



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

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

Project Information

Project Name: PR-RGRW-04265-W

HEROS Number: 900000010468349

Start Date: 05/01/2025

State / Local Identifier:

Project Location: , Cabo Rojo, PR 00622

Additional Location Information:

The project is located at latitude 17.98209, longitude -67.13228 at the address given above. Tax ID Number: 403-000-010-87-000

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

This project (PR-RGRW-04265-W) entails the award of a grant to Caribbean Growponics Tech Corp., an agricultural business, at Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, PR 00622. Tax ID Number: 403-000-010-87-000. Coordinates (latitude 17.98209, longitude -67.13228). The proposed project includes the installation of a new 150 ft by 60 ft (45.7 m by 18.3 m) greenhouse, a new solar array, and a new well. The greenhouse will be located at 17.982259, -67.132324 and anchored by posts driven 2 ft (0.6 m) into the ground. The new solar array will be mounted on either four or six pillars (the technicians will determine the quantity during installation), located at 17.982217, -67.132197. The pillars will be anchored 2 - 3 ft (0.6 - 0.91 m) deep within a 40 square foot (sqft; 3.72 square meters [sqm]) area. A new above-ground electric line will connect the solar array to the greenhouse. The new well will be located at 17.982139, -67.132053 and excavated to a depth of 80 - 110 ft (24.4 - 33.5 m) deep. A submersible water pump will be utilized to supply water to the greenhouse via a new above-ground water line. Ground disturbance and vegetation removal will be required to complete this project. The project Caribbean Growponics Tech Corp, PR-RGRW-04265-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #7 - 7. 7 CFR 799.32(e) (2) (iii): Construction of a new farm storage facility. HUD Level of Review: CEST. Potential application to HUD activities: Construction of a new farm storage facility with ground disturbance, and CE: #11 - 11. 7 CFR 799.32(e) (2) (xxxvi11): Wells. HUD Level of Review: CEST. Potential application to HUD activities: Well installation and repairs for agricultural needs, with ground disturbance. have been classified as CEST under the waiver.

Level of Environment Review Determination:

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

Funding Information

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

Estimated Total HUD Funded Amount: \$150,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$150,000.00

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

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

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

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

Preparer Signature:  **Date:** May 6, 2025

Name / Title/ Organization: Ricardo Espiet Lopez / / Department of Housing - Puerto Rico

Responsible Entity Agency Official Signature: Abdul X. Feliciano Plaza Digitally signed by Abdul X. Feliciano Plaza
Date: 2025.05.20 16:48:24 -04'00' **Date:** 05/20/2025

Name/ Title: Abdul X. Feliciano Plaza, Permits and Environmental Specialist

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

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

Project Information

Project Name: PR-RGRW-04265-W

HEROS Number: 900000010468349

Start Date: 05/01/2025

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

State / Local Identifier:

RE Preparer: Ricardo Espiet Lopez

Certifying Officer Abdul X Feliciano
r:

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Point of Contact: Justin Neely
Consultant (if applicable): HORNE LLP

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: , Cabo Rojo, PR 00622

Additional Location Information:

The project is located at latitude 17.98209, longitude -67.13228 at the address given above. Tax ID Number: 403-000-010-87-000

Direct Comments to:

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

This project (PR-RGRW-04265-W) entails the award of a grant to Caribbean Growponics Tech Corp., an agricultural business, at Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, PR 00622. Tax ID Number: 403-000-010-87-000. Coordinates (latitude 17.98209, longitude -67.13228). The proposed project includes the installation of a new 150 ft by 60 ft (45.7 m by 18.3 m) greenhouse, a new solar array, and a new well. The greenhouse will be located at 17.982259, -67.132324 and anchored by posts driven 2 ft (0.6 m) into the ground. The new solar array will be mounted on either four or six pillars (the technicians will determine the quantity during installation), located at 17.982217, -67.132197. The pillars will be anchored 2 - 3 ft (0.6 - 0.91 m) deep within a 40 square foot (sqft; 3.72 square meters [sqm]) area. A new above-ground electric line will connect the solar array to the greenhouse. The new well will be located at 17.982139, -67.132053 and excavated to a depth of 80 - 110 ft (24.4 - 33.5 m) deep. A submersible water pump will be utilized to supply water to the greenhouse via a new above-ground water line. Ground disturbance and vegetation removal will be required to complete this project. The project Caribbean Growponics Tech Corp, PR-RGRW-04265-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #7 - 7. 7 CFR 799.32(e) (2) (iii): Construction of a new farm storage facility. HUD Level of Review: CEST. Potential application to HUD activities: Construction of a new farm storage facility with ground disturbance, and CE: #11 - 11. 7 CFR 799.32(e) (2) (xxxvi11): Wells. HUD Level of Review: CEST. Potential application to HUD activities: Well installation and repairs for agricultural needs, with ground disturbance. have been classified as CEST under the waiver.

