PUERTO RICO</b>								
Arecibo Municipio	Lead (2008)	Arecibo, PR	11 12 13 14 15 16 17 18 19 20 21 22 23	//		Part	32,185	72/013
Bayamon Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	22,921	72/021
Catano Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10 (1987)	Mun. of Guaynabo, PR	92 93 94 95 96 97 98 99 00 01 02 03 04 05 06 07 08 09	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	23,802	72/061
Salinas Municipio	Sulfur Dioxide (2010)	Guayama-Salinas, PR	18 19 20 21 22 23	//		Part	23,401	72/123
San Juan Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	147,963	72/127
Toa Baja Municipio	Sulfur Dioxide (2010)	San Juan, PR	18 19 20 21 22 23	//		Part	52,441	72/137

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# Detailed Facility Report



# Detailed Facility Report

## Facility Summary

SU LAURO GONZALEZ

PR-406 KM 4 BO ANONES, LAS MARIAS, PR 00670 

FRS (Facility Registry Service) ID: 110004891341

EPA Region: 02

Latitude: 18.262062

Longitude: -67.04884

Locational Data Source: RCRAINFO

Industries: --

Indian Country: N

## Enforcement and Compliance Summary

Statute	RCRA
Compliance Monitoring Activities (5 years)	–
Date of Last Compliance Monitoring Activity	–
Compliance Status	No Violation Identified
Qtrs in Noncompliance (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	–
Formal Enforcement Actions (5 years)	–
Penalties from Formal Enforcement Actions (5 years)	–
EPA Cases (5 years)	–
Penalties from EPA Cases (5 years)	–

## Regulatory Information

**Clean Air Act (CAA):** No Information

**Clean Water Act (CWA):** No Information

**Resource Conservation and Recovery Act (RCRA):** Inactive Other, (PRR000000133)

**Safe Drinking Water Act (SDWA):** No Information

Go To Enforcement/Compliance Details

Known Data Problems <<https://epa.gov/resources/echo-data/known-data-problems>>

## Other Regulatory Reports

**Air Emissions Inventory (EIS):** No Information

**Greenhouse Gas Emissions (eGGRT):** No Information

**Toxic Releases (TRI):** No Information

**Compliance and Emissions Data Reporting Interface (CEDRI):** No Information

## Facility/System Characteristics

### Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Area	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110004891341					N	18.262062	-67.04884
RCRAInfo	RCRA	PRR000000133	Other	Inactive ( )			N	18.262062	-67.04884

## Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110004891341	SU LAURO GONZALEZ	PR-406 KM 4 BO ANONES, LAS MARIAS, PR 00670	Las Marías Municipio
RCRAInfo	RCRA	PRR000000133	DEPT OF ED - LAURO GONZALEZ SCH	CARR 406 KM 4 - BO ANONES, LAS MARIAS, PR 00670	Las Marías Municipio

## Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

## Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

## Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

## Enforcement and Compliance

### Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted as EPA official inspections.

## Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	PRR000000133	No	10/21/2023	0	10/20/2023

## Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
RCRA (Source ID: PRR000000133)		01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-03/31/23	04/01-06/30/23	07/01-09/30/23	10/01-12/31/23
	Facility-Level Status	No Violation Identified											
	Violation												
	Agency												

## Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

## Formal Enforcement Actions Last 5 Years

State System Law/Section Source ID Type of Action Case No. Lead Agency Case Name Issued/Filed Date Settlements/Actions Settlement/Action Date Federal Penalty Assessed State/Local Penalty Assessed Penalty Amount Collected SEA Value Comp. Action Cost

No data records returned

## Environmental Conditions

### Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database)) WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database)) State Water Body Name (ICIS (Integrated Compliance Information System)) Beach Closures Within Last Year Beach Closures Within Last Two Years Pollutants Potentially Related to Impairment Watershed with ESA (Endangered Species Act)-listed Aquatic Species?

No data records returned

### Assessed Waters From Latest State Submission (ATTAINS)

State Report Cycle Assessment Unit Assessment Unit Name Water Condition Cause Groups Impaired Drinking Water Use Ecological Use Fish Consumption Use Recreation Use Other Use

No data records returned

### Air Quality Nonattainment Areas

Pollutant Within Nonattainment Status Area? Nonattainment Status Applicable Standard(s) Within Maintenance Status Area? Maintenance Status Applicable Standard(s)

No data records returned

## Pollutants

### Toxics Release Inventory History of Reported Chemicals Released or Transferred in Pounds per Year at Site

TRI Facility ID Year Air Emissions Surface Water Discharges Off-Site Transfers to POTWs (Publicly Owned Treatment Works) Underground Injections Disposal to Land Total On-Site Releases Total Off-Site Transfers

No data records returned

### Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

### CWA (Clean Water Act) Discharge Monitoring Report (DMR) Pollutant Loadings

DMR and TRI Multi-Year Loading Report

NPDES ID Description

No data records returned

## Community

### Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

#### EJScreen Indexes Shown

Compare to  US  State

Index Type  Environmental Justice  Supplemental

#### Related Reports

EJScreen Community Report

Facility 1-mile Radius  Facility Census Block Group

Download Data

Census Block Group ID: 720839599001      US (Percentile)

Supplemental Indexes	Facility Census Block Group	1-mile Max
Count of Indexes At or Above 80th Percentile	5	5
Particulate Matter 2.5	–	–
Ozone	–	–
Diesel Particulate Matter	5	10
Air Toxics Cancer Risk	54	54



Supplemental Indexes	US (Percentile)	
	Facility Census Block Group	1-mile Max
Air Toxics Respiratory Hazard Index	37	38
Toxic Releases to Air	96	99
Traffic Proximity	58	58
Lead Paint	90	90
Risk Management Plan (RMP) Facility Proximity	82	82
Hazardous Waste Proximity	65	81
Superfund Proximity	96	97
Underground Storage Tanks (UST)	0	-
Wastewater Discharge	91	97



## Demographic Profile of Surrounding Area (1-Mile Radius)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2017 - 2021 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary <<https://epa.gov/help/reports/dfr-data-dictionary#demographic>>.

