



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

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

Project Information

Project Name: PR-SBF-07826

HEROS Number: 900000010305799

State / Local Identifier:

Project Location: , Vega Baja, PR 00963

Additional Location Information:

The project is located at latitude 18.44536004, longitude -66.38834535 at the address given above. Tax ID Number: 035-068-014-12-001

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

This project (PR-SBF-07826) entails the award of a small business recovery grant to Antojitos Floy's, a restaurant business, at Calle JJ Acosta, Lote #76 PUEBLO WARD, Vega Baja, PR 00963. Tax ID Number: 035-068-014-12-001. Coordinates (latitude 18.44536004, longitude -66.38834535). The specific scope of work for this project includes payment of rent/mortgage, utilities, purchase of inventory, and the purchase of equipment including: installation of replacement vent hood, suppression system, extractor, 6 burner stove, and 40 lb floor fryer. Other non-affixed equipment: 2 door refrigerator, 2 door freezer, and a 27" Fogel sandwich unit. Project funding amount: \$30,466.15

Level of Environment Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)(iii)

Funding Information

Grant Number	HUD Program	Program Name
B-17-DM-72-0001	Other	CDBG-DR Puerto Rico Small Business Financing Program
B-18-DP-72-0001	Other	CDBG-DR Puerto Rico Small Business Financing Program

Estimated Total HUD Funded Amount: \$30,466.15

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$30,466.15

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
Floodplain Management	none	N/A	Applicant must buy Flood Insurance.

Determination:

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

Preparer Signature: *J. Lorenzo* Date: Feb. 7, 2023

Name / Title/ Organization: Ivelisse Lorenzo / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature: *J. Lorenzo* Date: Feb. 7, 2023

Name/ Title: Ivelisse Lorenzo, Permits and Environmental Compliance Specialist

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



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

Project Information

Project Name: PR-SBF-07826

HEROS Number: 900000010305799

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

State / Local Identifier:

RE Preparer: Ivelisse Lorenzo

Certifying Officer:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): HORNE LLP

Point of Contact: Justin Neely

Project Location: , Vega Baja, PR 00963

Additional Location Information:

The project is located at latitude 18.44536004, longitude -66.38834535 at the address given above. Tax ID Number: 035-068-014-12-001

Direct Comments to:

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

This project (PR-SBF-07826) entails the award of a small business recovery grant to Antojitos Floy's, a restaurant business, at Calle JJ Acosta, Lote #76 PUEBLO WARD, Vega Baja, PR 00963. Tax ID Number: 035-068-014-12-001. Coordinates (latitude 18.44536004, longitude -66.38834535). The specific scope of work for

this project includes payment of rent/mortgage, utilities, purchase of inventory, and the purchase of equipment including: installation of replacement vent hood, suppression system, extractor, 6 burner stove, and 40 lb floor fryer. Other non-affixed equipment: 2 door refrigerator, 2 door freezer, and a 27" Fogel sandwich unit. Project funding amount: \$30,466.15

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

Level of Environmental Review Determination:

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

58.35(a)(3)(iii)

Determination:

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

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-17-DM-72-0001	Other	CDBG-DR Puerto Rico Small Business Financing

		Program
B-18-DP-72-0001	Other	CDBG-DR Puerto Rico Small Business Financing Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$30,466.15

Estimated Total Project Cost: \$30,466.15

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The nearest airport RPZ/CZ is approximately 94,515.7 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 7,891.5 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C0285J, effective on 11/18/2009: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality Clean Air Act, as amended,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would

particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93		require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 4,112.4 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project clears via the project criteria 4 of the USFWS Blanket Clearance Letter. "Rehabilitation of existing occupied single family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facility is not visible directly or indirectly from a beach."
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Flood Map Number 72000C0285J, effective on 11/18/2009: This project is located in a 100-year floodplain based on the ABFE map. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988. Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. Applicant must buy Flood Insurance as part of the mitigation plan.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>(Circa 1928) Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is not within proximity of a NWSRS river. The project is located 212,064.7 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.</p>
<p>HUD HOUSING ENVIRONMENTAL STANDARDS</p>		

ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

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

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

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Floodplain Management	none	N/A	Applicant must buy Flood Insurance.	

Project Mitigation Plan

The structure is located in the ABFE Zone A (100 yr. floodplain), applicant must buy flood insurance for mitigation/minimization.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

No

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

Yes

Screen Summary

Compliance Determination

The nearest airport RPZ/CZ is approximately 94,515.7 feet away. The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-SBF-07826 Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

No

Document and upload map and documentation below.

Yes

Screen Summary

Compliance Determination

This project is not located in a CBRS Unit. It is 7,891.5 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-SBF-07826 CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Flood Insurance

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

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

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

Yes

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

[PR-SBF-07826 ABFE.pdf](#)

[PR-SBF-07826 Flood Map.pdf](#)

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

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

No

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

Flood Map Number 72000C0285J, effective on 11/18/2009: The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Air Quality

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Zone Management Act

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

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

Yes

No

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

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 4,112.4 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[PR-SBF-07826 CZM.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

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

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

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

None of the Above

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

No

Explain:

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

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

Yes

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[PR-SBF-07826 Toxics\(1\).pdf](#)

[PR-SBF-07826 Toxics Table.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project clears via the project criteria 4 of the USFWS Blanket Clearance Letter. "Rehabilitation of existing occupied single family homes, and buildings; provided that equipment storage or staging areas are not located on vacant property harboring a wetland and/or forested vegetation and that the lighting associated to the new facility is not visible directly or indirectly from a beach."

Supporting documentation

[PR-SBF-07826 Endangered Species.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Explosive and Flammable Hazards

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

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

No

Yes

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

No

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

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

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

Yes

✓ No

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

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

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-SBF-07826 Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

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

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

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

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

[PR-SBF-07826 ABFE.pdf](#)
[PR-SBF-07826 Flood Map.pdf](#)

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

Does your project occur in a floodplain?