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

[PR-RGRW-04265-W Site Map.pdf](#)

[PR-RGRW-04265-W IUGF CEST.pdf](#)

[PRDOH Regrow Puerto Rico Program - 5836 Waiver \(002\).pdf](#)

[Farm Service Agency Adopted Categorical Exclusions Identified in FR-6492-N-01.pdf](#)

[PR-RGRW-04265-W EFOR.docx](#)

Level of Environmental Review Determination:

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

Determination:

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

Approval Documents:

[04265-SIG-PAGE \(1\).pdf](#)

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

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

B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
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Estimated Total HUD Funded, Assisted or Insured Amount: \$150,000.00

Estimated Total Project Cost: \$150,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest civil primary or commercial service airport, Eugenio Maria de Hostos Airport, is located 94,709.4 ft from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 416,284.2 ft from the project site. 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 10,566.6 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 72000C1910J, 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, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act. The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities.
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. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. 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 based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act. The Freshwater Forested/Shrub Wetland located to the East of the project site is not immediately adjacent (445ft away); therefore, it complies with the Blanket Clearance conditions.

Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1910J, effective on 11/18/2009: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMS in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Cabo Rojo; therefore, PFIRM information was not available for the area and therefore not considered in the review.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance

		with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 477,388.5 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

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

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

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

Should new ground disturbance occur the Karst zone must be evaluated and when necessary DNER must be consulted prior to construction activities.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities**Airport Hazards**

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest civil primary or commercial service airport, Eugenio Maria de Hostos Airport, is located 94,709.4 ft from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 416,284.2 ft from the project site. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-04265-W 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 10,566.6 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-04265-W CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

✓ Yes

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

[PR-RGRW-04265-W FIRM.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 72000C1910J, 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

2. Does this project include new construction, conversion, major rehabilitation, or substantial improvement activities?

Yes

☒ No

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

Screen Summary**Compliance Determination**

Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act. The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities.

Supporting documentation

[CZM JP-2024-004 Resolution.pdf](#)

[PR-RGRW-04265-W 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)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) 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?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

☒ No

Explain:

There are no toxic sites within 3,000 feet of the applicant location.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will

be conducted but cannot yet occur because building construction has not been completed?

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

✓ No

5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

Yes

✓ No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

Radon testing is not feasible or practicable for this case, please see the attached Radon Memo.

File Upload:

[PR-RGRW-04265-W Radon Memo.docx](#)
[Radon Attachments.pdf](#)

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

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. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[PR-RGRW-04265-W Toxics.pdf](#)

[PR-RGRW-04265-W EFOR\(1\).docx](#)

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.

- ✓ 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

Explain your determination:

This project clears via the project criteria 17, 26, and 29 of the USFWS Blanket Clearance Letter. See attached Endangered Species Act self-certification form.

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

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 based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act. The

Freshwater Forested/Shrub Wetland located to the East of the project site is not immediately adjacent (445ft away);therefore, it complies with the Blanket Clearance conditions.