General Statistics (U.S. Census)	
Total Persons	630
Population Density	204/sq.mi.
Housing Units in Area	253

General Statistics (ACS (American Community Survey))	
Total Persons	435
Percent People of Color	100%
Households in Area	142
Households on Public Assistance	6
Persons With Low Income	338
Percent With Low Income	80%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	18.262062
Center Longitude	-67.04884
Land Area	100%
Water Area	0%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than \$15,000	75 (52.82%)
\$15,000 - \$25,000	22 (15.49%)
\$25,000 - \$50,000	36 (25.35%)
\$50,000 - \$75,000	2 (1.41%)
Greater than \$75,000	7 (4.93%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	40 (6%)
Minors 17 years and younger	156 (25%)
Adults 18 years and older	474 (75%)
Seniors 65 years and older	93 (15%)

Race Breakdown (U.S. Census) - Persons (%)	
White	550 (87%)
African-American	34 (5%)
Hispanic-Origin	624 (99%)
Asian/Pacific Islander	0 (0%)
American Indian	5 (1%)
Other/Multiracial	42 (7%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	150 (42.86%)
9th through 12th Grade	28 (8%)
High School Diploma	109 (31.14%)
Some College/2-year	6 (1.71%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	41 (11.71%)



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# RCRAInfo Facility

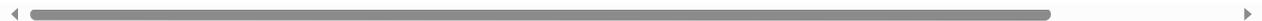
## Facility Information

**DEPT OF ED - LAURO GONZALEZ SCH**  
**Handler ID: PRR000000133**  
**CARR 406 KM 4 - BO ANONES**  
**LAS MARIAS, PR 00670**  
**County Name: LAS MARIAS**  
**Latitude: 18.262062**  
**Latitude: -67.04884**  
**Hazardous Waste Generator:**  
**Owner Name: DEPARTMENT OF EDUCATION**

**No Biennial Report data is available for the facility listed above.**

## LIST OF FACILITY CONTACTS

NAME	STREET	CITY	STATE	ZIP CODE	PHONE
	PO BOX 759	SAN JUAN	PR	00936-0759	
	PO BOX 759	SAN JUAN	PR	00936-0759	



**HANDLER / FACILITY CLASSIFICATION**

**Unspecified Universe for the facility listed above.**

**HANDLER TYPE**

---

Not in a universe

---

**NO PROCESS INFORMATION IS AVAILABLE FOR THE FACILITY LISTED ABOVE.**

**No NAICS Codes are available for the facility listed above.**

**No Waste Codes are available for the facility listed above.**



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Last updated on October 12, 2023

# Appendix D



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
Bayamón | Mayagüez | Maricao | Rio Grande | St Croix  
P.O. Box 491  
Boquerón, Puerto Rico 00622



In Reply Refer to:  
FWS/R4/CESFO/72011-Gen

Submitted Via Electronic Mail: [jcperez@vivienda.pr.gov](mailto:jcperez@vivienda.pr.gov)

Juan Carlos Pérez-Bofill, PE, MEng.  
Director – Disaster Recovery CDBG-DR Program  
Puerto Rico Department of Housing  
P.O. Box 21365  
San Juan, P.R 00928-1365

Re: CDBG-DR PR-RGRW-01576 Milton O.  
Aguilar Cerezo, Añasco, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated November 06, 2023, requesting comments on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) on behalf of Milton O. Aguilar Cerezo (the Applicant) is proposing the construction of a three fence line with a ground disturbance of approximately 2 feet (no tree removal is expected). The project will be located at PR-108 Km. 19.4, Río Arriba Ward in the municipality of Manatí, Puerto Rico. The proposed activities consist of the construction of three fences:

- Fence # 1: 1, 600 feet long (18°16'13.8"N 67°03'09.2"W)
- Fence # 2 to pasture and breed sheep: 1,200 feet (18°16'16.0"N 67°03'15.1"W)
- Fence # 3 to pasture and breed sheep: 2, 200 feet (18°16'20.4"N 67°03'25.2"W)

Using the Information for Planning and Consultation (IPaC) system the proponent has determined that the proposed project lies within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

Based on the nature of the project vegetation will have to be removed to construct the fence line through the proposed areas. However, since the land is currently used for agricultural purposes, the proponent has determined that the proposed project may affect, but is not likely to adversely affect

(NLAA) the Puerto Rican boa and Puerto Rican harlequin butterfly. Nevertheless, during the vegetation removal best practices and conservation measures should be followed in accordance.

We have reviewed the information provided in your letter and our files and concur with your determination that the proposed project may affect but is not likely to adversely affect the Puerto Rican harlequin butterfly and Puerto Rican boa.

As per the conservation recommendations, please note that if a Puerto Rican boa is encountered during the project activities, it should not be captured. If a boa needs to be moved out of harm's way, the Puerto Rico Department of Natural and Environmental Resources (PRDNER) should be contacted for safe capture and relocation of the animal. If immediate relocation is not an option, project-related activities in the area where the boa is found must stop until it moves out of harm's way on its own.

Also, please be aware that the Puerto Rican harlequin butterfly measures were amended to clarify how they are appropriately applied. Therefore, the Service recommends the applicant to adopt the implementation of the below updated conservation measures for the proposed actions.

1. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly or its occupied host plant "prickly bush" (*Oplonia spinosa*) in the project areas. A pre-work meeting should inform all project personnel about the need to avoid harming this butterfly and its occupied host plant. Educational material (e.g., posters, flyers or signs with photos or illustrations of all the life stages of the Puerto Rican harlequin butterfly (i.e., eggs, caterpillar, chrysalids and adult, and its host plant) should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the contractor must clearly delineate the boundaries of the working area in the field to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the Puerto Rican harlequin butterfly (all life stages) and the "prickly bush" must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the Puerto Rican harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the "prickly bush" is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalids are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the Puerto Rican harlequin butterfly is observed flying in that same area. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the Puerto Rican harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of any eggs, caterpillars, or chrysalids of the butterfly on the plant. The

contractor or the Applicant should send a report of the observation and its findings to [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov) after the 36-hour search is concluded.

7. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions:
  - Clearly mark the host plant with flagging tape.
  - Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
  - Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
  - Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.
8. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office at [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov).
9. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are:
  - José Cruz-Burgos, Endangered Species Coordinator:
    - Mobile: 305-304-1386
    - Office phone: 786-244-0081
    - Office Direct Line: 939-320-3120
    - Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)
  - Carlos Pacheco, Fish and Wildlife Biologist:
    - Mobile: 786-847-5951
    - Office Direct Line: 939-320-3113
    - Email: [carlos\\_pacheco@fws.gov](mailto:carlos_pacheco@fws.gov)

In view of this, we believe that requirements of section 7 of the Endangered Species Act (Act) have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact us via email at [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov) or by phone at (786) 244-0081.

Sincerely yours,

**EDWIN MUNIZ**

Edwin E. Muñoz  
Field Supervisor

Digitally signed by EDWIN  
MUNIZ  
Date: 2023.11.29 06:37:54  
-04'00'

# Appendix E



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

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

June 20, 2023

**Lauren Bair Poche**

HORNE- Architectural Historian Manager  
10000 Perkins Rowe, Suite 610 Bldg G  
Baton Rouge, LA 70810

SHPO: 06-02-23-01 PUERTO RICO DISASTER RECOVERY, CDBG-DR RE-GROW PR URBAN-RURAL AGRICULTURAL RE-GROW PROGRAM, PR-RGRW-01576, MILTON OMAR AGUILAR CEREZO, BO. RÍO ARRIBA, CARR. 108 KM 19.4., AÑASCO, PUERTO RICO

Dear Ms. Poche,

Our Office has received and reviewed the above referenced project in accordance with 54 USC 306108 (commonly known as Section 106 of the *National Historic Preservation Act, as amended*) and 36 CFR Part 800: *Protection of Historic Properties* from the Advisory Council on Historic Preservation. The State Historic Preservation Officer (SHPO) is to advise and assist federal agencies and other responsible entities when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce the project's effects.

Our records support your finding of **no historic properties affected** within the project's area of potential effects.

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

Sincerely,

Carlos A. Rubio-Cancela  
State Historic Preservation Officer  
CARC/GMO/LGC



June 2, 2023

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

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

**Section 106 NHPA Effect Determination Submittal: PR-RGRW-01576 – Milton Omar Aguilar Cerezo – Bo. Río Arriba, Carr 108 Km. Hm 19.4, Añasco, Puerto Rico – *No Historic Properties Affected***

Dear Architect Rubio Cancela,

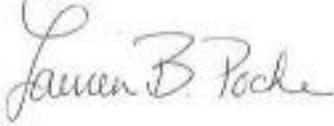
In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, HORNE is providing information for your review and requesting your concurrence regarding the above-referenced projects on behalf of the Puerto Rico Department of Housing (PRDOH)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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, we are submitting documentation for activities proposed by Milton Omar Aguilar Cerezo at Carr 108 Km. Hm 19.4 in Bo. Río Arriba in the municipality of Añasco. The proposed undertaking for Milton Omar Aguilar Cerezo's property is the construction of three separate fences that will be used to separate areas for pasture and breeding grounds for sheep.

Based on the submitted documentation, the Program requests a concurrence that a determination of No Historic Properties Affected is appropriate for this proposed project.

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

Kindest regards,



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

Architectural Historian, Historic Preservation Senior Manager  
Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b>		
<b>ReGROW PUERTO RICO PROGRAM</b>		
<b>Section 106 NHPA Effect Determination</b>		
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo		
<b>Case ID:</b> PR-RGRW-01576	<b>City:</b> Añasco	
<b>Project Location:</b> Bo Río Arriba Carr 108 Km.Hm 19.4		
<b>Project Coordinates:</b> 18.2706493, -67.0521868		
<b>TPID (Número de Catastro):</b> 183-000-001-84-000; 183-000-001-73-000; 183-022-132-04-000		
<b>Type of Undertaking:</b>		
<input type="checkbox"/> Substantial Repair		
<input checked="" type="checkbox"/> New Construction		
<b>Construction Date (AH est.):</b> c1985	<b>Property Size (acres):</b> 104.56	

