Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project ID: PR-RGRW-04065

Project Name: PABLO HERNANDEZ NIEVES DBA PLANTAS Y ALGO MAS

Responsible Entity: Puerto Rico Department of Housing

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

State/Local Identifier: Puerto Rico / Aguadilla, PR

Preparer: Patricia Carmenatty

Certifying Officer Name and Title: Permit and Environmental Compliance Officers: Sally Acevedo Cosme, Pedro de León Rodriguez, María T. Torres Bregon, Ivelisse Lorenzo, Angel Gabriel Lopez Guzman, Janette I. Cambrelén, Santa Ramirez, Limary

Vélez Marrero and Juan Carlos Perez Bofill.

Consultant: Behar Ybarra & Associates LLC

Direct Comments to: Puerto Rico Department of Housing:

(environmentcdba@vivienda.pr.gov)

Project Location:

Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603

Greenhouse location: latitude 18.476594 longitude -67.129807

Generator location: latitude 18.476489 longitude -67.129404

Parcel cadastral: 005-070-660-40-000, 005-070-660-43-000

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

The proposed activities for PR-RGRW-04065 consist of the purchase and installation of 100' x 30' greenhouse and a generator. The new greenhouse will be placed on bare soil at parcel 005-070-660-40-000. The greenhouse will be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator will be stored on a structure at parcel 005-070-660-43-000. The building is located at 18.476489 -67.129404 was constructed ca. 2010. The building is present in 2012 aerial imagery but is absent from 2009 imagery. The equipment is movable and will not be affixed to the

building. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed for the greenhouse will be provided by an existing PREPA/LUMA connection on the property. The generator will be used as a backup when there is no electricity available. There is an existing transfer switch in the warehouse where the generator will be stored. No ground disturbance will be required for the generator installation. The project area is located at PR-467 km. 5.7 within the Municipality of Aguadilla. Based on a review of historical aerial imagery, the general area of the proposed greenhouse has been used for agricultural purposes for the past 11 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the greenhouse. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the greenhouse plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

A site Map is included in Figure 1, illustrating the location of the greenhouse and generator on the property. Photos of the location are included in Section 106 documentation, Appendix 1.

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. This agricultural project is associated with the purchase and installation of a 100' x 30' greenhouse and a generator is in keeping with the overall objectives of the Economic Development Program.

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

The existing area for which the proposed greenhouse will be placed has a flat topography. On the surface we observed plants in plastic pots, grasses and bushes. The visibility is average. Therefore, there is little to no change in land use associated with these placements.

Funding Information

Grant Number	HUD Program	Funding Amount
B-18-DP-72-0001	Community Planning and	\$11,938,162,230.00
B-17-DP-72-0001	Development (CPD) /	
B-19-DP-78-0002	Community Development	
B-18-DE-72-0001	Block Grant - Disaster	
	Recovery (CDBG-DR)	

Estimated Total HUD Funded Amount: \$49,601.72

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.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required	Compliance determinations
STATUTES, EXECUTIVE ORDERS,	AND REGULATI	ONS LISTED AT 24 CFR 58.6
Airport Hazards 24 CFR Part 51 Subpart D	Yes No	This project is the purchase and installation of a 100' x 30' greenhouse and a generator will have no impact on any Airports. The site is located 6,476 feet from the nearest major civil airport (Rafael Hernandez International Airport) and 390,467 feet from the military airport (Luis Muñoz Marín International Airport in San Juan). This topic is in compliance with the HUD's Airport Hazard regulations without further evaluation. See the attached Airport map Runway Protection Zone, Figure 2.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No	This project is not located in a CBRS Unit. The project is located 11,292 feet southwest of the nearest Coastal Barrier Resource System, PR-76. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. See the attached CBRS map, Figure 3.

Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No	The project is located in a Zone X, Panel 72000C0135J, 11/18/2009 on the FEMA FIRM. The project does not require flood insurance or is excepted from flood insurance. See attached Flood Map, Figure 4 and 4.1.
STATUTES, EXECUTIVE ORDERS,	AND REGULATI	ONS LISTED AT 24 CFR 58.5
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No	This project consists of the purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site and is not located in a nonattainment municipality of Puerto Rico (Arecibo, Bayamón, Cataño, Guaynabo, Salinas, San Juan, Toa Baja). The installation and operation of this project will have no impact and is in compliance with the Clean Air Act without further evaluation. See attached published list of Puerto Rico Nonattainment/Maintenance Status for each country by year for all criteria pollutants in Appendix 2.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No	The project is located 6,868 feet from the nearest Coastal Zone Management Area and does not affect a Coastal Zone as defined in the state Coastal management Plan. The project is in compliance with the Coastal Zone Management Act. See the attached CZMA map, Figure 5.
Contamination and Toxic Substances 24 CFR Part 58.5(i)(2)	Yes No	This project consists of the purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural project. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. There are no sites of environmental concern identified within

		3,000 feet of the location of the proposed project. The project is in compliance with Contamination and Toxic Substances requirements. See attached Toxics Map, Figure 6.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No	The project could involve any activity that has an adverse effect on protected species or critical habitats. After reviewing data from the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) and the Puerto Rico Department of Natural and Environmental Resources (DNER) database, the PR boa (Chilabothrus inornatus) could be found in the project area. The installation of the greenhouse will require ground disturbance; however, the scope of work includes continued agricultural use of the property with no intention to cut down trees or making major changes in the topography of the project area because the greenhouse will be installed in a space that has been cleared and maintained that way for agricultural purposes. Based on the nature of the project, scope of work, information available, and analysis of the IPaC lists together with field direct observations of the area where the project will be developed is currently used for agricultural purposes, the proponent has determined that the proposed project actions will have "No Effect" (NE) on the Puerto Rican boa. The project is 36,099 feet from the nearest final endangered species critical habitat. Therefore, the project has no critical habitats in the area. If a Puerto Rican Boa is found in the project activity site, work shall cease until the Boa moves off on its own. If the Boa

installation of a 100' x 30' greenhouse and a generator and does not include development, construction or rehabilitation that will increase residential density. This project is in compliance with Explosive and Flammable hazards without further evaluation. Farmlands Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55 Installation of a 100' x 30' greenhouse and a generator and does not include any activities that will increase residential density. This project is in compliance without further evaluation. Yes No This project does not include any activities that could potentially convert agricultural land to non-agricultural use. The areas under the project site are prime farmland. The scope of work includes the installation of a greenhouse and generator. This is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8. Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55		does not move off, the Construction Manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the Boa. As established by the USFWS Puerto Rican Boa Conservation Measures Guideline. https://ipac.ecosphere.fws.gov/guideline/design/population/156/office/41430.pdf This project is in compliance with the Endangered Species Act. See attached Endangered Species map, Figure 7. See attached IPaC Report and USFWS Letter in Appendix 4.
Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55 Farmland Protection Policy activities that could potentially convert agricultural land to non-agricultural use. The areas under the project site are prime farmland. The scope of work includes the installation of a greenhouse and generator. This is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure 8. The project is located in a Zone X, Panel 72000C0135J, 11/18/2009 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in	Hazards	 rehabilitation that will increase residential density. This project is in compliance with Explosive and Flammable hazards
Executive Order 11988, particularly section 2(a); 24 CFR Part 55 To The project is located in a Zone X, Faries 72000C0135J, 11/18/2009 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in	Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541;	 activities that could potentially convert agricultural land to non-agricultural use. The areas under the project site are prime farmland. The scope of work includes the installation of a greenhouse and generator. This is a construction limited to on-farm structures needed for farm operations. The project is in compliance with the Farmland Protection Policy Act. See the attached Farmlands map, Figure
See attached Flood Map (Figure 9).	Executive Order 11988, particularly section 2(a); 24	 The project is located in a Zone X, Panel 72000C0135J, 11/18/2009 (Figure 4). The site is not located in a Preliminary Firm or an Advisory Base Flood Elevation special flood hazard area. The project is in compliance with Executive Order 11988. See attached Flood Map (Figure 9).

Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No	The site was visited on September 26, 2023, by SOI-qualified archaeologist. Based on this definition and the nature and scope of the undertaking, the APE has been defined as the area potentially affected by ground-disturbing activities related to installation of the greenhouse. Documentation with photographs and maps was subsequently submitted to SHPO (attached Appendix 1). In a response from PR SHPO dated November 13, 2023, SHPO concurred with a finding of No Historic Properties Affected within the project's Area of Potential Effects (see attached Appendix 1). The property is not considered historic or contributing to an historic district (See attached Historic map, Figure 10). Therefore, this activity is in compliance with Historic Preservation.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No	This project consists of the purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site. The project does not include new construction for residential use or rehabilitation of an existing residential property. The site is rural in nature and there will be no impact to or from the surrounding area from a noise perspective. This topic is in compliance with Noise abatement and Control without further evaluation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No	There are no EPA sole source aquifers in Puerto Rico. The project is in compliance with Sole Source aquifers without further evaluation.
Wetlands Protection	Yes No	According to the map, there is a canal seen approximately 15 feet from what the greenhouse would be. According to

Wild and Scenic Rivers Wild and Scenic Rivers Act	Yes No	it was visible that the canal has dried completely and there is no risk that the canal is affected from the project undertaking. Considering the work to be done with the installation of the greenhouse, there is no possibility that the canal will be affected, since the project does not involve any drainage, dredging, channeling, filling, dams, reservoirs or related activities. However, standard BMPs should be applied to mitigate impact on wetlands, like installing erosion controls or diverting runoff (in any) around the areas of ground disturbance. The project is in compliance with Executive Order 11990. See the attached Wetlands map, Figure 11. See Appendix 3 for Field Report and photos This project is not within proximity of the NWSRS river. The project is located
of 1968, particularly section 7(b) and (c)		469,396 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. See Map, Figure 12.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No	Based on the scope of work for this project, there will be no additional impact on low-income or minority residents. This proposed activity will not have a negative impact on Environmental Justice. Therefore, the proposed activity complies with this section.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been

evaluated and documented as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. All conditions, attenuation or mitigation measures have been clearly identified.