- No
- Yes

Select the applicable floodplain using the FEMA map or the best available information:

Floodway

Coastal High Hazard Area (V Zone)

✓ 100-year floodplain (A Zone)

500-year floodplain (B Zone or shaded X Zone)

8-Step Process

Does the 8-Step Process apply? Select one of the following options:

8-Step Process applies

✓ **5-Step Process** is applicable per 55.12(a)(1-4). Provide documentation of 5-Step Process.

Document and upload the completed 5-Step Process below.
Select the applicable citation: [only one can be selected]

55.12(a)(1)

55.12(a)(2)

55.12(a)(3)

✓ 55.12(a)(4)

8-Step Process is inapplicable per 55.12(b)(1-5).

Mitigation

For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.

none

Which of the following mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process? Select all that apply.

Permeable surfaces

Natural landscape enhancements that maintain or restore natural hydrology

Planting or restoring native plant species

Bioswales

Evapotranspiration

Stormwater capture and reuse

Green or vegetative roofs with drainage provisions

Natural Resources Conservation Service conservation easements or similar easements

Floodproofing of structures

Elevating structures including freeboarding above the required base flood elevations

Other

Screen Summary

Compliance Determination

Flood Map Number 72000C0285J, effective on 11/18/2009: This project is located in a 100-year floodplain based on the ABFE map. The 5-Step Process is applicable per 55.12(a)(1-4). With the 5-Step Process the project will be in compliance with Executive Order 11988. Executive Order (EO) 11988 within HUD Regulations 24 CFR Part 55 details floodplain management. Applicant must buy Flood Insurance as part of the mitigation plan.

Supporting documentation

[PR-SBF-07826 5 Step.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

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

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

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

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

This case clears on the following Programmatic Agreement Allowances, applied by C. Warner, M.A. and verified by L. Poche, M.A.: Architecture- Appendix B, Tier II, Allowance B.2.a: B. BUILDINGS AND STRUCTURES 2. Building Contents a. Repair or replacement of building contents including furniture, movable partitions, computers, cabinetry, supplies, and equipment and any other moveable items which are not character defining features of a historic property. Architecture- Appendix B, Tier II, Allowance B.3.c: II. Second Tier Allowances B. BUILDINGS AND STRUCTURES 3. Utilities and Mechanical, Electrical, and Security Systems c. Installation or replacement of interior fire detection, fire suppression, or security alarm systems. The allowance does not apply to surface mounted wiring, conduits, piping, etc., unless previously existing, provided that installation of the system hardware does not damage or cause the removal of character-

defining architectural features and can be easily removed in the future.
Archaeology - n/a.

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

Screen Summary

Compliance Determination

(Circa 1928) Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

Supporting documentation

[PR-SBF-07826 Historic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

None of the above

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

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

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

Yes

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

No

Screen Summary

Compliance Determination

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

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.

Supporting documentation

[PR-SBF-07826 Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

No

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

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is located 212,064.7 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-SBF-07826 Wild and Scenic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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

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

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

Yes

✓ No

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

Screen Summary

Compliance Determination

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

Supporting documentation

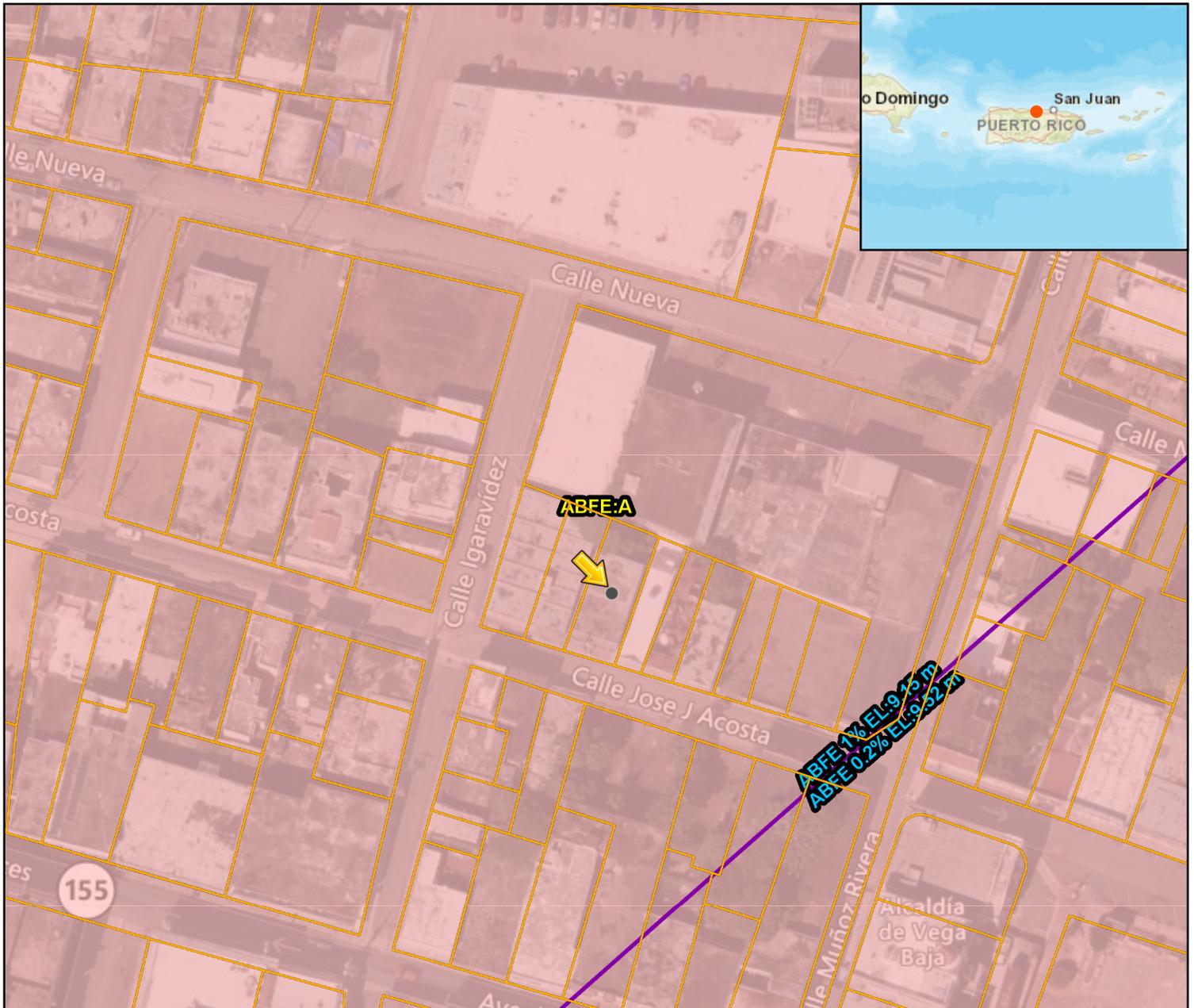
Are formal compliance steps or mitigation required?