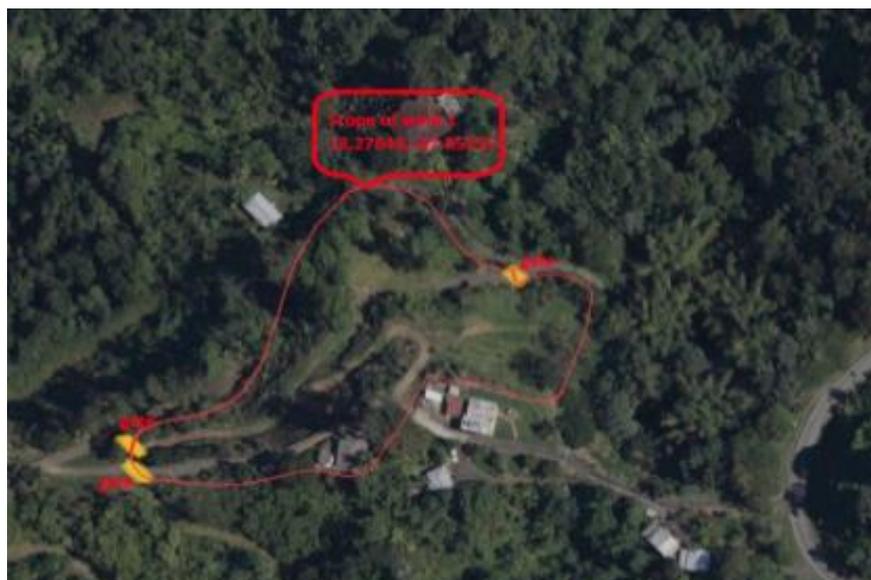
<b>SOI-Qualified Architect/Architectural Historian:</b> Maria F. Lopez Schmid
<b>Date Reviewed:</b> April 26, 2023
<b>SOI-Qualified Archaeologist:</b> Roberto G. Muñoz-Pando, MA
<b>Date Reviewed:</b> April 17, 2023

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

### Project Description (Undertaking)

The proposed undertaking for Milton Omar Aguilar Cerezo's property is the construction of three separate fences that will be used to separate areas for pasture and breeding grounds for sheep. The approximate center of the APE is at 18.2706493, -67.0521868.

The Scope of Work 1 is the construction of a fence, with wood post of 6' long and metal wired, of approximately 1,600 feet located at 18.27049, -67.05255. The maximum expected ground disturbance is 3 feet. This area will have three gates, as shown in yellow below.



<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small>
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo	
<b>Case ID:</b> PR-RGRW-01576	<b>City:</b> Añasco

The Scope of Work 2 is the construction of a fence, with wood post of 6' long and metal wire, of approximately 1,200 feet located at 18.27110, -67.05420. The maximum expected ground disturbance is 3 feet. This area will have two gates, as depicted below.



The Scope of Work 3 is the construction of a fence, with wood posts of 6' long and metal wire, of approximately 2,200 feet located at 18.27234, -67.05709. The maximum expected ground disturbance is 3 feet. This area will have two gates, as shown below.



The land is currently being used for growing eggplant, papaya, cassava, avocados, soursop, plantains, and oranges. The land was previously an empty lot. There is no water or electricity connections. There is a water well in the property, according to the applicant it is not

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo	
<b>Case ID:</b> PR-RGRW-01576	<b>City:</b> Añasco

currently in use and the mechanism of the water well was damaged before the current owner acquired the property in 2017. There is standing water in the north side at coordinates 18.2749326, -67.0553149.

**Area of Potential Effects**

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for Scope of Work 1 this project is the construction of a fence of approximately 1600 feet located at 18.27049, -67.05255. The direct APE for Scope of Work 2 of this project is the construction of a fence of approximately 1,200 feet located at 18.27110, -67.05420. The direct APE for Scope of Work 3 of this project is the construction of a fence of approximately 2,200 feet located at 18.27234, -67.05709. The approximate center of the APE is 18.2706493, -67.0521868. All three scopes of work consist of the construction of a fence to pasture and breed sheep. The visual APE is the viewshed of the proposed project scopes.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo	
<b>Case ID:</b> PR-RGRW-01576	<b>City:</b> Añasco

### Identification of Historic Properties - Archaeology

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area has no recorded archaeological sites and/or NRHP Listed/ Eligible Historic Properties within a half-mile radius of the project area. No cultural resource studies have been conducted within a half-mile radius of the project area.

The project area is approximately 670 feet above sea level. The closest fresh water source is the Quebrada A Zumbadura (a tributary to the Río Grande de Añasco River), approximately 0.33 miles northwest of the project area center coordinates. The closest coast is the Mona Passage, approximately 9.00 miles west of the project area. The property is mainly on Consumo clay (CoF2) soil with 40 to 60 percent slopes. Given the aforementioned conditions, the probability for intact deposits in the project area is considered low.

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

Name	SHPO ID	IPRC ID	Location	Description	NRHP
No data	No data	No data	No data	No data	No data

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

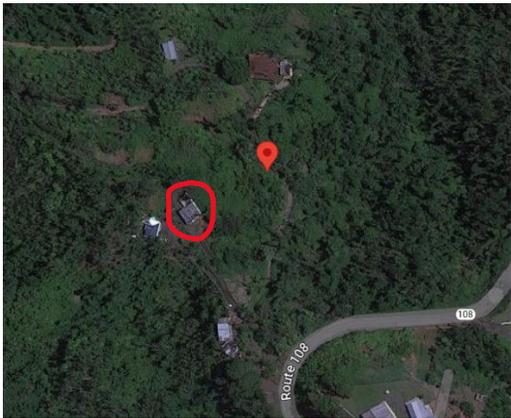
Author	Title	Year	SHPO/IPRC ID	Results	Location
No data	No data	No data	No data	No data	No data

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo	
<b>Case ID:</b> PR-RGRW-01576	<b>City:</b> Añasco

**Identification of Historic Properties - Architecture**

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

The property is located in a mountainous rural area of the town of Añasco near the southern border with the town of Las Marías. The project area is reached via route PR-108 that runs north south to the east of the project area. This road is dotted with residential buildings. The property is surrounded by fruit trees and mature vegetation. A c1985 building is on the project area and it first appears on a 1993 aerial image but is not present on a 1977 aerial image.