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

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

Environmental	Impact	
Assessment Factor	Code	Impact Evaluation
LAND DEVELOPM	ENT	
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed action is continued agricultural use of property which is compatible with a zoning code of A-G (General Agricultural) and existing land use of SRC (Common Rustic Land). There is no urban design associated with this rural, agricultural site.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The soil is currently being used for agriculture purposes. There is no change in land use since the land will continue to be used to agriculture purposes. The soil in the area has been classified as Coto clay, 2 to 5 percent slopes, eroded (CuB2). The Coto series consists of deep, well-drained soils that are slightly acidic and moderately permeable. The landslide data indicates low landslide susceptibility. It is an area already impacted by agriculture; therefore, no erosion is expected to occur from this project. The project will not

		affect the drainage in the area. See Landslide Susceptibility Map, Figure 13.
Hazards and Nuisances including Site Safety and Noise	2	There are no specific environmental hazards that have been identified for this site. The site is not in a high Noise Level area, nor will the project generate any additional noise. Additionally, the project does not include housing or such to where inhabitants would be affected.
Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMI	С	
Employment and Income Patterns	2	The project will result in short-term benefit to employment when contractors are hired for the installation of the greenhouse and generator. After construction, there may be a net positive benefit for the farm, a small business receiving this funding for economic development recovery purposes, which will aid in the continued operations of the intended use of the farm which products will be used by Puerto Rico population. The project is not anticipated to have a significant impact on Employment and Income Patterns, however, the project may help restore employment opportunities and income patterns.
Demographic Character Changes, Displacement	2	The proposed project will not alter the demographic characteristics of Aguadilla, PR. The applicant is already located at this location and the project will provide opportunities for the continuous agricultural growth of the business.
Environmental Justice	2	 In the project area within a one-mile radius: The people of color are 99% compared to PR average of 96% 62% of the people are low income compared to PR average of 70% 10% of the people are unemployed compared to PR average of 15% The proposed activities of the installation of the greenhouse and generator will have a positive impact on creating jobs for local people. Therefore, the

propo	sed a	ctivity	complies	with	this	section.	See
EJScre	en Rep	oort in A	Appendix 3	3.			

<u> </u>	11	
Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FAC	CILITIES A	ND SERVICES
Educational and Cultural Facilities	2	The project consists of purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site and will have no impact on educational and cultural facilities.
Commercial Facilities	2	The proposed project may aid in restoring the demand for local commercial services; however, not to the point of putting undue pressure on commercial facilities.
Health Care and Social Services	2	The project consists of purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site and will have no impact on Health Care and Social Services.
Solid Waste Disposal / Recycling	2	The proposed project will have no impact on Solid Waste Disposal / Recycling services. The products and by-products are agricultural, and any waste would be biodegradable. The remaining construction solid waste materials would be collected for transport to the local landfill.
Wastewater / Sanitary Sewers	2	The installation of the greenhouse and generator will not produce any wastewater. Based on the scope of work is not expected to result in any significant changes in wastewater or sanitary sewer generation. The proposed project will have no impact on Wastewater / Sanitary Sewers.
Water Supply	2	The proposed project will not require an additional water supply. No new municipal connections will be provided for potable water. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The proposed project will have no impact on the water supply.

Public Safety - Police, Fire and Emergency Medical	2	The project consists of purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site and will have no impact on Public Safety.
Parks, Open Space and Recreation	2	The proposed project will have no impact to Parks, Open Space and Recreation. The property being used is agricultural and it will continue as agricultural use.
Transportation and Accessibility	2	The project consists of the purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site and will have no impact on transportation and accessibility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The proposed project will be situated on previous agriculture property and will have no impact to unique natural features or water resources.
Vegetation, Wildlife	2	The proposed project will occur on land previously used for agricultural purposes and will continue in that capacity. There may be wildlife attracted to the greenhouse but no negative impact on wildlife.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Climate and Energy		
Climate Change		The Re-Grow Program proposed project aims to increase resiliency in the agricultural industry to prepare for future climate related disasters. The project will not contribute to climate change and will provide a minor net benefit by allowing for increased food production. On the other hand, a drought could affect agricultural activities related to the project.
Energy Efficiency /Consumption	2	The project consists of the purchase and installation of a 100' x 30' greenhouse and a generator on an

existing agricultural farm and will not require any neexpansion to existing power facilities. The powneeded will be provided by an existing PREPA/LUN connection on the property. The generator will be used as a backup when there is no electrical available.

Additional Studies Performed: Not applicable.

Field Inspection (Date and completed by): September 26, 2023, Jaqueline Lopez, SOl-Qualified Archaeologist

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

FAA, National Plan for Integrated Airport Systems: 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. www.fws.gov/CBRA/Maps/Locator/PR.pdf

National Park Service, National Registry of Natural Landmarks. www.nature.nps.gov/nnl/docs/NNLRegistry.pdf

US Fish and Wildlife Service, Wild and Scenic Rivers – correspondence to Agency on October 16, 2018

National Wild and Scenic Rivers System: 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/

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.

Sierra Research for Office of Mobile Sources. US Environmental Protection Agency. Report No. SR93-03-02, Evaluation of Methodologies to Estimate Nonroad Mobile Source Usage, March 19, 1993: http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=9100UR51.txt

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

US EPA, Environmental Topics, Air Topics: www.epa.gov/environmental-topics/air-topics
US Fish and Wildlife Service, Environmental Conservation Online System:

https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?state=PR&status=listed

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

Puerto Rico Planning Board, Communication regarding Floodplain Management, November 29, 2018.

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

US Army Corps of Engineers, Jacksonville District, Antilles Section, Communication regarding Wetlands Management, November 13, 2018.

Puerto Rico Coastal Zone Management Program Plan, September 2009.

Puerto Rico Planning Board, Communication regarding Coastal Zone Management, November 16, 2018 (No response).

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

US Fish and Wildlife Service, Caribbean Ecological Services Field Office. E-mail communication regarding October 23, 2018 letter on Threatened and Endangered Species and Critical Habitats.

NOAA Fisheries / National Marine Fisheries Service, NEPA Coordinator Southeast Regional Office. Communication on October 16, 2018 regarding designated critical habitat. (No response).

US Geological Survey, Data Release of May Showing Concentration of Landslides Caused by Hurricane Maria, https://doi:10.5066/F7JD4VRF

List of Permits Obtained: None required.

Public Outreach [24 CFR 58.43]: Puerto Rico Department of Agriculture has worked closely with the agricultural community. This project will include a FONSI/NOI-RROF in compliance with NEPA regulations for HUD.

Cumulative Impact Analysis [24 CFR 58.32]: In accordance with 24 CFR 58.32 (Aggregation), there are no cumulative impacts associated with the purchase and installation of a $100' \times 30'$ greenhouse and a generator for an agricultural site.

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

The Regrow Program purpose is to enhance and expand agricultural production related to economic revitalization and sustainable development activities while promoting and increasing food security island wide. The "Alternative" action would mean that the applicant would consider other locations for the greenhouse and generator. However, other locations may result in tree clearing prior to construction and/or need to fill in some steep area. Any option that requires going off-site would not contribute to the improvement and growth of agricultural production or enable economic development for this applicant.

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

The 'No-Action' alternative would mean that the applicant would not receive federal funding to provide the purchase and installation of a 100' x 30' greenhouse and a generator for an agricultural site 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 environmental nor is there the requirement for further consultation with any agency. There are no environmental review topics addressed that result in the need for formal compliance steps or the requirement for mitigation.

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 (Executive Order 11990, particularly sections 2 and 5)	Standard BMPs should be applied to mitigate impact on wetlands	

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:11/29/2023
Name/Title/Organization: <u>Patricia Carmenatty / Environmental Specialist/ Behar Ybarro</u> <u>& Associates LLC</u>
Certifying Officer Signature:Date:Date:Date:Date:
Name/Title: Janette I. Cambrelén, Permit 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).



Figures



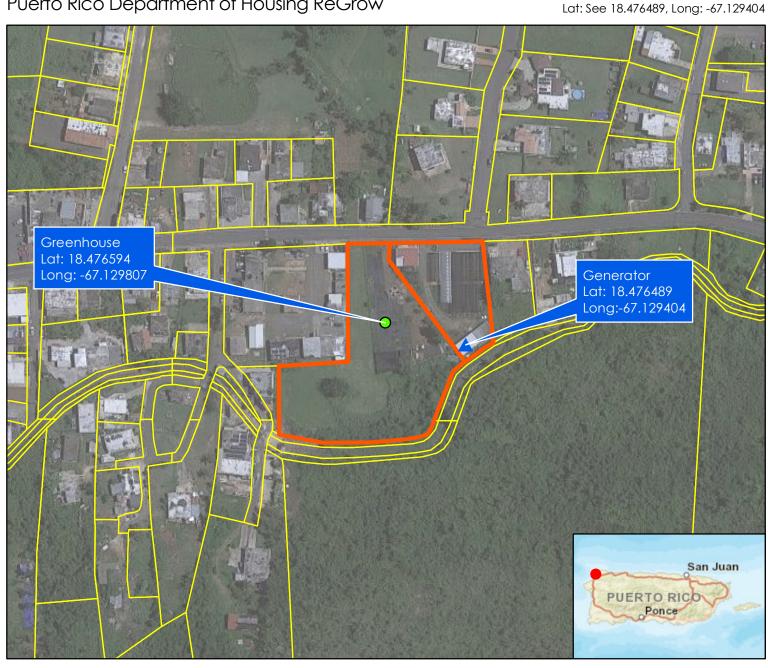
Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes,

Aguadilla, PR 00603

Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator

Location: Aerial MapPuerto Rico Department of Housing ReGrow



Legend:



04065 Generator

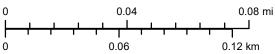


04065 Greenhouse



PR-RGRW-04065 Parcels





Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community and Google Earth



Source

Centro de Recaudación de Ingresos Municipales (CRIM) https://catastro.crimpr.net/cdprpc/



Figure 2 PR-RGRW-04065 Airports



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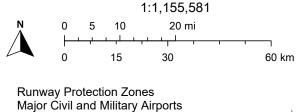
Accident Potential Zone