Supporting documentation

[PR-RGRW-04265-W USFWS Self-Certification Form.pdf](#)

[USFWS End Species Blanket Clearance Letter_2025.pdf](#)

[PR-RGRW-04265-W Wetlands\(1\).pdf](#)

[PR-RGRW-04265-W Site Photos.docx](#)

[PR-RGRW-04265-W Site Map\(1\).pdf](#)

[PR-RGRW-04265-W 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-RGRW-04265-W 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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland protection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

✓ No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary**Compliance Determination**

Flood Map Number 72000C1910J, effective on 11/18/2009: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Cabo Rojo; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

[PR-RGRW-04265-W ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Only SHPO was consulted as No Historic Properties Affected was determined and no Tribal Lands were identified.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

Step 2 – Identify and Evaluate Historic Properties

1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

No Historic Properties present within the APE

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as

per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

☒ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

☒ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-04265-W SHPO Consultation Package.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

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

< No

✓

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

No

Screen Summary**Compliance Determination**

The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[PR-RGRW-04265-W Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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. This project does not involve new construction, so a visual wetlands survey was not conducted.

Supporting documentation

[PR-RGRW-04265-W 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 477,388.5 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-04265-W 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. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

GOVERNMENT OF PUERTO RICO
PUERTO RICO PLANNING BOARD

July 24, 2024

RESOLUTION JP-2024-004

Federal Consistency Certification with the
Puerto Rico Coastal Zone Management Program
Community Development Block Grant – Disaster Recovery (CDBG-DR) and
Community Development Block Grant – Mitigation (CDBG-MIT)

The United States (U.S.) Government, through Major Disaster Declarations (DR-4336 and DR-4339), declared Puerto Rico a disaster area after the devastation caused by Hurricanes Irma and María. Considering this event, the U.S. Congress approved Community Development Block Grant – Disaster Recovery (CDBG-DR) funds for Puerto Rico's unmet disaster recovery needs, and Mitigation (CDBG-MIT) funds for the Commonwealth's long-term planning and risk mitigation activities. Moreover, the Congress approved additional CDBG-DR funds for the Commonwealth in response to Major Disaster Declarations: DR-4336, DR-4339, DR-4473, and DR-4671.

The damage caused by high-speed winds, storm surges, earthquakes, flooding, and landslides attributed to major disasters, had devastating effects on Puerto Rico's coastal areas that need to be addressed in an expeditious manner. While many of the direct emergency needs have been met, disaster recovery and mitigation need of the Commonwealth are on-going and will continue into the near future.

The Law Number 75 of June 24, 1975, as amended (Organic law of the Puerto Rico Planning Board) grants the Puerto Rico Planning Board (PRPB) the responsibility and powers to guide the comprehensive development of Puerto Rico, guaranteeing the general well-being of its current and future inhabitants.

The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq) establishes that federal agency activities including the award of Federal Assistance must be consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The Puerto Rico Planning Board (PRPB) is the designated state agency to review and determine Federal Consistency with the PR Coastal Zone Management Program according to established procedures at 15 CFR Part 930. This sui-generis process at the Puerto Rico Planning Board is under exclusive federal jurisdiction.

The Commonwealth of Puerto Rico is formally the Grantee for the CDBG-DR and CDBG-MIT funds. The Governor of Puerto Rico designated the Puerto Rico Department of Housing (PRDOH) as the grantee for the purposes of administering the program and executing grant agreements with the U.S. Department of Housing and Urban Development (HUD), the federal oversight agency for the CDBG-DR and CDBG-MIT funding.

Taking into consideration the high volume of requests for federal assistance that has been generated as part of the recovery process following the disaster declarations and the current need to expedite this process, the PRPB proceeded to carry out a review of Federal Consistency with the PMZCPR for the following federal assistance programs:

- CDBG-DR eligible activities provided in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA), and outlined in the applicable Federal Register Notices, the CDBG-DR Action Plan and CDBG-DR Program Guidelines.
- CDBG-MIT eligible activities provided in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA), and outlined in the applicable Federal Notices, the CDBG-MIT Action Plan and CDBG-MIT Program Guidelines.