Yes

✓ No

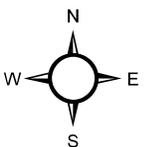
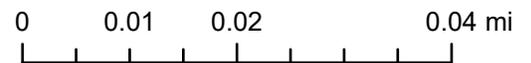


PR-SBF-07826 ABFE



Legend

- Parcels
- A
- AO
- AE
- Coastal A Zone
- VE
- 0.2% Annual Chance Flood Zone
- A-Floodway
- AE-Floodway
- Coastal A Zone and Floodway
- Zone/BFE Boundary
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood
- Limit of Moderate Wave Action (LiMWA)
- Advisory Base Flood Elevation (zoom in to make visible)
- Streamline (zoom in to make visible)

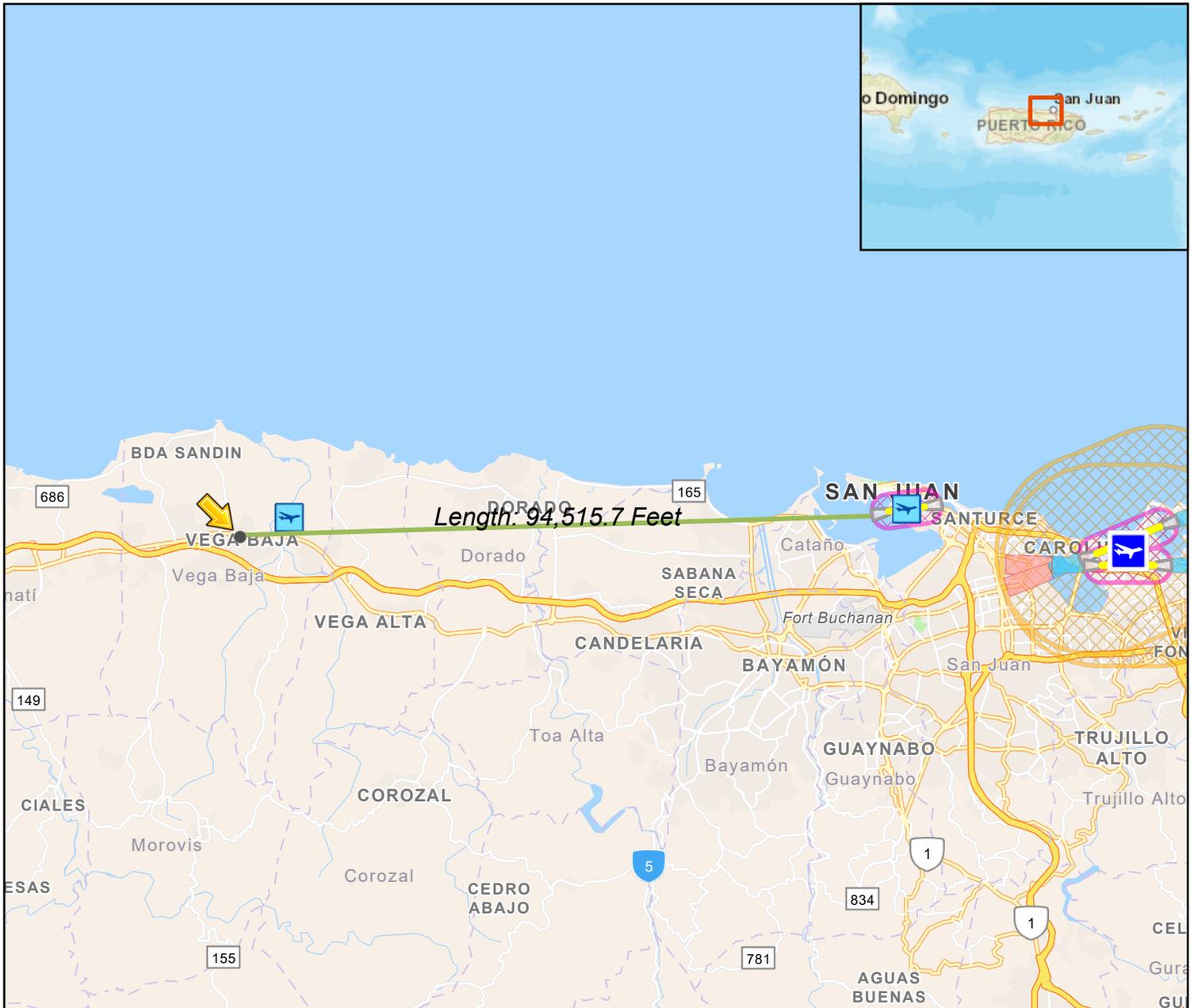


FEMA Map Service

ABFE 1PCT

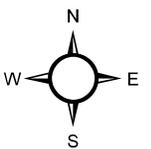
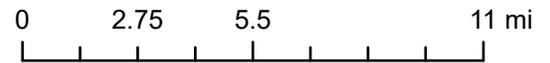