Clear Zone

APZ 1

PR-RGRW-04065

APZ 2

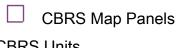


Source Federal Aviation Administration (FAA) https://adds-faa.opendata.arcgis.com/



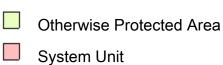
Figure 3 PR-RGRW-04065 CBRS

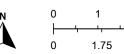


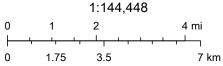


PR-RGRW-04065







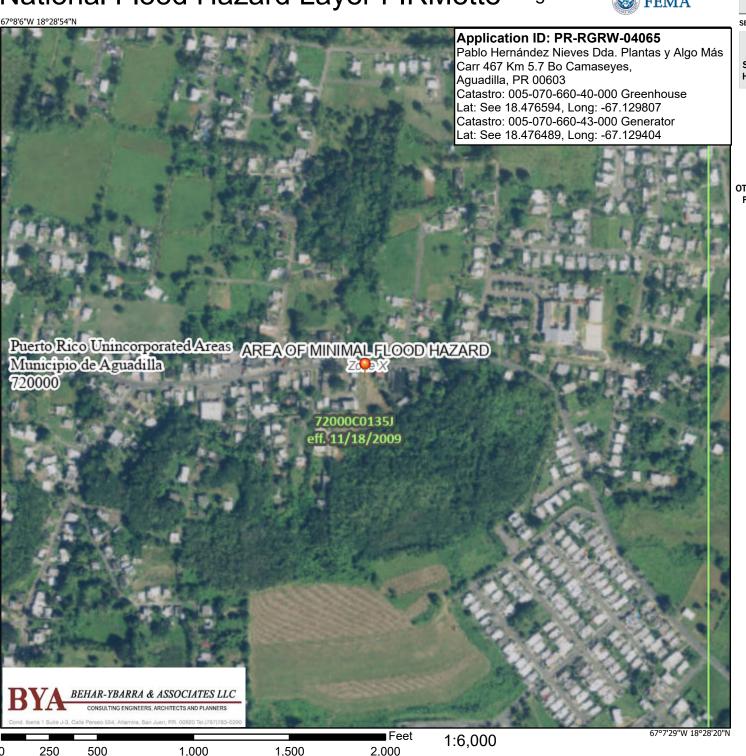


Source

U.S. Fish and Wildlife Service (FWS): https://www.fws.gov/program/coastal-barrier-resources-act

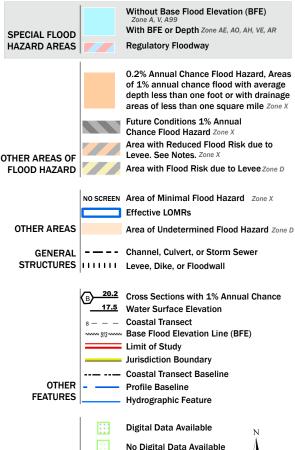
National Flood Hazard Layer FIRMette Figure 4





Legend

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



point selected by the user and does not represent an authoritative property location.

The pin displayed on the map is an approximate

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

MAP PANELS

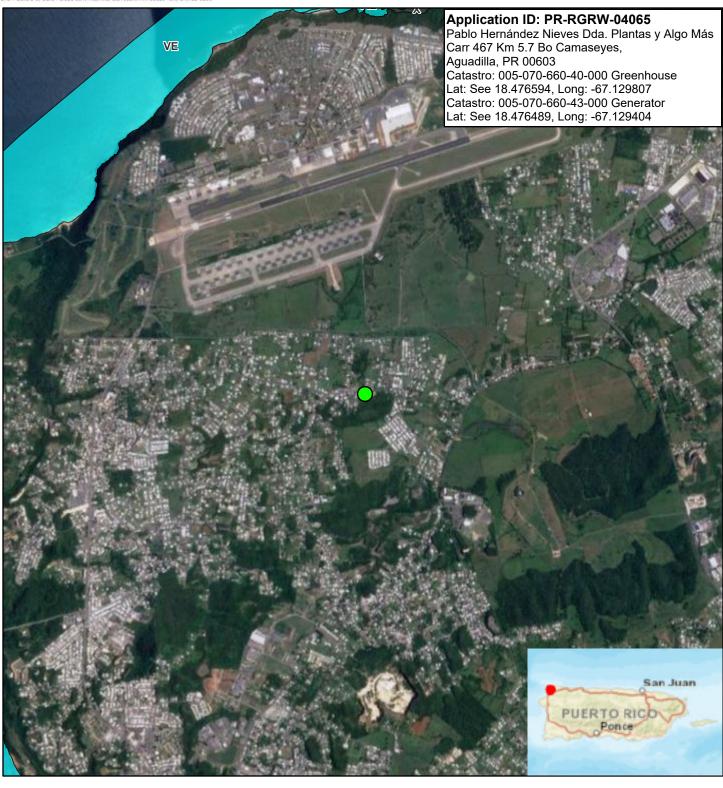
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/3/2023 at 8:43 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

Unmapped

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Figure 4.1 PR-RGRW-04065 Flood Hazard



10/3/2023, 9:04:45 AM

FEMA_FIRM - FEMA_FLOOD_HAZARD_AREAS

Special Flood Hazard Areas

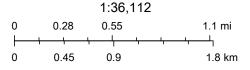


Other Flood Areas



Other Areas PR-RGRW-04065



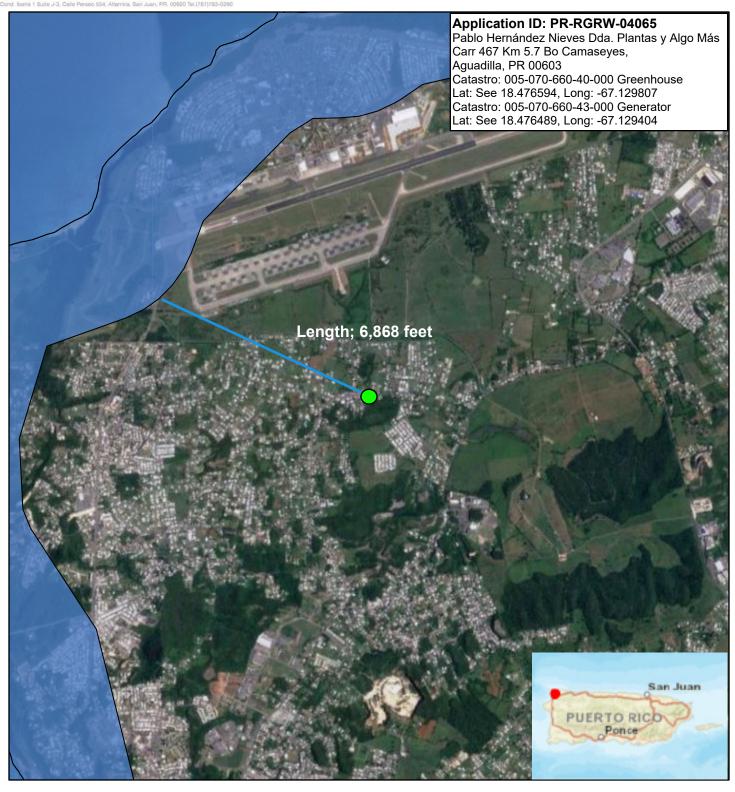


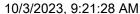
Source

Federal Emergency Management Agency (FEMA) FEMA's National Flood Hazard Layer https://www.fema.gov/flood-maps/national-flood-hazard-layer



Figure 5 PR-RGRW-04065 CZM

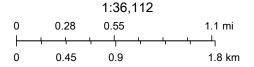






PR-RGRW-04065



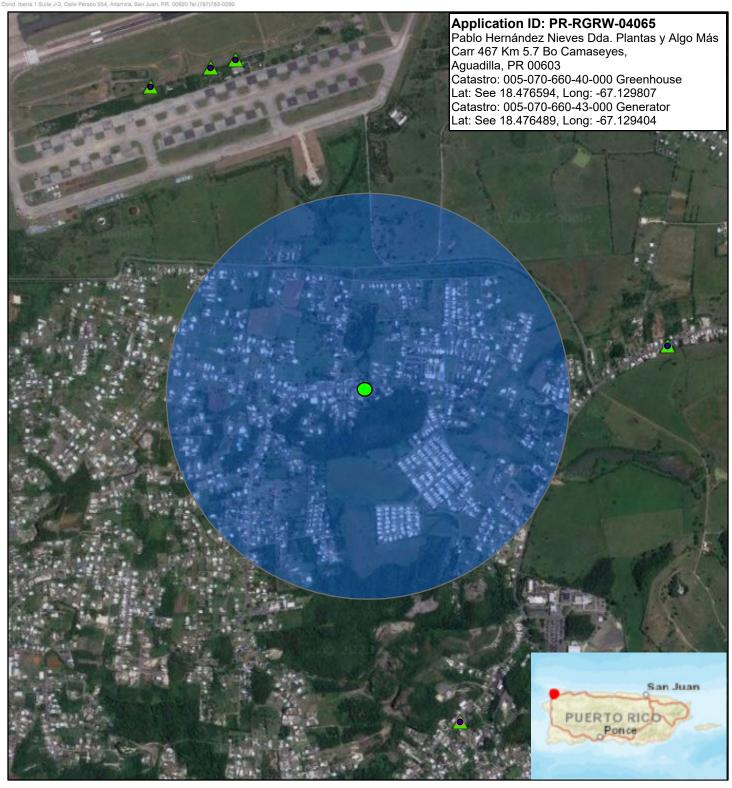


Source

National Oceanic and Atmospheric Administration (NOAA) NOAA Office for Coastal Management (NOAA/OCM) https://www.fisheries.noaa.gov/inport/item/53132