After considering the information provided by PRDOH in relation to the eligible projects and activities to be awarded by the above-mentioned programs, the PR Planning Board (PRPB) in their meeting held on July 24, 2024, agreed the following:

- A. The following activities or projects to be financed under the CDBG-DR and CDBG-MIT programs have no significant impact on Puerto Coastal Resources and do not require Federal Consistency review:
 1. Activities to be financed under the following programs:
 - a. **Community Energy and Water Resilience Installations Program (CEWRI)**: The Program provide single-family homeowners energy and water efficiency improvements to promote resilience by installing PV systems with battery backup for critical loads and water storage systems.
 - b. **The Workforce Training Program (WFT)**: supports entities throughout the Island to offer training in job skills related to the reconstruction and economic growth of Puerto Rico. Also, those skills necessary to situate the Island in the economy of the future.
 - c. **Small Business Financing Program (SBF)**: will provide a Recovery Grants phase (grants awards of up to \$150,000) for working capital and movable equipment for small businesses and microenterprises that suffered physical and/or financial losses due to the Hurricanes. Start-ups created after the Hurricanes are also eligible if they can show their creation was the result of a closure of a previous business of same owner(s), after damages caused by the Hurricanes.
 - d. **Re-grow PR Urban-Rural Agriculture Program**: Develop, Increase and improve agricultural capacity and addresses the needs created by Hurricanes Irma and María with a substantial investment of CDBG-DR funds for a wide variety of viable and sustainable agricultural activities.
 2. Projects or activities that are exempt from construction permits according to Act 161-2009, as amended, known as the "Puerto Rico Permit Process Reform Act" and the "Joint Regulation for Evaluation and Expedition of Permits Related to Development, Land Use and Business Operation" (Regulation Number 9473).
- B. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for demolition of structures with the purpose of restoring green areas, water retention areas and habitat recovery is consistent with the PRCZMP.
- C. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for projects that involve demolition for reconstruction, reconstruction or construction of a new structure is consistent with the PRCZMP if the project fulfills the following requirements:
 1. The project must comply with land use regulations established under the PR Land Use Plan, Territorial Plans and special plans that apply according to the location of the project.
 2. The structure to be constructed or reconstructed must comply with applicable regulations and parameters established in the "Joint Regulation for Evaluation and Expedition of Permits Related to Development, Land Use and Business Operation" (Regulation Number 9473).

3. Each project must provide evidence of compliance with the PR Environmental Policy Law (Law number 416 of September 22, 2004) by providing copy of the Environmental Compliance Determination emitted by OGPe.
 4. The structure to be built or rehabilitated must be located outside flood risk zones according to the "Recommended Base Flood Level Maps" (FEMA Advisory Maps) effective on April 13, 2018, or the most recent FEMA map that applies according to the location of the project.
 5. Structures located within a flood hazard zone must evidence compliance with the Special Flood Hazard Zone Regulations (Planning Regulation Number 13) by providing copy of the FEMA Elevation Certificate (form ff-206-fy22-152) completed and signed by an engineer or surveyor.
 6. In the case of projects that are located within Historic Zones designated by the PR Planning Board, or if the structure was designated as a Historic Site, the project must have the endorsement of the Puerto Rican Culture Institute.
- D. Federal assistance awarded under the CDBG-DR and CDBG-MIT programs for infrastructure projects (sidewalks, roads, highways, service lines, public squares) are consistent with the PRCZMP with the condition that the applicant fulfill the following requirements before the construction phase of the project:
1. Evidence compliance with the PR Environmental Policy Law (Law number 416 of September 22, 2004) by providing copy of the Environmental Compliance Determination emitted by the PR Permit Management Office (OGPe).
 2. Evidence compliance with the Special Flood Hazard Zone Regulations (Planning Regulation Number 13) when it is required depending on the nature and location of the project.
 3. In the case of projects that are located within Historic Zones designated by the PR Planning Board, the project must have the endorsement of the Puerto Rican Culture Institute.

The Office of Geology and Hydrogeology of the Puerto Rico Planning Board will provide a conditioned certification letter which will allow the applicant to have access to the funds to complete the design and permitting phase. The applicant must fulfill the above-mentioned requirements 90 days before beginning the construction phase.

- E. Furthermore, The PR Planning Board on February 1, 2023, issued Resolution JP-339 that covers Federal Emergency Management Agency's (FEMA) Public Assistance Program (PA) and Hazard Mitigation Grant Program (HMGP). Therefore, federal assistance awarded through the "Infrastructure Coordination Program" to match the non-federal items that are required for projects under PA and HMGP programs **are covered by Resolution JP-339 and will not require to be submitted to the PRPB for federal consistency review.**
- F. Hence, Projects for the reconstruction, repair, or rehabilitation of structures for water-dependent uses (piers, boat ramps etc.) **are not covered under this Resolution and must be filed at the US Army Corps of Engineers through RSS.**

This General Federal Consistency Certification will be in effect for five (5) years from the notification date of this resolution. The Certification at reference will be renewed or amended if necessary to extend its validity or address other matters.