PR-SBF-07826 Airports



Legend

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



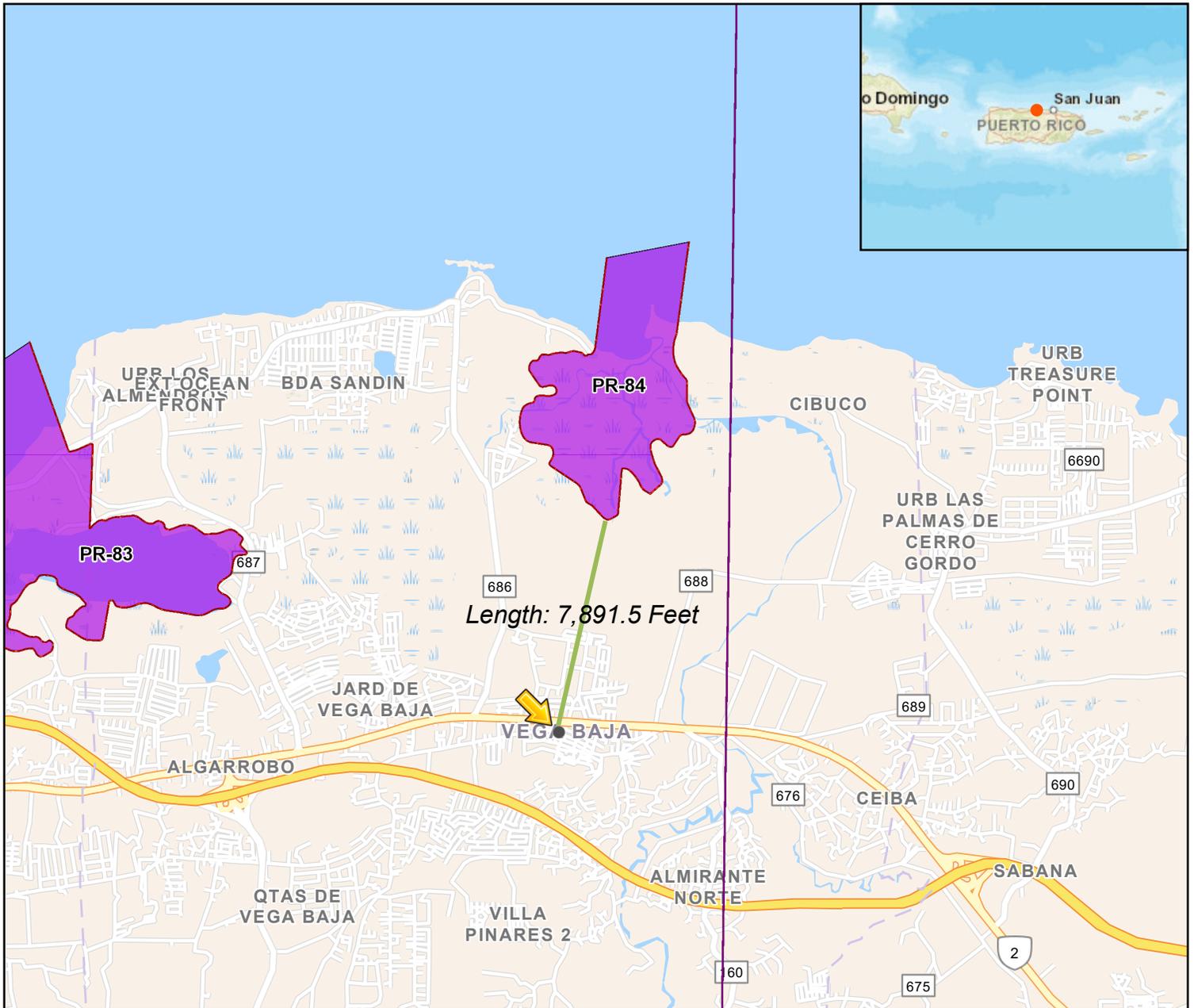
Runway Protection Zones

Major Civil and Military Airports

<https://arcgis.horne.com/portal/apps/experiencebuilder/experience/?id=883eb165a91d411996af67b92f45a429>

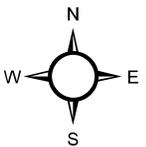
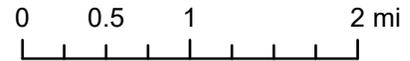


PR-SBF-07826 CBRS



Legend

- CBRS Map Panels
- Otherwise Protected Area
- System Unit
- CBRS Prohibitions
- CBRS Buffer Zone



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program

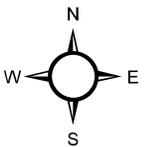
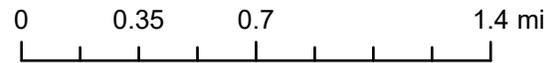


PR-SBF-07826 CZM



Legend

 Coastal Zone Management Act Boundary



NOAA

Coastal Zone Management Act

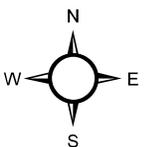
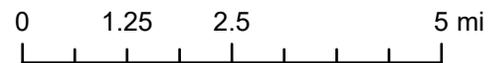


PR-SBF-07826 Endangered Species



Legend

 USFWS Critical Habitat - Polygon Features - Final (agency service)



Endangered Species Habitat

U.S. Fish and Wildlife Service

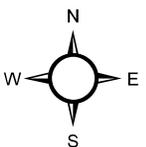
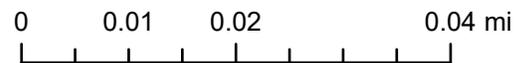