Figure 6 PR-RGRW-04065 Toxic



10/3/2023, 10:41:34 AM



fferedFeatures ACRA

FACILITY INTERESTS

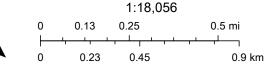
RCRA

RCRA ACTIVE

• ICIS

PR-RGRW-04065



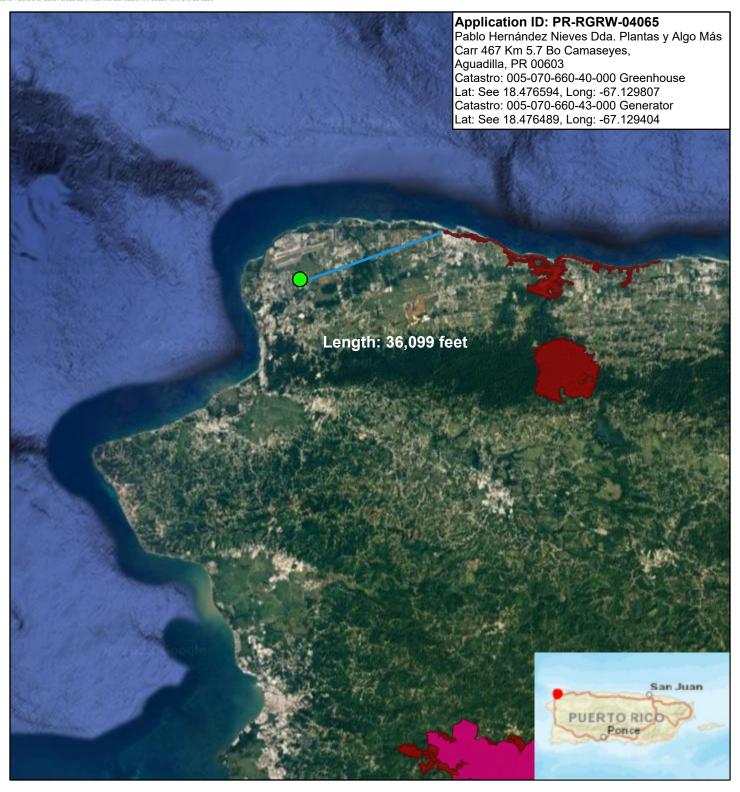


Source

U.S. Environmental Protection Agency (EPA) Facility Registry Service (FRS) https://www.epa.gov/frs



Figure 7 PR-RGRW-04065 Endangered Species



10/3/2023, 9:49:05 AM

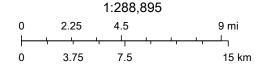
Critical Habitat for Threatened & Endangered Species



USFWS Critical Habitat - Final





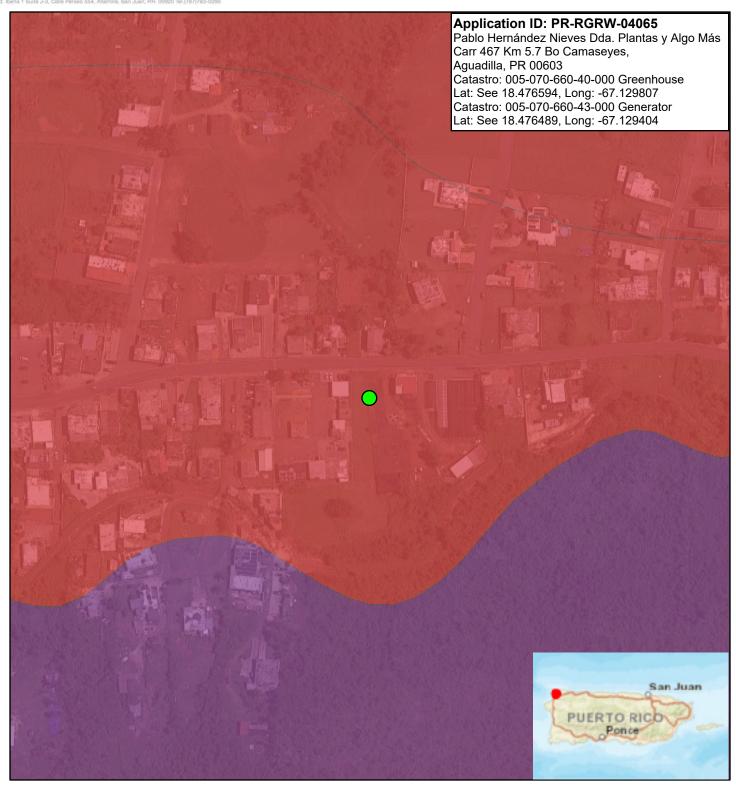


Source

National Oceanic and Atmospheric Administration (NOAA) Office of Response and Restoration https://response.restoration.noaa.gov/



Figure 8 PR-RGRW-04065 Farmland



10/3/2023, 10:20:46 AM

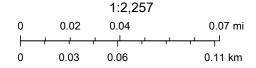
Farmland Protection

All areas are prime farmland

Not prime farmland







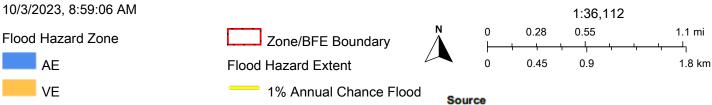
Source

Natural Resources Conservation Service (NRCS) Gridded Soil Survey Geographic Database (gSSURGO) https://data.nal.usda.gov/dataset/soil-survey-geographic-database-ssurgo



Figure 9 PR-RGRW-04065 ABFE



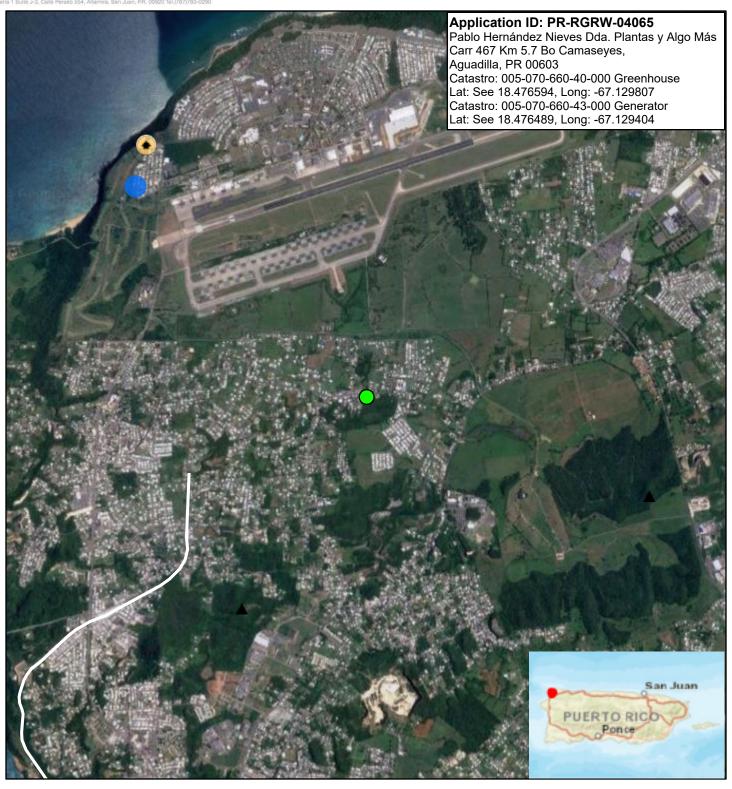


X 0.2% Annual Chance Flood 0.2% Annual Chance Flood

Federal Emergency Management Agency (FEMA) FEMA's National Flood Hazard Layer https://www.fema.gov/flood-maps/national-flood-hazard-layer



Figure 10 PR-RGRW-04065 Historic Preservation



10/3/2023, 9:50:40 AM



Cultural_Resourses - Historic Places JP



Cultural_Resourses - Scenic Places

Cultural_Resourses - Railway Vestiges

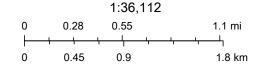


Cultural_Resourses - Archeological Resourses



PR-RGRW-04065



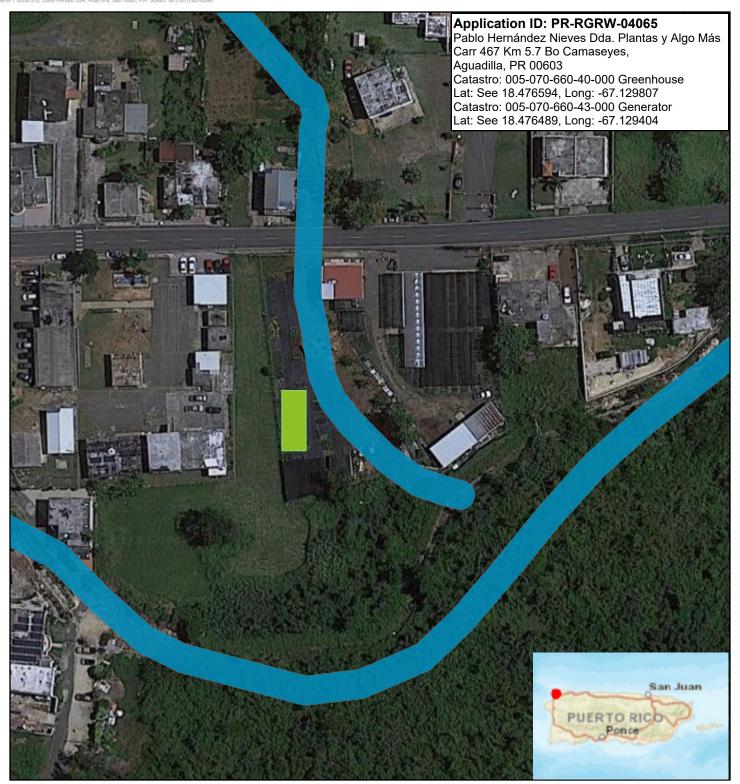


Source

National Park Service (NPS) - National Register of Historic Places (NRHP) https://www.nps.gov/subjects/nationalregister/index.htm State Historic Preservation Office (SHPO) https://oech.pr.gov/Pages/default.aspx



Figure 11 PR-RGRW-04065 Wetlands



10/3/2023, 10:35:41 AM

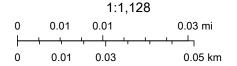
WETLANDS - National Wetlands Inventory



Greenhouse







Source

U.S. Fish and Wildlife Service (FWS): National Wetlands Inventory https://www.fws.gov/program/national-wetlands-inventory