The following parties shall be notified: William Rodríguez, Secretary, PR Department of Housing (PRDH); Angel G. López Guzman, Permits and Environmental Compliance Division, PRDH; Juna C. Perez Bofill, PRHD; Aldo A. Rivera, PRHD; Alberto Mercado, José A. Cedeño Maldonado, US Department of Housing and Urban Development (HUD), Donna M. Mahon, HUD and Magaly Massanet Rodríguez, Director, Puerto Rico Coastal Zone Management Program, DNER.

ADOPTED in San Juan, Puerto Rico, July 24, 2024

PLAN. JULIO LASSÚS RUIZ, LLM, MP, PPL
President

PLAN. REBECCA RIVERA TORRES, MRP, PPL
Vice-President

ING. JOSÉ DÍAZ DÍAZ, MEM, BSIE
Associate Member

LEMUEL RIVERA RIVERA, BSEE, CAPM
Associate Member

Certify: That this Resolution is copy of the agreement adopted by Puerto Rico Planning Board in its meeting of **July 24, 2024**. I expedite and notify this copy to the parties under my sign and official stamp of the Puerto Rico Planning Board stamp, for general use and knowledge.

In San Juan, Puerto Rico, today, **AUG 16 2024**

Edgardo Vázquez Rivera
Secretary

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

Project Information

Project Name: PR-RGRW-04265-W

HEROS Number: 900000010468349

Start Date: 05/01/2025

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

State / Local Identifier:

RE Preparer: Ricardo Espiet Lopez

Certifying Officer Abdul X Feliciano
r:

**Grant Recipient (if different than Responsible Ent
ity):**

Point of Contact:

Point of Contact: Justin Neely
Consultant (if applicable): HORNE LLP

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: , Cabo Rojo, PR 00622

Additional Location Information:

The project is located at latitude 17.98209, longitude -67.13228 at the address given above. Tax ID Number: 403-000-010-87-000

Direct Comments to:

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

This project (PR-RGRW-04265-W) entails the award of a grant to Caribbean Growponics Tech Corp., an agricultural business, at Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, PR 00622. Tax ID Number: 403-000-010-87-000. Coordinates (latitude 17.98209, longitude -67.13228). The proposed project includes the installation of a new 150 ft by 60 ft (45.7 m by 18.3 m) greenhouse, a new solar array, and a new well. The greenhouse will be located at 17.982259, -67.132324 and anchored by posts driven 2 ft (0.6 m) into the ground. The new solar array will be mounted on either four or six pillars (the technicians will determine the quantity during installation), located at 17.982217, -67.132197. The pillars will be anchored 2 - 3 ft (0.6 - 0.91 m) deep within a 40 square foot (sqft; 3.72 square meters [sqm]) area. A new above-ground electric line will connect the solar array to the greenhouse. The new well will be located at 17.982139, -67.132053 and excavated to a depth of 80 - 110 ft (24.4 - 33.5 m) deep. A submersible water pump will be utilized to supply water to the greenhouse via a new above-ground water line. Ground disturbance and vegetation removal will be required to complete this project. The project Caribbean Growponics Tech Corp, PR-RGRW-04265-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #7 - 7. 7 CFR 799.32(e) (2) (iii): Construction of a new farm storage facility. HUD Level of Review: CEST. Potential application to HUD activities: Construction of a new farm storage facility with ground disturbance, and CE: #11 - 11. 7 CFR 799.32(e) (2) (xxxvi11): Wells. HUD Level of Review: CEST. Potential application to HUD activities: Well installation and repairs for agricultural needs, with ground disturbance. have been classified as CEST under the waiver.