**Figures 1 & 2.** 1993 USGS aerial image and recent 2023 aerial image indicating the building.



**Figure 3.** Photo of building in project area, view southwest. **Figure 4.** Photo of garage, view west.

This two- story building lies southwest of the project coordinates. The building has concrete walls and a flat concrete roof. A concrete open garage is located just west of the building. This building does not comply with the age requirements, nor does it have special architectural characteristics to be considered eligible for listing to the National Register of Historic Places.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>REGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo	
<b>Case ID:</b> PR-RGRW-01576	<b>City:</b> Añasco

## Determination

The following historic properties have been identified within the APE:

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

Based on the results of our historic property identification efforts, the Program has determined that project actions will not affect the historic properties that compose the Area of Potential Effect. Because of the conditions stated in the Identification of Historic areas sections of this form, the probability of finding intact cultural deposits is considered low.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Subrecipient:</b> Milton Omar Aguilar Cerezo		
<b>Case ID:</b> PR-RGRW-01576		<b>City:</b> Añasco

**Recommendation (Please keep on same page as SHPO Staff Section)**

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

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

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

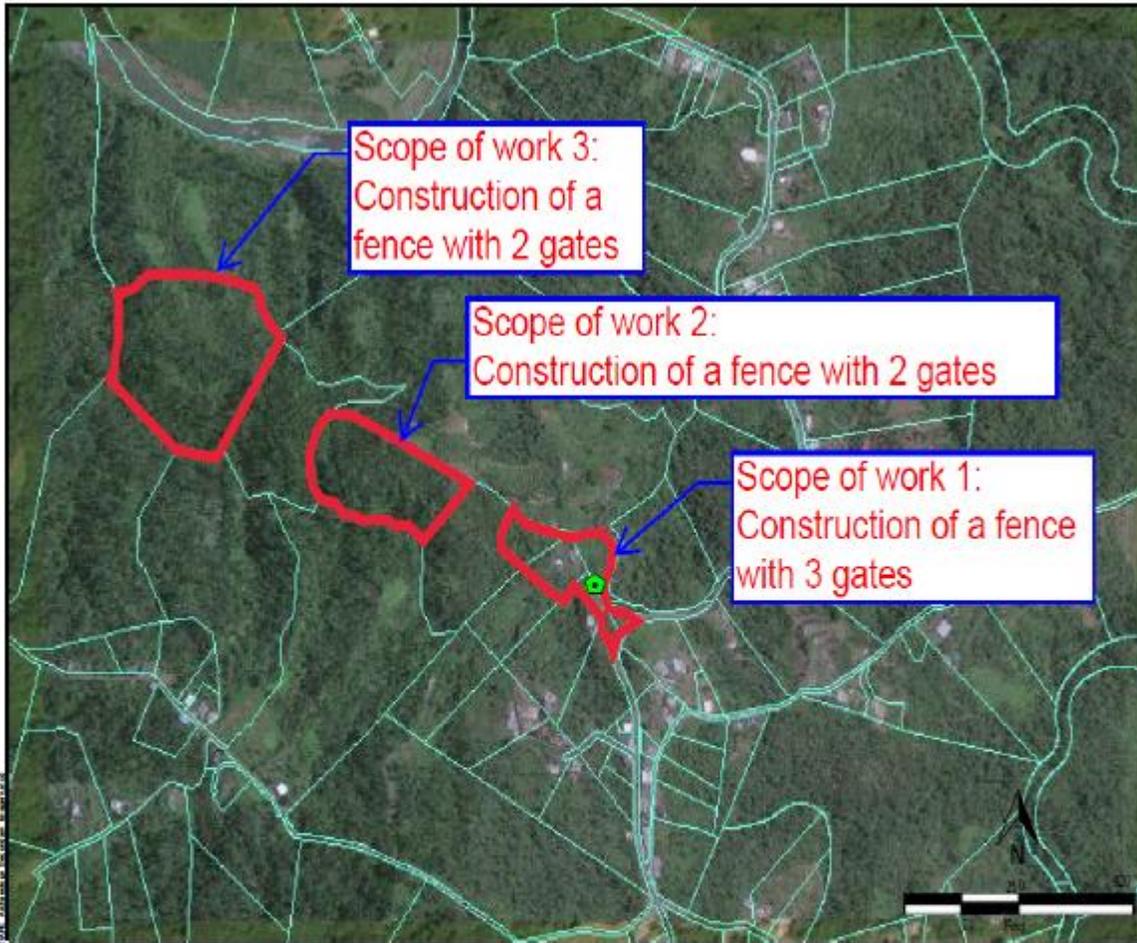
The Puerto Rico State Historic Preservation Office has reviewed the above information and:	
<input type="checkbox"/> <b>Concurs</b> with the information provided. <input type="checkbox"/> <b>Does not concur</b> with the information provided.	
<b>Comments:</b>    	
Carlos Rubio-Cancela State Historic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

Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco

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



Source: CRIM

Author: TG

Date: 10/7/2022

#### Legend

-  Tier 2 Site
-  Area of Potential Effect
-  Parcelario



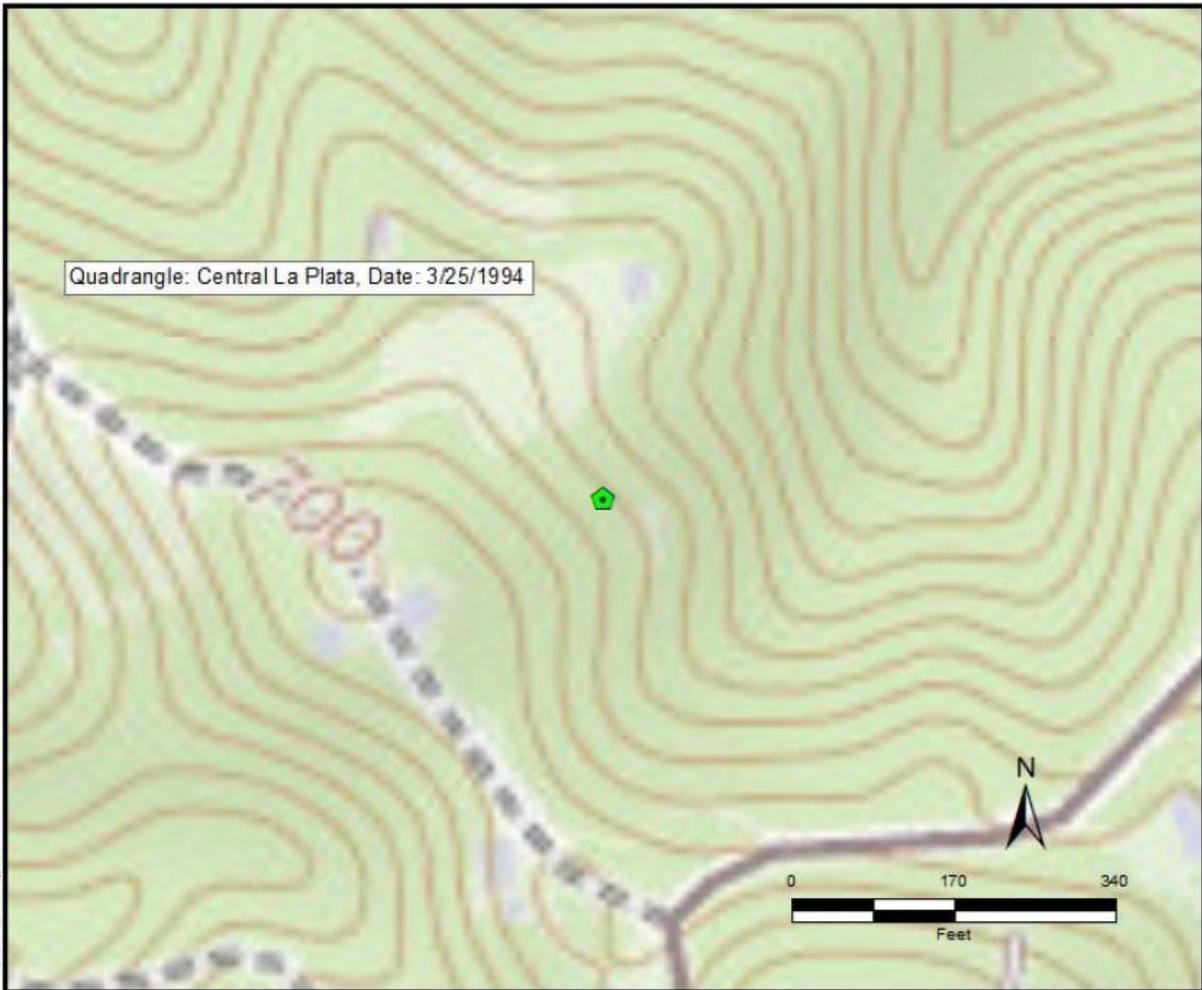


Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco

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



**TETRA TECH**

Source: USGS

Author: TG

Date: 9/29/2022

#### Legend

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

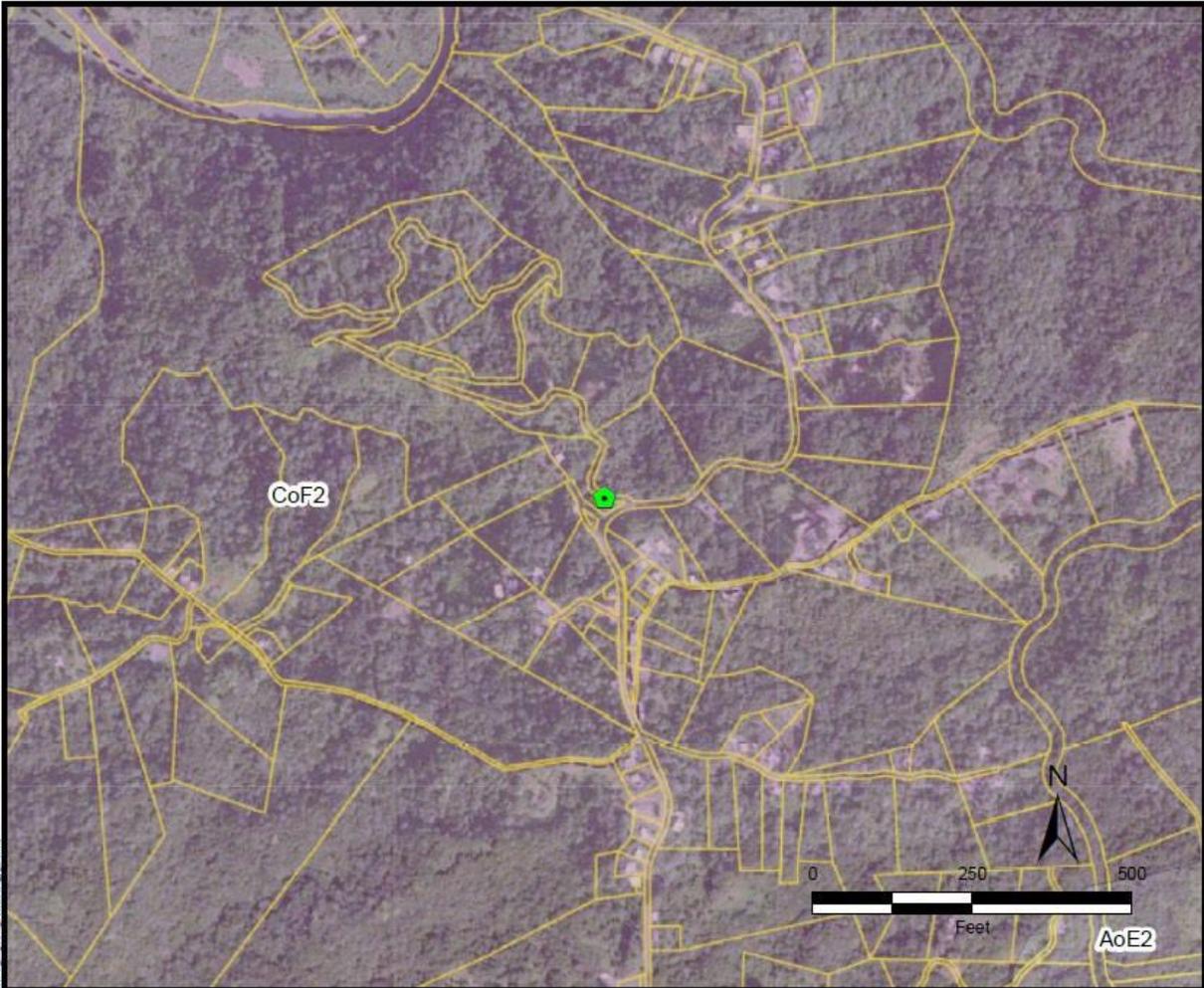


Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco

### Project (Parcel) Location – Soils Map



Source: USDA

Author: TG

Date: 9/30/2022

**Legend**

 Tier 2 Site

**Soil Type**

 AoE2: Anones clay loam, 20 to 40 percent slopes, eroded

 CoF2: Consumo clay, 40 to 60 percent slopes

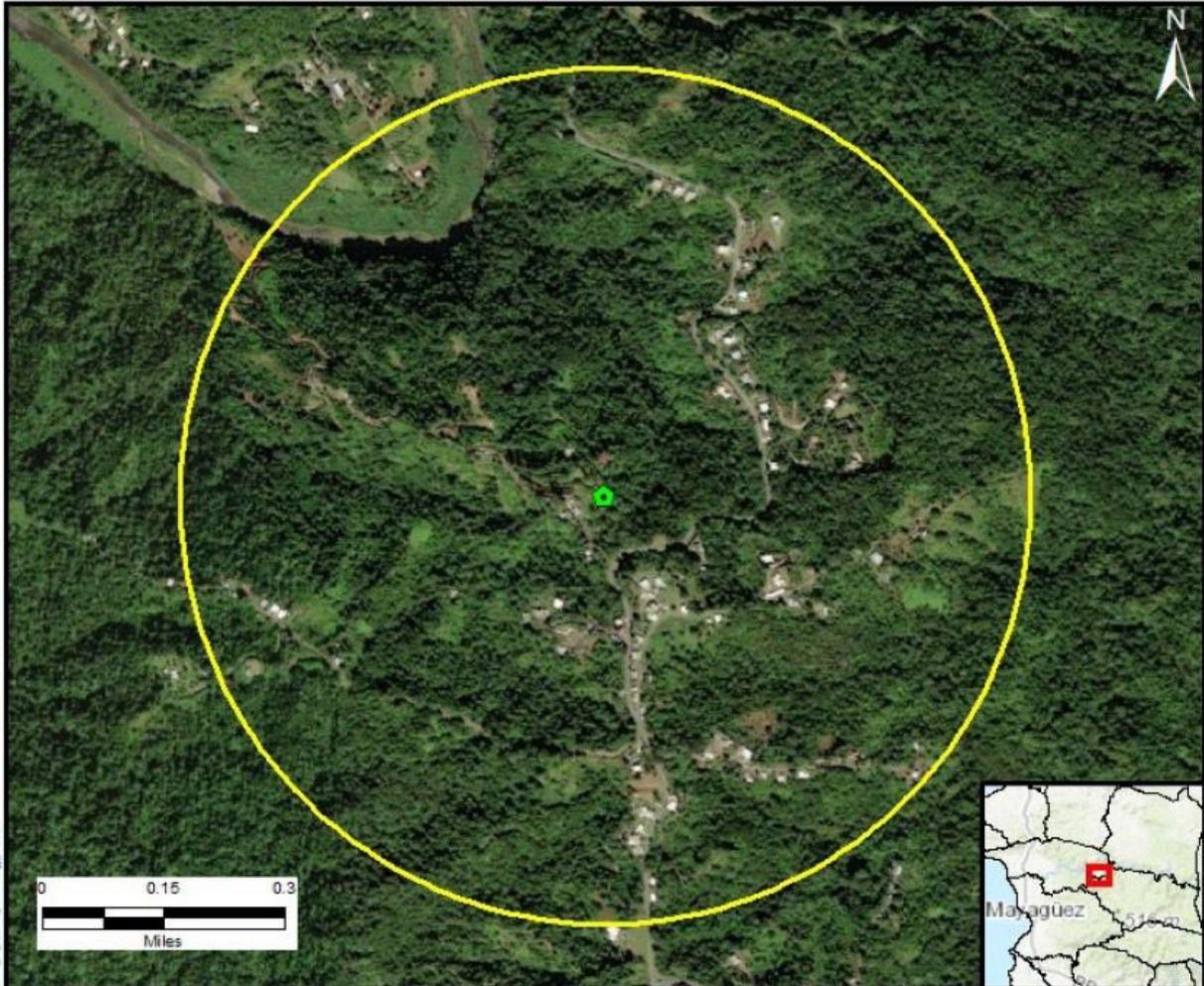


Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco

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