Figure 12 PR-RGRW-04065 Wild and Scenic River



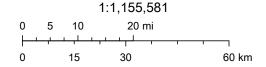
10/3/2023, 9:02:16 AM

National Wild and Scenic River Line



PR-RGRW-04065



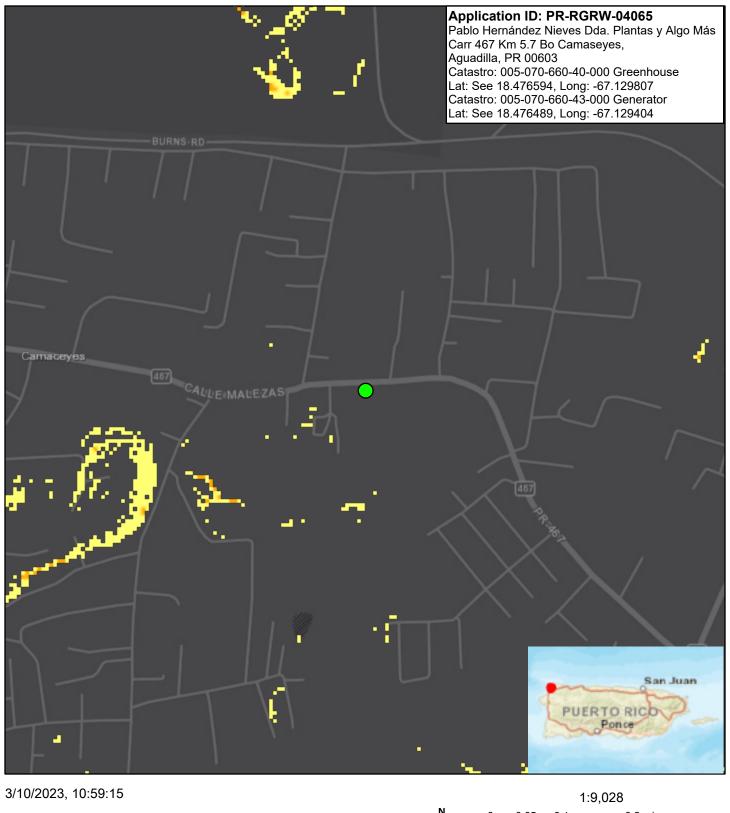


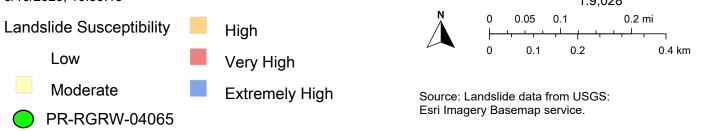
Source

U.S. Fish and Wildlife Service (FWS) National Wild and Scenic Rivers System https://www.rivers.gov/mapping-gis.php



Figure 13 PR-RGRW-04065 Landslide







Appendix 1



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

Executive Director I Carlos A. Rubio-Cancela I carubio@prshpo.pr.gov

November 13, 2023

Lauren Bair Poche

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

SHPO 10-27-23-15 SECTION 106 NHPA EFFECT DETERMINATION SUBMITTAL: PR-RGRW-04065 – PABLO HERNÁNDEZ NIEVES DDA. PLANTAS Y ALGO MÁS – CARR. 467, KM 5.7, BO. CAMASEYES, AGUADILLA, PUERTO RICO

Dear Ms. Bair,

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

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

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

Sincerely,

Carlos A. Rubio-Cancela

State Historic Preservation Officer

CARC/GMO/MB





October 27, 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-04065 – Pablo Hernández Nieves Dda. Plantas y Algo más – Carr 467 Km 5.7 Bo. Camaseyes, Aguadilla, Puerto Rico – *No Historic Properties Affected*

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Pablo Hernández Nieves Dda. Plantas y Algo más located at Carr 467 Km 5.7 Bo. Camaseyes, in the municipality of Aguadilla. The undertaking for this project includes the purchase and installation of 100' x 30' greenhouse and the purchase of a generator, refrigerator, maintenance tools and a Transit 250. The new greenhouse will be placed on bare soil and be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator and other appliances will be stored on a structure constructed ca. 2010; the equipment is movable and will not be affixed to the building. No ground disturbance will be required for the generator installation. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed will be provided by an existing PREPA/LUMA connection on the property.



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

Please contact me by email at lauren.poche@horne.com or phone at 225-405-7676 with any questions or concerns.

Kindest regards,

Januar B. Pocke

Lauren Bair Poche, M.A.

Architectural Historian, Historic Preservation Senior Manager

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Pablo Hernández Nieves Dda. Plantas y Algo más	1 / +
Case ID: PR-RGRW-4065	City: Aguadilla

Case ID. I K-KGKW-4005	Cily. Ago	daliia	
	•		
Project Location: Carr 467 Km 5.7 Bo. Camaseyes			
Project Coordinates: 18.476594 -67.129807, 18.476489 -67.129404			
TPID (Número de Catastro): 005-070-660-40-000, 005-070-660-43-000			
Type of Undertaking:			
□ Substantial Repair/Improvements			
Construction Date (AH est.): ca. 2010	Property Size (acres): 11.8		

SOI-Qualified Archaeologist: Jaqueline López Meléndez
Date Reviewed: September 26, 2023

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

Project Description (Undertaking)

The proposed activities for PR-RGRW-04065 consist of the purchase and installation of 100' x 30' greenhouse, a generator, refrigerator, maintenance tools and a Transit 250. The new greenhouse will be placed on bare soil at parcel 005-070-660-40-000. The greenhouse will be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator and other appliances will be stored on a structure at parcel 005-070-660-43-000. The building is located at 18.476489 -67.129404 and was constructed ca. 2010. The building is present in 2012 aerial imagery but is absent from 2009 imagery. The equipment is movable and will not be affixed to the building. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed will be provided by an existing PREPA/LUMA connection on the property. No ground disturbance will be required for the generator installation. The project area is located at PR-467 km. 5.7 within the Municipality of Aguadilla. Based on a review of historical aerial imagery, the general area of the proposed greenhouse has been used for agricultural purposes for the past 11 years.

Area of Potential Effects

As defined in 36 CFR §800.16(d), the area of potential effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. Based on this definition and the nature and scope of the Undertaking, the Program has determined that the direct APE for this project is the location of the greenhouse plus a 15-meter buffer and the visual APE is the viewshed of the proposed project.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination				
Applicant: Pablo Hernández Nieves Dda. Plantas y Algo más	f			
Case ID: PR-RGRW-4065	City: Aguadilla			

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 there are one (1) reported archaeological site within a half-mile (0.50 miles) radius of the project location: Canal de Riego de Aguadilla (SHPO: AL0200011) located 0.06 miles south (see table). The proposed project is located in Aguadilla, at an elevation of 262 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Coto clay. The project area APE is in CuB2. The nearest bodies of water are: two unnamed creeks, one 0.01 miles east and the other 0.06 miles north. The coast is approximately 2.23 miles north and 2.56 miles west from the project area.

There are two (2) archaeological studies within a 0.50-miles radius of the proposed project area, both with negative results (see table).

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On September 20, 2023, we visually inspected the project area. The area where the greenhouse will be placed has a flat topography. On the surface we observed plants in plastic pots, grasses and bushes. Visibility is average. No cultural remains can be observed on the surface of the parcel.

The soil in the area has been classified as Coto clay, 2 to 5 percent slopes, eroded (CuB2). The Coto series consists of deep, well-drained soils that are slightly acid and moderately permeable.

Determination

The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-04065 is located. The installation of a greenhouse has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM	
REGROW PUERTO RICO PROGRAM	GOVERNMENT OF PUERTO RICO
Section 106 NHPA Effect Determination	
Applicant: Pablo Hernández Nieves Dda. Plantas y Algo más	
Case ID: PR-RGRW-4065	City: Aguadilla

Recommendation

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

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

This Section is to be Completed by SHPO Staff Only

	- /
The Puerto Rico State Historic Preservation Office has reviewed and:	d the above information
□ Concurs with the information provided.	
□ Does not concur with the information provided.	
Comments:	
Carlos Rubio-Cancela State Historic Preservation Officer	Date:

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination	GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
Applicant: Pablo Hernández Nieves Dda. Plantas y Algo más	
Case ID: PR-RGRW-4065	City: Aguadilla

Table of archaeological sites, historic properties and historic districts located within the project area or within a 0.50-miles radius

Name	SHPO id #	IPRC id #	Distance/Direction	Description	NRHP (listed, eligible, non- eligible, no data)
Canal de riego de Aguadilla	AL0200011	-	0.06 mi south	20 th Century irrigation channel	No data

Table of cultural resources surveys conducted within the project area or within a 0.50-miles radius.

Author	Phase/Title	Year	SHPO / IPRC code	Results	Distance/ Direction
Harry Alemán	IA-IB/ Aguadilla North		ICP/CAT-AG- 87-01-03,	Negative	
	Proposed Intercepting Sewer	1987	SHPO:06- 29-87-12		0.02 mi N
María Cashion	IA-IB/ Mejoras al Sistema Sanitario de La Comunidad Malezas	1993	ICP/CAT-AG- 93-03-03, SHPO: 09- 24-93-06	Negative	0.03 mi N

Case ID: PR-RGRW-4065 City: Aguadilla

Project (PR-RGRW-04065) Location – Area of Potential Effect Map (Aerial)

BYA BEHAR-YBARRA & ASSOCIATES LLC

Area of Potential Effect

Puerto Rico Department of Housing ReGrow

Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más
Carr 467 Km 5.7 Bo Camaseyes,
Aguadilla, PR 00.603
Catastro: 005-070-660-40-000 Greenhouse
Lat: See 18.476594, Long: -67.129807
Catastro: 005-070-660-43-000 Generator
Lat: See 18.476489, Long: -67.129404



Legend:

Area_of_Potencial_Effect
04065 Struc. Generator
04065 Struc. Greenhouse

PR-RGRW-04065 Parcels

0 0.04 0.08 mi
0 0.08 0.12 km
Service laver Credit: Sources Eri HESE Garmin N

Service Layer O'edits Sources Eri HERE, Gormin, LGGS, Intermop, NOBER/ENT R, NDCon, Eri Johpon, IARE Eri O'nion [Hong Grog], Eri Koteo, Eri [Inoland], NGCC. (c) OpenStreetIvlop contibutors, and the GIS Liter Community and Google Earth.