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

[PR-RGRW-04265-W Site Map.pdf](#)

[PR-RGRW-04265-W IUGF CEST.pdf](#)

[PRDOH Regrow Puerto Rico Program - 5836 Waiver \(002\).pdf](#)

[Farm Service Agency Adopted Categorical Exclusions Identified in FR-6492-N-01.pdf](#)

[PR-RGRW-04265-W EFOR.docx](#)

Level of Environmental Review Determination:

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

Determination:

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

Approval Documents:

[04265-SIG-PAGE \(1\).pdf](#)

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

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

B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)	\$0.00
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Estimated Total HUD Funded, Assisted or Insured Amount: \$150,000.00

Estimated Total Project Cost: \$150,000.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest civil primary or commercial service airport, Eugenio Maria de Hostos Airport, is located 94,709.4 ft from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 416,284.2 ft from the project site. 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 10,566.6 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 72000C1910J, 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, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act. The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities.
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. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. 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 based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act. The Freshwater Forested/Shrub Wetland located to the East of the project site is not immediately adjacent (445ft away); therefore, it complies with the Blanket Clearance conditions.

Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1910J, effective on 11/18/2009: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMS in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Cabo Rojo; therefore, PFIRM information was not available for the area and therefore not considered in the review.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance

		with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 477,388.5 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

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

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

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

Should new ground disturbance occur the Karst zone must be evaluated and when necessary DNER must be consulted prior to construction activities.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities**Airport Hazards**

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest civil primary or commercial service airport, Eugenio Maria de Hostos Airport, is located 94,709.4 ft from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 416,284.2 ft from the project site. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-04265-W 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 10,566.6 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[PR-RGRW-04265-W CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

✓ Yes

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

[PR-RGRW-04265-W FIRM.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 72000C1910J, 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

2. Does this project include new construction, conversion, major rehabilitation, or substantial improvement activities?

Yes

☒ No

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

Screen Summary**Compliance Determination**

Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act. The project is located in the coastal zone but will have no effect because it does not include new construction, conversion, major rehabilitation, or substantial improvement activities.

Supporting documentation

[CZM JP-2024-004 Resolution.pdf](#)

[PR-RGRW-04265-W 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)
Reference		
https://www.onecpd.info/environmental-review/site-contamination		

1. How was site contamination evaluated?* Select all that apply.

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

2. Were any on-site or nearby toxic, hazardous, or radioactive substances* (excluding radon) 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?)

Provide a map or other documentation of absence or presence of contamination** and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

☒ No

Explain:

There are no toxic sites within 3,000 feet of the applicant location.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

** Utilize EPA's Enviromapper, NEPAAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?

Yes

Explain:

✓ No

* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will

be conducted but cannot yet occur because building construction has not been completed?

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

✓ No

5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

Yes

✓ No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

Radon testing is not feasible or practicable for this case, please see the attached Radon Memo.

File Upload:

[PR-RGRW-04265-W Radon Memo.docx](#)
[Radon Attachments.pdf](#)

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

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. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[PR-RGRW-04265-W Toxics.pdf](#)

[PR-RGRW-04265-W EFOR\(1\).docx](#)

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.

- ✓ 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

Explain your determination:

This project clears via the project criteria 17, 26, and 29 of the USFWS Blanket Clearance Letter. See attached Endangered Species Act self-certification form.

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

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 based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act. The

Freshwater Forested/Shrub Wetland located to the East of the project site is not immediately adjacent (445ft away);therefore, it complies with the Blanket Clearance conditions.

Supporting documentation

[PR-RGRW-04265-W USFWS Self-Certification Form.pdf](#)

[USFWS End Species Blanket Clearance Letter_2025.pdf](#)

[PR-RGRW-04265-W Wetlands\(1\).pdf](#)

[PR-RGRW-04265-W Site Photos.docx](#)

[PR-RGRW-04265-W Site Map\(1\).pdf](#)

[PR-RGRW-04265-W 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-RGRW-04265-W 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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

✓ No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information¹ to determine flood elevation. Include documentation and an explanation of why this is the best available information² for the site. Note that newly constructed and substantially improved³ structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

¹ Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

² If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

³ Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary**Compliance Determination**

Flood Map Number 72000C1910J, effective on 11/18/2009: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Cabo Rojo; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

[PR-RGRW-04265-W ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Only SHPO was consulted as No Historic Properties Affected was determined and no Tribal Lands were identified.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes

No

Step 2 – Identify and Evaluate Historic Properties

1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

Additional Notes:

No Historic Properties present within the APE

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as

per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

☒ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

☒ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[PR-RGRW-04265-W SHPO Consultation Package.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

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

< No

✓

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

No

Screen Summary**Compliance Determination**

The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[PR-RGRW-04265-W Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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. This project does not involve new construction, so a visual wetlands survey was not conducted.