PR-SBF-07826 Farmlands



Legend

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

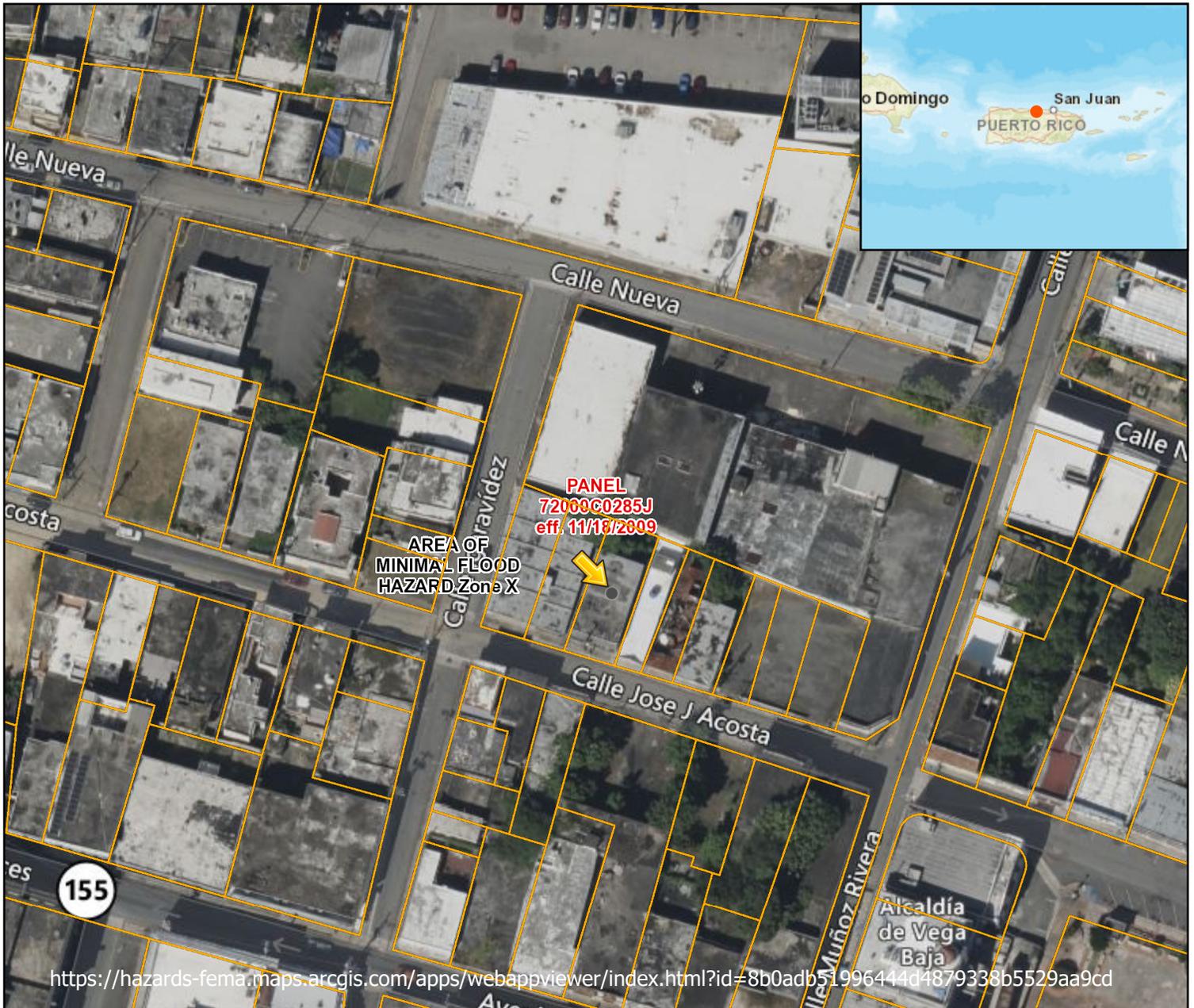


USGS USA Soils

Farmland dataset

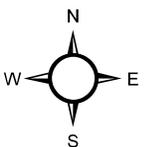
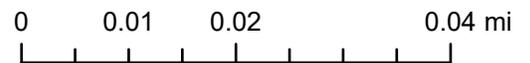