Source

Centro de Recaudación de Ingresos Municipales (CRIM) https://catasto.crimpr.net/caprpc/



Case ID: PR-RGRW-4065 City: Aguadilla

Project (PR-RGRW-04065) Location - Aerial Map



Location: Aerial MapPuerto Rico Department of Housing ReGrow

Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plan tas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00.603 Catastro: 005-070-660-40-000 Greenhouse Lat. See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404



Legend:



△ 04065 Generator



PR-RGRW-04065 Parcels CRIM_PARCELAS_2018



Service Layer O'edits Sources: Etj. HERE, Gormin LEGS, Intermep, INCREMENT P, NRCon, Etj. Japan, MET, Etj. China (Hong Kang), Etj. Korea, Etj. (Rhaland), NGCC. (a) Opendithe etilizing contributors; and the GS Liser Community and Google Earth.



0.08 mi

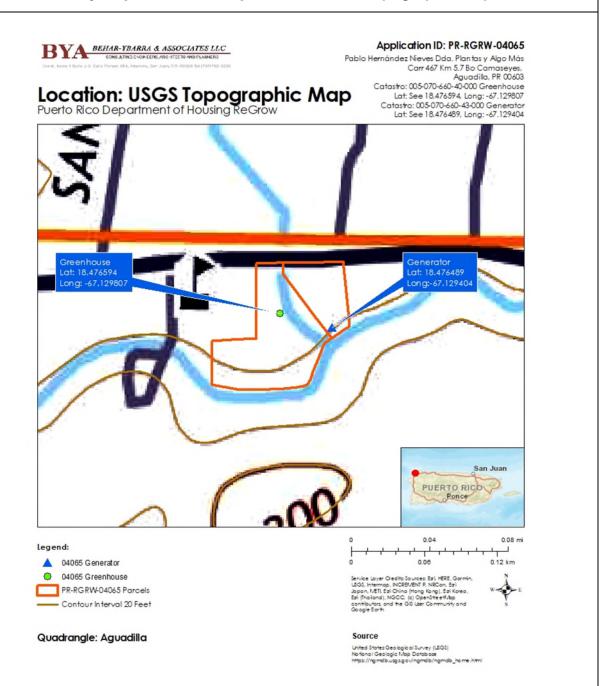
Source

Centro de Recoudoción de Ingresos Municipales (CRIM) https://cotosto.crimpr.net/cdprpc/



Case ID: PR-RGRW-4065 City: Aguadilla

Project (PR-RGRW-04065) Location - USGS Topographic Map





Case ID: PR-RGRW-4065 City: Aguadilla

Project (PR-RGRW-04065) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC

Soils MapPuerto Rico Department of Housing ReGrow

Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404



Legend:

04065 Generator 04065 Greenhouse PR-RGRW-04065 Parcels

Soil Map Unit Symbol

Soil Map Unit Symbol

BcB - Bejucos sandy clay loam, 2 to 5 percent slopes SaE - San German gravelly clay loam, 20 to 40 percent slopes CuB2 - Coto clay, 2 to 5 percent slopes

Service Layer O'edits Sources: Eri, HERE, Garmi LRGS, Intermop. NOREVENT P. NRCon. Eri Japon. NETI. Eri O'bino (Frong Nore), Eri Koreo. Eri (Roaland), NGCC. (R) O'gend'te effiche contributors, and the GB User Community and Ologie Erit.



Source

Centro de Recoudiación de Ingresos I/Junicipales (CRIIV) https://cotostro.crimprinet/cdptpc/



Case ID: PR-RGRW-4065 City: Aguadilla

Project (PR-RGRW-04065) Location with Previous Investigations - Aerial Map



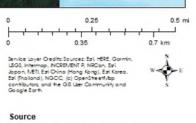
Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404

Previous Investigations: Aerial Map Puerto Rico Department of Housing ReGrow

San Juan PUERTO RICO Long: -67.129807 Lat: 18.476489 Long:-67.129404 Legend:





Cento de Recoudación de Ingresos Municipales (CRPA) https://catasto.srimpr.net/cdprpc/



City: Aguadilla Case ID: PR-RGRW-4065

Project (PR-RGRW-04065) Location with Previous Investigations - Topographic Map Application ID: PR-RGRW-04065 BYA BEHAR-YBARRA & ASSOCIATES LLC Previous Investigations: USGS Topographic Map Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404 Puerto Rico Department of Housing ReGrow Car al Aguadilla 467 San Juan PUERTO RICO Lat: 18.476594 Long: -67.129807 Lat: 18.476489 Long:-67.129404 Legend: ▲ 04065 Generator Service Layer Credits Sources: Est HESE, Garmin LGGs, Intermap, INCSEI/ENT R, NOCOn, Est Japan, NET, Est Onina (Hong Kong), Est Korea, Est (Incaland), NGCC. (c) Opendite etilipa conflicutor, and the GB Lier Community and 04065 Greenhouse 0.50 Mile (0.8 Km) Buffer Contour Interval 20 Feet Quadrangle: Aguadilla Source United States Geologic of Survey (USGS) National Geologic Map Database https://ng.mdb.uagsg.gov/ngmdb/ngmdb_home.html



Case ID: PR-RGRW-4065 City: Aguadilla

Photograph Key



Area of Potential Effect

Puerto Rico Department of Housing ReGrow

Application ID: PR-RGRW-04065

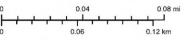
Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404





Area_of_Potencial_Effect
04065 Struc. Generator
04065 Struc. Greenhouse

PR-RGRW-04065 Parcels



Service Layer Cred's: Sources: Exi, HERE, Garmin, USGS, Informap, INCREMENT P. NRCan. Exi Japan: NEI, Ser Crinia (Heng Kang), Exi Korea, Exi (Invaliand), NGCC, (c) OpenStreelMap contributors, and the GIS User Community and Goog e Earth



Source

Centro de Recaudación de Ingresos Municipa es (CRIM) https://calostro.crimpr.net/cdprpc/ Puerto Rico 2017 Disaster Recovery, CDBG-DR Program ReGrow Puerto Rico Program Section 106 NHPA Effect Determination



Applicant: Pablo Hernández Nieves Dda. Plantas y Algo más

Case ID: PR-RGRW-4065 City: Aguadilla



Photo #: 1

Date: September 20, 2023

Description (include direction): General area where the greenhouse will be installed, looking south.



Photo #: 2

Date: September 20, 2023

Description (include direction): General area where the greenhouse will be installed, looking north.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM REGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination



Applicant: Pablo Hernández Nieves Dda. Plantas y Algo más

Case ID: PR-RGRW-4065 City: Aguadilla



Photo #: 3

Date: September 20, 2023

Description (include direction): Warehouse building that will be used for storage the generator and equipment, looking southeast.



October 20, 2022

Arch. Carlos A. Rubio Cancela

Executive Director State Historic Preservation Officer Cuartel de Ballajá Bldg. San Juan, Puerto Rico

Re: Authorization to Submit Documents

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

Juan C Pérez Bofill, P.E. M.Eng Director of Disaster Recovery CDBG DR-MIT



Appendix 2



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 March 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 μ g/m 3) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:	
PUERTO RICO 🕶	GO

Important	Notes		Download	National Datas	et: dbf xls	Data	dictionary	(PDF)
	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	Classification	Whole or/ Part County	Population (2010)	State/ County FIPS Codes
PUERTO	RICO							
Municipio	(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	181920212223	//		Part	22,921	72/021
0.4	Sulfur	San Juan, PR	181920212223	//		Whole	28,140	72/033
Guaynabo Municipio	PM-10	Mun. of Guaynabo, PR	929394959697989900010203040506070809	02/11/2010	Moderate	Part	90,470	72/061
Guaynabo Municipio	Sulfur Dioxide (2010)	San Juan, PR	181920212223	//		Part	23,802	72/061
Calinas	Sulfur	Guayama-	181920212223	//		Part	23,401	72/123
Con Isson	Sulfur	San Juan, PR	181920212223	//		Part	147,963	72/127
Toa Baja Municipio		San Juan, PR	181920212223	//		Part	52,441	72/137

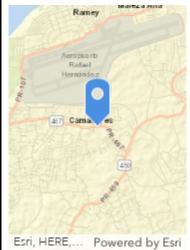
Important Notes

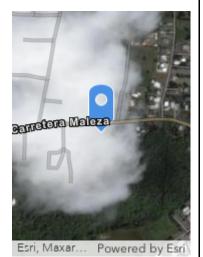
Discover. Connect. Ask.