Source: National Park Service

Author: TG

Date: 9/29/2022

Legend



Tier 2 Site



Half Mile Buffer



Historic Comunidades



Traditional Urban Centers



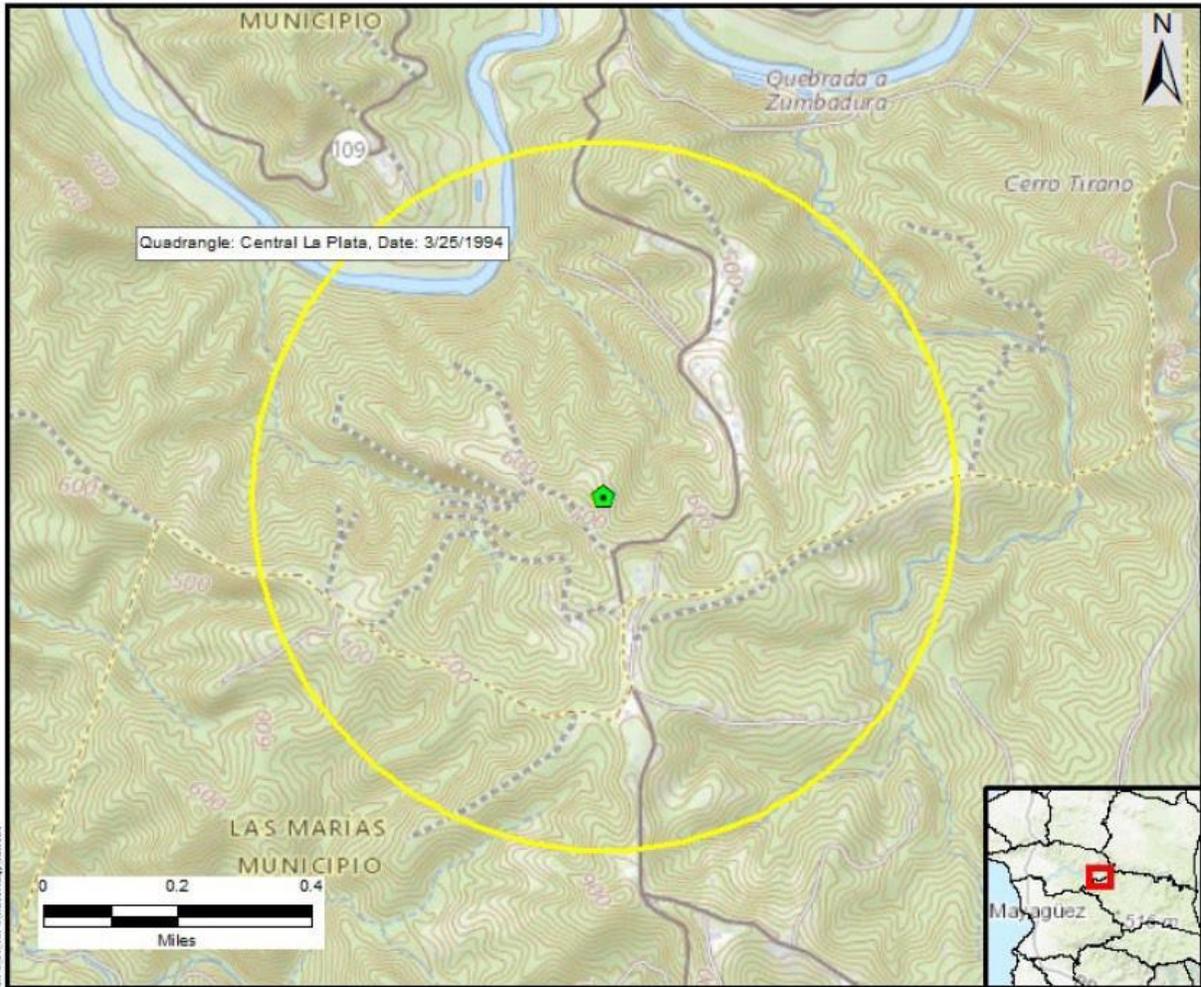
Cultural Resource District Polygon

Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco

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



 <b>TETRA TECH</b>	<b>Legend</b>
	<ul style="list-style-type: none"><li> Tier 2 Site</li><li> Half Mile Buffer</li><li> Historic Comunidades</li><li> Traditional Urban Centers</li><li> Cultural Resource District Polygon</li></ul>
Source: National Park Service	
Author: TG	Date: 9/29/2022

Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco

### Photograph Key



**Subrecipient:** Milton Omar Aguilar Cerezo

**Case ID:** PR-RGRW-01576

**City:** Añasco



**Photo #:** 1

**Description (include direction):** View to the south.

**Date:** 4/11/2023

Scope of Work 1: Construction of a fence



**Photo #:** 2

**Description (include direction):** View to the north.

**Date:** 4/11/2023

Scope of Work 1: Construction of a fence

Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco



Photo #: 3

Description (include direction): View to the southeast.

Date: 4/11/2023

Scope of Work 2: Construction of a fence



Photo #: 4

Description (include direction): View to the west.

Date: 4/11/2023

Scope of Work 2: Construction of a fence

Subrecipient: Milton Omar Aguilar Cerezo

Case ID: PR-RGRW-01576

City: Añasco



Photo #: 5

Description (include direction): View to the northeast.

Date: 4/11/2023

Scope of Work 3: Construction of a fence



Photo #: 6

Description (include direction): View to the north.

Date: 4/11/2023

Scope of Work 3: Construction of a fence



October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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

Juan C. Pérez Bofill, P.E. M.Eng

Director of Disaster Recovery

CDBG DR-MIT