PR-SBF-07826 Flood Map



Legend

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

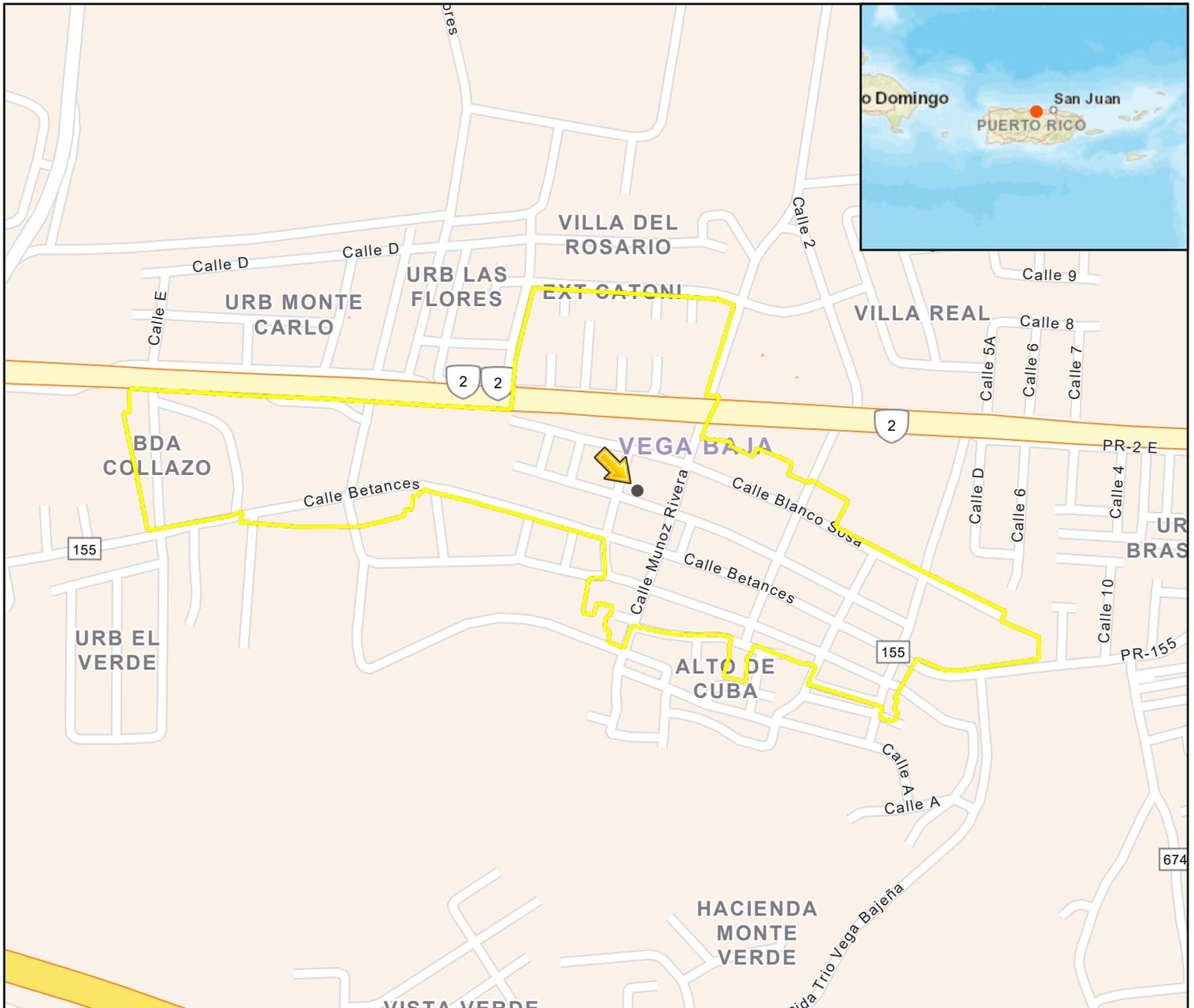


FEMA Map Service

Flood Insurance Rate Maps

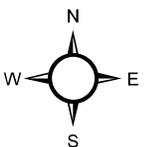
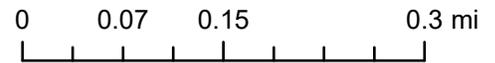


PR-SBF-07826 Historic



Legend

- National Historic Landmark
 - National Register of Historic Places
 - National Historic Landmark
 - National Register of Historic Places
 - Traditional Urban Centers
- National Register Of Historic Places Points
- National Register of Historic Places Polygons



<https://arcgis.home.com/portal/apps/experiencebuilder/experience/?id=883eb165a91d411996af67b92f45a429>
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National Register of Historic Places

Local Historic Areas digitized by Horne

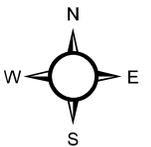
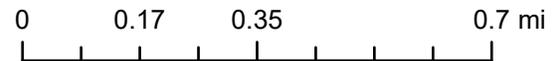