Appendix 3

	APPLICANT/L	OCATION INFORMATION
Applicant ID:	PR-RGRW-04065	
Name:	PABLO HERNANDEZ NIEVES DBA PLANTAS Y ALGO MAS	Ramey
Parcel ID:	005-070-660-43-000; 005-070-660-40- 000	Aeropuorio Rafael
Latitude:	18.4767570294334	Hernánde z
Longitude:	-67.12974721553907	de O
Elevation:	79.5848529293704	457 Cama es
Development		是一个
Street Address:	Carr 467 Km 5.7 Bo Camaseyes	THE THE
Municipio:	Aguadilla	2000年17
Zip Code:	00603	
Site Inspector:	Patricia Carmenatty	The state of the s
Date of Visit:	September 11, 2023	Esri, HERE, Powered
Time of Visit:	11:10	





FIELD OBSERVATIONS					
Question	Answer	Notes			
1. Is the structure in use?	Yes	Many greenhouses			
2. Is the structure a greenhouse?	Yes	30x100			
3. Is Electricity connected? (Utilities or Well)	Yes	LUMA			
4. Is water connected? (Utilities or Well)	Yes	AAA			
5. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, strom debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.)	No				
Are there any 55-gallon drums visible on site? If yes, are they leaking?	No				
6. Are there any (or signs of any) underground storage tanks on the property?	No				
7. Are there signs of AST on the parcel or adjacent parcel? If yes, list approximate size and contents, if known.	No				
Is there any stained soil or pavement on the parcel?	No				
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					

Photo Direction: Southwest

Comments: Left side Greenhouse location



Photo Direction: South

Comments: greenhouse location front



Side #1 of Structure

Photo Direction: N/A

Comments: facing away greenhouse



Facing Away From Side #1

Photo Direction: South

Comments: Right side greenhouse location



Back of Structure

Photo Direction: South

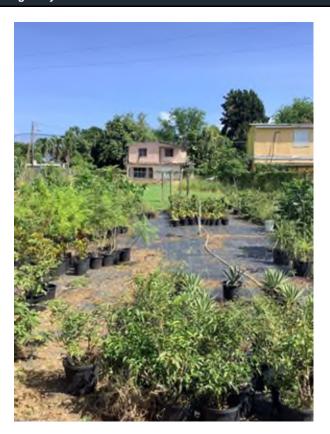
Comments:



Facing Away from Back

Photo Direction: N/A

Comments: Back location greenhouse



Side #2 of Structure

Photo Direction: South

Comments: facing away back of the new greenhouse location



Facing Away from Side #2

Photo Direction: East

Comments: Evidence no wetland (dried canal)



Streetscape #1

Photo Direction: N/A

Comments: no water on canal



Streetscape #2

Photo Direction: N/A

Comments:



EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m³)	N/A	N/A	N/A	8.08	N/A
Ozone (ppb)	N/A	N/A	N/A	61.6	N/A
Diesel Particulate Matter (µg/m³)	0.0238	0.0667	31	0.261	1
Air Toxics Cancer Risk* (lifetime risk per million)	10	20	0	25	1
Air Toxics Respiratory HI*	0.2	0.19	0	0.31	1
Toxic Releases to Air	5,500	4,300	95	4,600	87
Traffic Proximity (daily traffic count/distance to road)	28	180	30	210	29
Lead Paint (% Pre-1960 Housing)	0.11	0.16	56	0.3	37
Superfund Proximity (site count/km distance)	0.024	0.15	0	0.13	22
RMP Facility Proximity (facility count/km distance)	0.36	0.47	67	0.43	70
Hazardous Waste Proximity (facility count/km distance)	0.32	0.76	47	1.9	43
Underground Storage Tanks (count/km²)	1.2	1.7	69	3.9	50
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.00052	2.3	25	22	43
SOCIOECONOMIC INDICATORS					
Demographic Index	80%	83%	26	35%	95
Supplemental Demographic Index	37%	43%	26	14%	98
People of Color	99%	96%	26	39%	96
Low Income	62%	70%	26	31%	89
Unemployment Rate	10%	15%	44	6%	83
Limited English Speaking Households	54%	67%	20	5%	98
Less Than High School Education	20%	21%	50	12%	81
Under Age 5	2%	4%	34	6%	19
Over Age 64	23%	22%	54	17%	75
Low Life Expectancy	N/A	N/A%	N/A	20%	N/A

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



Appendix 4

November 28, 2023

Mr. Edwin Muñíz Field Supervisor Fish and Wildlife Service Caribbean Ecological Services Field Office PO Box 491 Boqueron, PR 00622 Email: caribbean_es@fws.gov

RE: Informal Consultation for Case PR-RGRW-04065 at Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603

Dear Mr. Muniz:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-04065, located at coordinates of the greenhouse location: latitude 18.476594, longitude -67.129807 and generator location: latitude 18.476489 longitude -67.129404 on Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-04065 consist of the purchase and installation of 100' x 30' greenhouse, a generator, refrigerator, maintenance tools and a Transit 250. The new greenhouse will be placed on bare soil at parcel 005-070-660-40-000. The greenhouse will be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator and other appliances will be stored on a structure at parcel 005-070-660-43-000. The building is located at 18.476489 -67.129404 was constructed ca. 2010. The building is present in 2012 aerial imagery but is absent from 2009 imagery. The equipment is movable and will not be affixed to the building. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed will be required for the generator installation. The project area is located at PR-467 km. 5.7 within the Municipality of Aguadilla. Based on a review of historical aerial imagery, the general area of the proposed greenhouse has been used for agricultural purposes for the past 11 years.

The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the installation of the greenhouse and generator, see Figure 3: Area of Potential Effect.

Existing Conditions and Trends:

For the proposed project parcels 005-070-660-40-000 and 005-070-660-43-000, the areas are designated as Prime Farmland, See Figure 4: PR-RGRW-04065 Farmland Protection Map. The project area is located in a residential area of Aguadilla. The area where the greenhouse will be placed has a flat topography. On the surface we observed plants in plastic pots, grasses and bushes, refer to Photo 1 and Photo 2. The area where the generator will be stored is inside a warehouse, refer Photo 3. The soil in the area has been classified as Coto clay, 2 to 5 percent slopes, eroded (CuB2). The Coto series consists of deep, well-drained soils that are slightly acid and moderately permeable. The land has been used for agricultural uses for over 11 years and the proposed project will not change the land use associated with these placements. In addition, the closer Final Critical Habitat is located at 36,099 feet from the project location, see Figure 5 PR-RGRW-04065 Critical Habitats Map.

Using the Information for Planning and Consultation (IPaC) system (See Exhibit 2), we have determined that the proposed project lies within the range of the following federally listed species and critical habitats:

Name of species	Threatened/Endangered/Candidate			
Reptiles				
Puerto Rican boa (Chilabothrus inornatus)	Endangered			
Critical Habitat				
There are no critical habitats within the project area.				

The nature of the project, scope of work, information available, a careful analysis of the IpaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated November 20, 2023, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "No Effect" determination on the Puerto Rican Boa, see Exhibit 2.

Name of the species	Effect Determination	Conservation Measures that will be implemented					
Puerto Rican boa (Chilabothrus	No Effect (NE)	USFWS Puerto Rico Boa					
inornatus)		Conservation Measures 2020					
Critical Habitats							
There are no critical habitats within the project area.							

In order to complete the informal consultation process, we are requesting your concurrence for the NE determination included in this letter. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. Should you require any additional information, please contact Allison Cullett at allison.cullett@horne.com.

References:

Puerto Rican boa (*Chilabothrus inornatus*) https://ecos.fws.gov/ecp/species/6628

USFWS Puerto Rican boa Conservation Measures





Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 Catastro: 005-070-660-40-000 Greenhouse

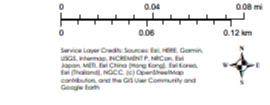
Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404

Location: Aerial MapPuerto Rico Department of Housing ReGrow

Greenhouse
Lot: 18.476594
Long: -67.129807

Generator
Lot: 18.476489
Long:-67.129404

San Juan
PUERTO RICO
Paner



▲ 04065 Generator

Legend:

O 4065 Greenhouse
PR-RGRW-04065 Parcels
CRIM_PARCELAS_2018

Source

Centro de Recaudación de Ingresos Municipales (CRM) https://catastro.crimpr.net/cataspc/

Figure 1: PR-RGRW-04065 Location Map



Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404

Location: USGS Topographic MapPuerto Rico Department of Housing ReGrow

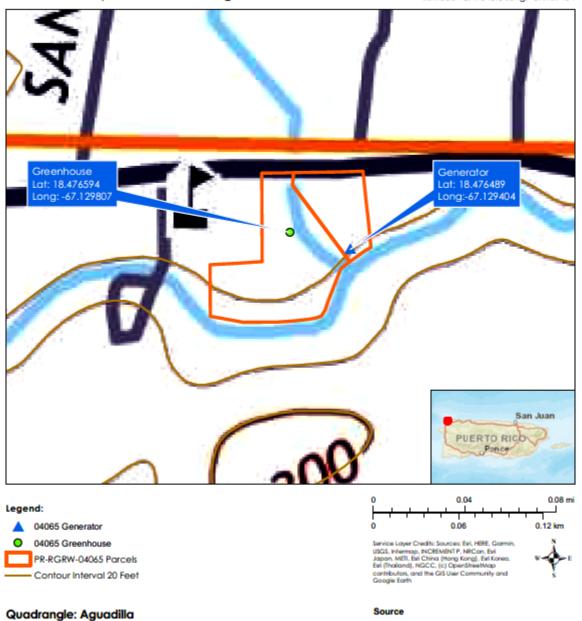


Figure 2: PR-RGRW-04065 Topographic Map

United States Geological Survey (USGS) National Geologic Map Database https://ngmdb.usgs.gov/ngmdb/ngmdb_home.html



Application ID: PR-RGRW-04065

Pablo Hernández Nieves Dda. Plantas y Algo Más Carr 467 Km 5.7 Bo Camaseyes, Aguadilla, PR 00603 Catastro: 005-070-660-40-000 Greenhouse Lat: See 18.476594, Long: -67.129807 Catastro: 005-070-660-43-000 Generator Lat: See 18.476489, Long: -67.129404

Area of Potential Effect Puerto Rico Department of Housing ReGrow

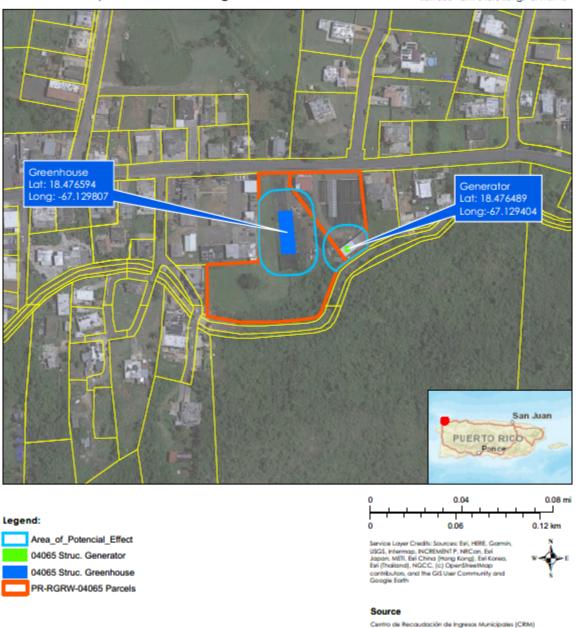
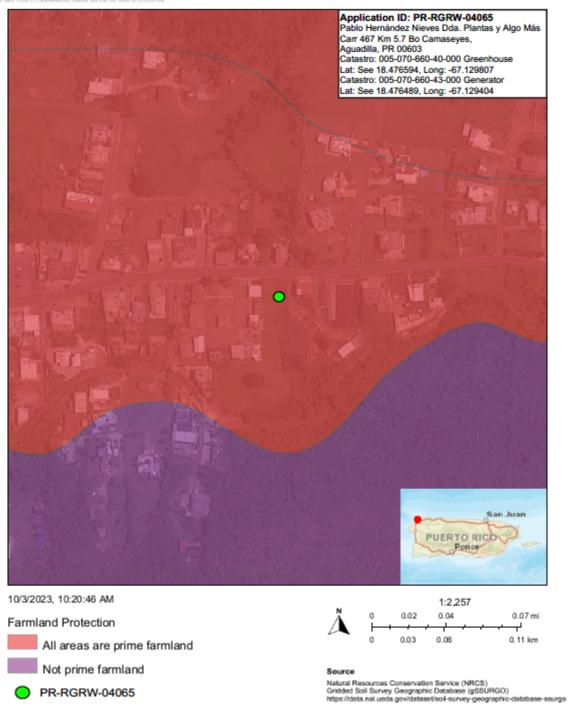