PR-SBF-07826 Toxics



Legend

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



Envirofacts Facility Locations

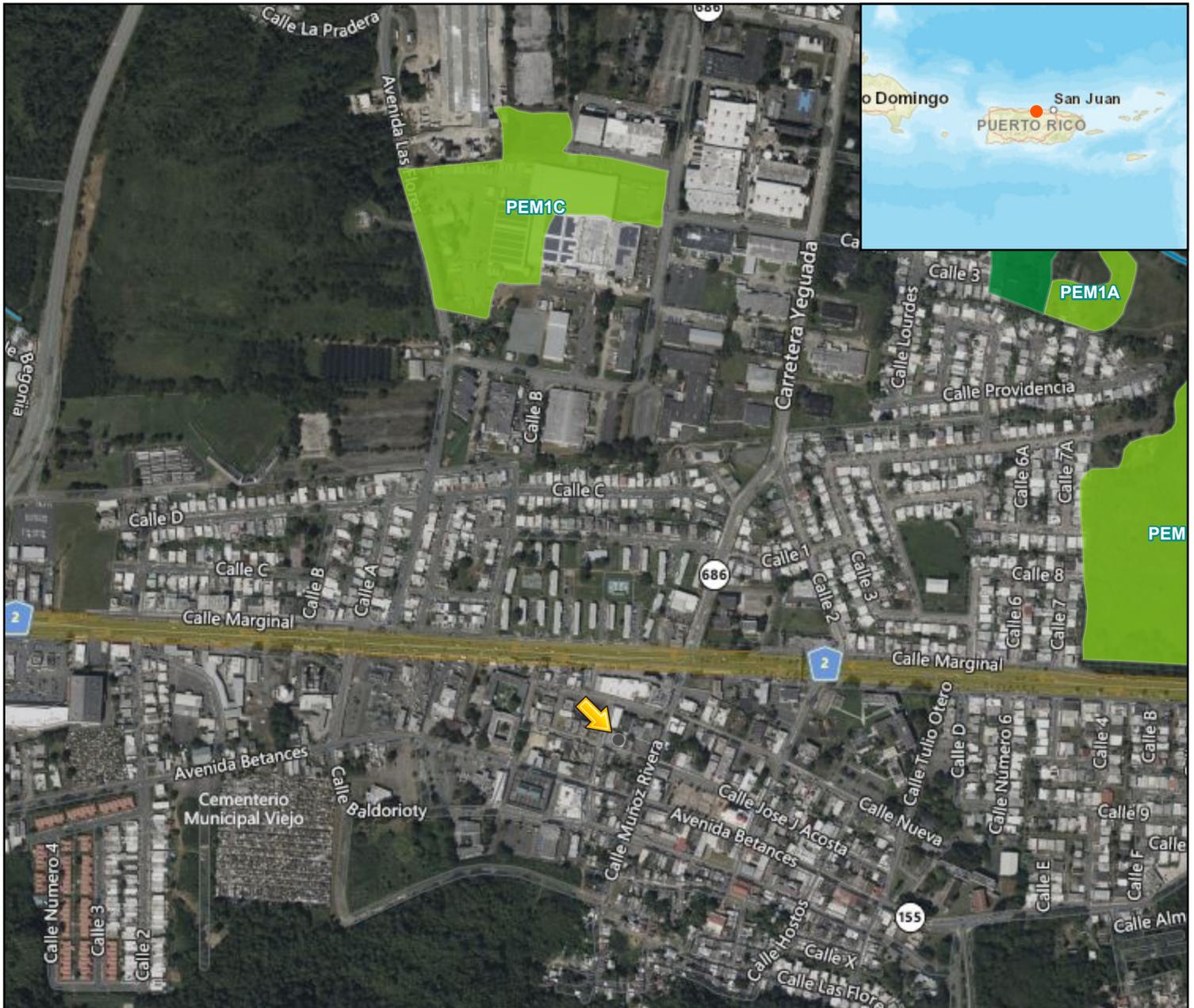
EPA

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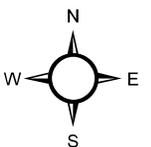
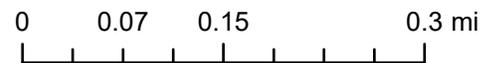


PR-SBF-07826 Wetlands



Legend

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Riverine



National Wetlands Inventory

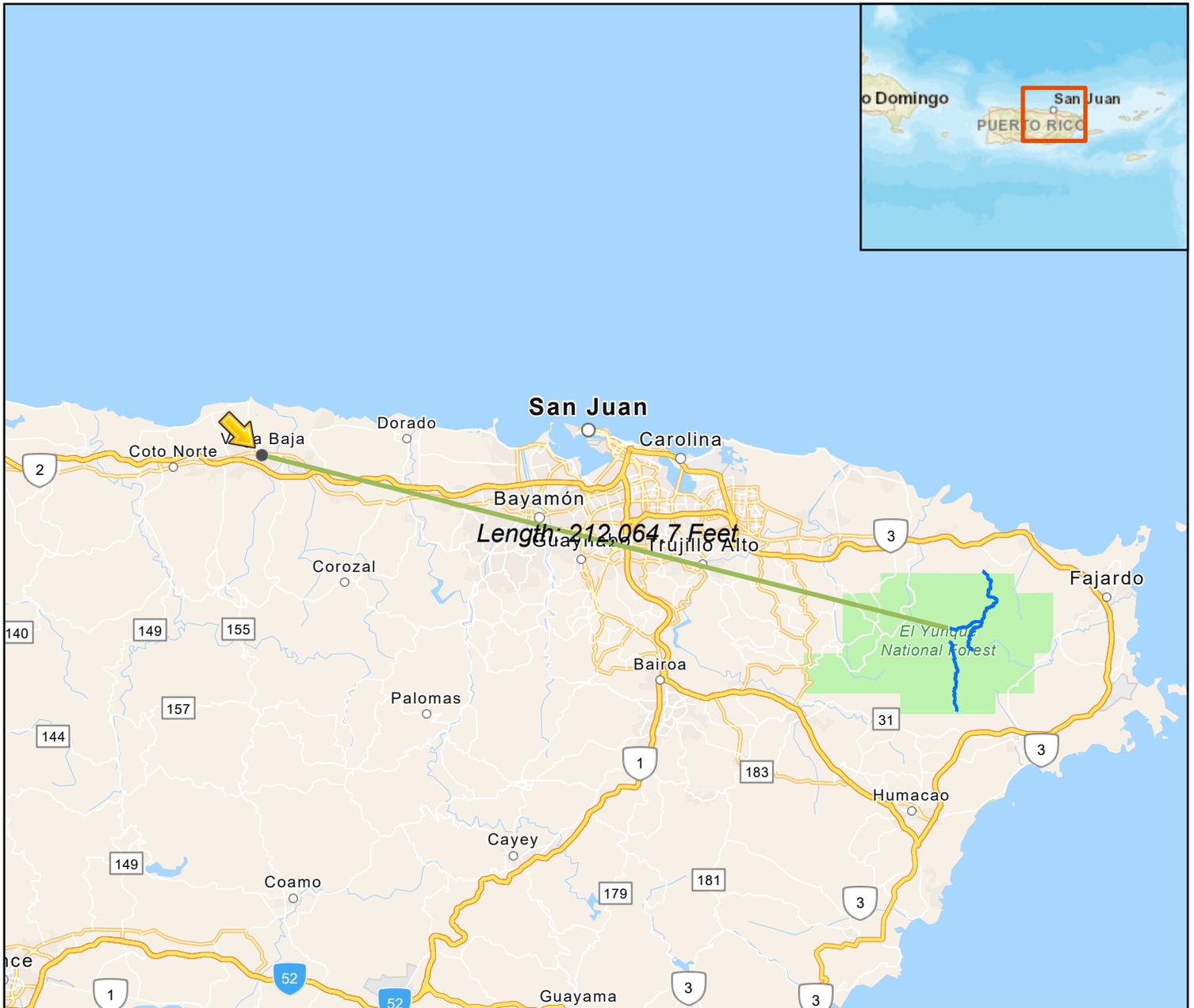
U.S. Fish and Wildlife Service

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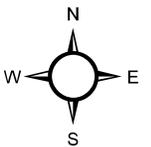
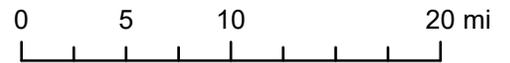


PR-SBF-07826 Wild and Scenic



Legend

— Wild and Scenic Rivers



National Wild and Scenic River System

National Park Service

CaseID	Registry_ID	PGM_SYS_ID	Name	Location	Municipio	Latitude	Longitude	Type	Report	Distance	Impact
PR-SBF-07826	110060367106	PRRD040039	MUNICIPALITY OF VEGA BAJA	NATER STREET	VEGA BAJA	18.44449	-66.38778	NPDES	https://echo.epa.gov/detailed-facility-report?fid=110060367106	370.7232262	No
PR-SBF-07826	110001661416	PRD000007214500000	60 MINUTES CLEANERS	URB.MONTE CARLO MARG. ST 127	VEGA BAJA	18.446458	-66.387869	AIR	https://echo.epa.gov/detailed-facility-report?fid=110001661416	432.8173355	No
PR-SBF-07826	110001661416	PRD000016701	60 MINUTE CLEANER	RD 127 MARSHAL	VEGA BAJA	18.446458	-66.387869	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110001661416	432.8173355	No
PR-SBF-07826	110007551853	00763PRTRCSTREE	PUERTO RICO PIGMENTS INC	ST EXT RD 686	VEGA BAJA	18.446004	-66.387284	TRIS	https://echo.epa.gov/detailed-facility-report?fid=110007551853	436.7978005	No
PR-SBF-07826	110000580719	PRD000007214500007	PREPA-VEGA BAJA GAS TURBINE POWER BLK	RD 155 CORNER PR 22	VEGA BAJA	18.445975	-66.391282	AIR	https://echo.epa.gov/detailed-facility-report?fid=110000580719	1041.64716	No
PR-SBF-07826	110000580719	00693PRVGPGR2KXK	PREPA-VEGA BAJA GAS TURBINE POWER PLANT	PR-2 KM 38.0	VEGA BAJA MUNICIPIO	18.445975	-66.391282	TRIS	https://echo.epa.gov/detailed-facility-report?fid=110000580719	1041.64716	No
PR-SBF-07826	110000580719	PRD000023515	LUMA - VEGA BAJA TECHNICAL OPERATIONS OFFICE	CARR 2 INT CALLE BALDORIOTY	VEGA BAJA	18.445975	-66.391282	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110000580719	1041.64716	No
PR-SBF-07826	110044887846	PRD000015902	DEPT OF ED - MANUEL MARTINEZ DAVILA	CARR 155 KM 64.8	VEGA BAJA	18.44526	-66.391629	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110044887846	1137.91301	No
PR-SBF-07826	110070706545	PRD000000000	ABB INSTALLATION PRODUCTS CARIBE	RD 686 INTERIOR CABO CARIBE INDUSTRIAL PARK, LOTS	VEGA BAJA	18.44956	-66.389	NPDES	https://echo.epa.gov/detailed-facility-report?fid=110070706545	1557.216715	No
PR-SBF-07826	110007802850	PRD0000206508	DEPT OF ED - LINO PADRON	ST 2 & CALLE TULLIO OTERO	VEGA BAJA	18.446133	-66.38388	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110007802850	1573.021362	No
PR-SBF-07826	110001142969	00694THMSBCABOC	THOMAS & BETTS CARIBE INC	CABO CARIBE INDUSTRIAL PARK RD 686 KM 17 LOT 14	VEGA BAJA MUNICIPIO	18.449861	-66.389446	TRIS	https://echo.epa.gov/detailed-facility-report?fid=110001142969	1669.151581	No
PR-SBF-07826	110001142969	00764THMSBCABOC	ABB INSTALLATION PRODUCTS CARIBE	RD 686 CABO CARIBE IND US TRIAL PARK LOT 32-34	VEGA BAJA MUNICIPIO	18.449861	-66.389446	TRIS	https://echo.epa.gov/detailed-facility-report?fid=110001142969	1669.151581	No
PR-SBF-07826	110001142969	PRD091095943	THOMAS & BETTS CARIBE INC	INDUSTRIAL PARK CABO CARIBE	VEGA BAJA	18.449861	-66.389446	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110001142969	1669.151581	No
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PR-SBF-07826	110001142969	PRR0030113	THOMAS & BETTS CARIBE, INC.	ROAD 686, CABO CARIBE INDUSTRIAL PARK,	VEGA BAJA	18.449861	-66.389446	NPDES	https://echo.epa.gov/detailed-facility-report?fid=110001142969	1669.151581	No
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PR-SBF-07826	110004894188	PRR000009100	KMART #3679	PR 2 PR 155 AT KM 37.2	VEGA BAJA	18.446781	-66.394378	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110004894188	2152.911251	No
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PR-SBF-07826	110009437216	PRD0007002579	CRIOILLO MUFFLERS SHOP	CARR 2 KM 39.7	VEGA BAJA	18.446781	-66.394378	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110009437216	2152.911251	No
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PR-SBF-07826	110071067175	PRR00501A	EUROCARIBE PACKING COMPANY INC.	PO BOX 4435	VEGA BAJA	18.451728	-66.38866	NPDES	https://echo.epa.gov/detailed-facility-report?fid=110071067175	2315.781051	No
PR-SBF-07826	110007814393	PRD0007006080	BEGA BAJA SHELL STATION	CARR 2 KM 38.2	VEGA BAJA	18.446135	-66.380816	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110007814393	2624.444032	No
PR-SBF-07826	110007808177	PRD980526123	SPECIALTY CHEM CORP	RD 2 KM 39.8	VEGA BAJA	18.44687	-66.39594	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110007808177	2687.842851	No
PR-SBF-07826	110007818264	PRD000005530	SHELL CO PR LTD SS 2992 PUGNADO AFUERA	RD PR 155 KM 65.5	VEGA BAJA	18.44454	-66.396073	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110007818264	2693.520055	No
PR-SBF-07826	110007818264	PRR000004333	SHELL CO PR LTD PUGNADO AFUERA SS 2992	CARR PR 155 KM 65.5	VEGA BAJA	18.44454	-66.396073	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110007818264	2693.520055	No
PR-SBF-07826	110007816435	PRD000001271	PR PUBLIC HOUSING ADMIN ENRIQUE CATONI	STATE RD 2 KM 38.1	VEGA BAJA	18.446084	-66.379871	RCAINFO	https://echo.epa.gov/detailed-facility-report?fid=110007816435	2948.462256	No
PR-SBF-07826	110071100782	PRD980512669	VEGA BAJA SOLID WASTE DISPOSAL	ROAD 674, KM 2	VEGA BAJA	18.434306	-66.389722	SEMS	https://echo.epa.gov/detailed-facility-report?fid=110071100782	4040.81584	No