Figure 3: PR-RGRW-04065 Area of Potential Effect Map

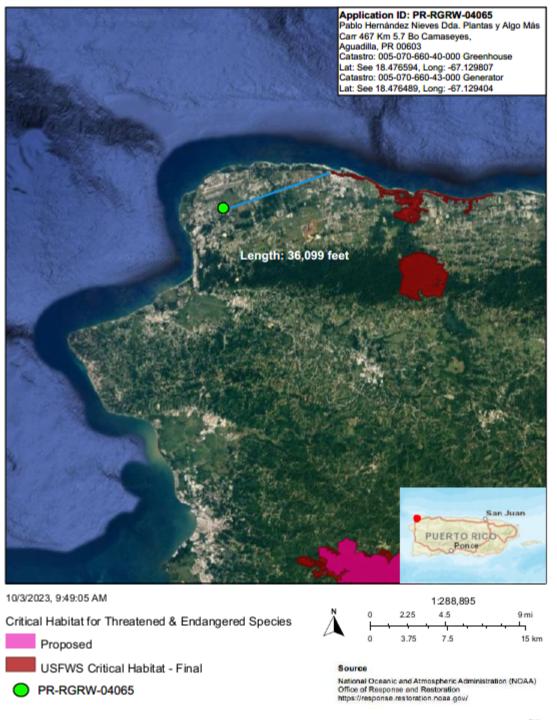


BYA
Google Earth Image 2021 © Maxor Technologies; © Image 2021 CNESAirbus | Google Earth | SGS National Map 3D Elevation Program (3DEP). July 18, 2023. | FEMA | U.S.Forest Service Enterprise

Figure 4: PR-RGRW-04065 Farmland Protection Map



PR-RGRW-04065 Endangered Species



BYA

Earthstar Geographics | Google Earth Image 2021 © Major Technologies; © Image 2021 CNES/Airbus| GoogleEarth | SGS National Map 3D Elevation Program (3DEP). July 18, 2023. | FEMA| US

Figure 5: PR-RGRW-04065 Critical Habitats Map





United States Department of the Interior



FISH AND WILDLIFE SERVICE

Caribbean Ecological Services Field Office Post Office Box 491 Boqueron, PR 00622-0491 Phone: (787) 834-1600 Fax: (787) 851-7440

Email Address: <u>CARIBBEAN ES@FWS.GOV</u>

In Reply Refer To: November 20, 2023

Project Code: 2024-0018231 Project Name: PR-RGRW-4065

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

To Whom It May Concern:

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

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

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

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

11/20/2023

to <u>caribbean es@fws.gov</u>. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

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

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

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

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

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

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

This species list is provided by:

Caribbean Ecological Services Field Office caribbean es@fws.gov
Post Office Box 491
Boqueron, PR 00622-0491
(786) 244-0081

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office Post Office Box 491 Boqueron, PR 00622-0491 (787) 834-1600 11/20/2023 4

PROJECT SUMMARY

2024-0018231 Project Code: **Project Name:** PR-RGRW-4065

Project Type: New Constr - Above Ground

Project Description: The proposed activities for PR-RGRW-04065 consist of the purchase and

installation of 100' x 30' greenhouse, a generator, refrigerator,

maintenance tools and a Transit 250. The new greenhouse will be placed on bare soil at parcel 005-070-660-40-000. The greenhouse will be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator and other appliances will be stored on a structure at parcel 005-070-660-43-000. The building is located at 18.476489 -67.129404 was constructed ca. 2010. The building is present in 2012 aerial imagery but is absent from 2009 imagery. The equipment is movable and will not be affixed to the building. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed will be provided by an existing PREPA/ LUMA connection on the property. No ground disturbance will be required for the generator installation. The project area is located at PR-467 km. 5.7 within the Municipality of Aguadilla. Based on a review of historical aerial imagery, the general area of the proposed greenhouse

Project Location:

The approximate location of the project can be viewed in Google Maps: https:// www.google.com/maps/@18.476637750000002,-67.12978470039371,14z



has been used for agricultural purposes for the past 11 years.

Counties: Aguadilla County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

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

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

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

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

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

REPTILES

NAME STATUS

Puerto Rican Boa Chilabothrus inornatus

Endangered

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628

General project design guidelines:

 $\underline{https://ipac.ecosphere.fws.gov/project/4YZNUQIGZBCF5EIPYZQECLFW4Y/documents/generated/7140.pdf}$

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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

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

MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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

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

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> Engineers District.

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

RIVERINE

R5UBH

IPAC USER CONTACT INFORMATION

Agency: Private Entity

Name: Patricia Carmenatty

Address: Perseo St. 554 Cond. Iberia Suite J-3

City: San Juan

State: PR Zip: 00920

Email patricia.carmenatty@byaea.com

Phone: 7877830290



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Caribbean Ecological Services Field Office Post Office Box 491 Boqueron, PR 00622-0491

Phone: (787) 834-1600 Fax: (787) 851-7440 Email Address: <u>CARIBBEAN ES@FWS.GOV</u>

In Reply Refer To: November 20, 2023

Project code: 2024-0018231 Project Name: PR-RGRW-4065

Subject: Consistency letter for the project named 'PR-RGRW-4065' for specified threatened

and endangered species, that may occur in your proposed project location, pursuant to

the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On November 20, 2023, Patricia Carmenatty used the Caribbean DKey; dated October 12, 2023, in the U.S. Fish and Wildlife Service's online IPaC application to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-4065'. The project is located in Aguadilla County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@18.476637750000002,-67.12978470039371,14z



The following description was provided for the project 'PR-RGRW-4065':

The proposed activities for PR-RGRW-04065 consist of the purchase and installation of 100' x 30' greenhouse, a generator, refrigerator, maintenance tools and a Transit 250. The new greenhouse will be placed on bare soil at parcel 005-070-660-40-000. The greenhouse will be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator and other appliances will be stored on a structure at parcel 005-070-660-43-000. The building is located at 18.476489 -67.129404 was constructed ca. 2010. The building is present in 2012 aerial imagery but is absent from 2009 imagery. The equipment is movable and will not be affixed to the building. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed will be provided by an existing PREPA/LUMA connection on the property. No ground disturbance will be required for the generator installation. The project area is located at PR-467 km. 5.7 within the Municipality of Aguadilla. Based on a review of historical aerial imagery, the general area of the proposed greenhouse has been used for agricultural purposes for the past 11 years.

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

Species	Listing Status	Determination
Puerto Rican Boa (Chilabothrus inornatus)	Endangered	No effect

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

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

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

Note: Projects located within the range of the Puerto Rican boa or the Virgin Islands tree boa might encounter these species during project activities. **This letter does not provide take to handle or move these species**. If relocation of the species is needed, please contact either the Puerto Rico Department of Natural Resources (DNER) at 787-724-5700, 787-230-5550, or

787-771-1124 for projects in Puerto Rico, or the Virgin Islands Department of Planning and Natural Resources, Division of Fish and Wildlife (DFW) at 340-775-6762 for projects in the Virgin Islands. Otherwise, contact the Caribbean Ecological Services Field Office (caribbean_es@fws.gov) to determine whether the consultation needs to be reinitiated.

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

We appreciate your interest in protecting endangered species and their habitats. It is the Service's mission to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of our people. If you have any questions or require additional information, please contact our office at Caribbean_es@fws.gov.

Action Description

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

1. Name

PR-RGRW-4065

2. Description

The following description was provided for the project 'PR-RGRW-4065':

The proposed activities for PR-RGRW-04065 consist of the purchase and installation of 100' x 30' greenhouse, a generator, refrigerator, maintenance tools and a Transit 250. The new greenhouse will be placed on bare soil at parcel 005-070-660-40-000. The greenhouse will be anchored with foundations at the corners and center spaced 10 feet apart and buried 2 feet. The generator and other appliances will be stored on a structure at parcel 005-070-660-43-000. The building is located at 18.476489 -67.129404 was constructed ca. 2010. The building is present in 2012 aerial imagery but is absent from 2009 imagery. The equipment is movable and will not be affixed to the building. The water needed for the greenhouse will be provided by an existing PRASA intake on the property. The power needed will be provided by an existing PREPA/LUMA connection on the property. No ground disturbance will be required for the generator installation. The project area is located at PR-467 km. 5.7 within the Municipality of Aguadilla. Based on a review of historical aerial imagery, the general area of the proposed greenhouse has been used for agricultural purposes for the past 11 years.

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QUALIFICATION INTERVIEW

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

No

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

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

Yes

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

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Private Entity

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Photo #: 1

Date: September 20, 2023

Description (include direction): General area where the greenhouse will be installed, looking south.



Photo #: 2

Date: September 20, 2023

Description (include direction): General area where the greenhouse will be installed, looking north.



Photo #: 3

Date: September 20, 2023

Description (include direction): Warehouse building that will be used for storage the generator and equipment, looking southeast.