Supporting documentation

[PR-RGRW-04265-W 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 477,388.5 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-04265-W 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. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6492-N-01]

Notice of Adoption of U.S. Department of Agriculture Farm Service
Agency Categorical Exclusions Pursuant to Section 109 of the National
Environmental Policy Act

AGENCY: Office of the Secretary, HUD.

ACTION: Notice.

SUMMARY: HUD has identified categorical exclusions (CEs) to the National Environmental Policy Act (NEPA) established by the U.S. Department of Agriculture--Farm Service Agency (USDA-FSA) that cover categories of actions that HUD proposes to adopt. This notice identifies the USDA-FSA CEs and HUD's categories of proposed actions for which it intends to use USDA-FSA's CEs and describes the consultation between the agencies.

DATES: This action is effective upon publication.

FOR FURTHER INFORMATION CONTACT: Lauren Hayes Knutson, Environmental Planning Division Director, Office of Environment and Energy, U.S. Department of Housing and Urban Development, 451 7th Street SW, Room 7282, Washington, DC 20410-5000; telephone 202-402-4270 (this is not a toll-free number); email EnvironmentalPlanningDivision@hud.gov. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION:

I. Background

National Environmental Policy Act and Categorical Exclusions

Congress enacted the National Environmental Policy Act, 42 U.S.C. 4321-4347, (NEPA) in order to encourage productive and enjoyable harmony between humans and the environment, recognizing the profound impact of human activity and the critical importance of restoring and maintaining environmental quality to the overall welfare of humankind. 42 U.S.C. 4321, 4331. NEPA seeks to ensure that agencies consider the environmental effects of their proposed major actions in their decision-making processes and inform and involve the public in that process. NEPA created the

[[Page 95811]]

Council on Environmental Quality (CEQ), which promulgated NEPA implementing regulations, 40 CFR parts 1500 through 1508 (CEQ regulations).

To comply with NEPA, agencies determine the appropriate level of review for any major Federal action--an environmental impact statement (EIS), environmental assessment (EA), or categorical exclusion (CE). 40 CFR 1501.3. If a proposed action is likely to have significant environmental effects, the agency must prepare an EIS and document its decision in a record of decision. 40 CFR part 1502, 1505.2. If the proposed action is not likely to have significant environmental effects

or the effects are unknown, the agency may instead prepare an EA, which involves a more concise analysis and process than does an EIS. 40 CFR 1501.5. Following the EA, the agency may conclude that the action will have no significant effects and document that conclusion in a finding of no significant impact. 40 CFR 1501.6. If the analysis concludes that the action is likely to have significant effects, however, then an EIS is required.

Under NEPA and the CEQ regulations, a Federal agency also can establish CEs--categories of actions that the agency has determined normally do not significantly affect the quality of the human environment--in their agency NEPA procedures. 42 U.S.C. 4336e(1); 40 CFR 1501.4, 1507.3(e)(2)(ii), 1508.1(d). If an agency determines that a CE covers a proposed action, it then evaluates the proposed action for extraordinary circumstances in which a normally excluded action may have a significant effect. 40 CFR 1501.4(b). If no extraordinary circumstances are present, the agency may apply the CE to the proposed action without preparing an EA or EIS. 42 U.S.C. 4336(a)(2), 40 CFR 1501.4. If extraordinary circumstances are present, the agency nevertheless may still categorically exclude the proposed action if it determines that there are circumstances that lessen the impacts or other conditions sufficient to avoid significant effects.

Section 109 of NEPA, enacted as part of the Fiscal Responsibility Act of 2023, allows a Federal agency to ``adopt'' another Federal agency's CEs for proposed actions. 42 U.S.C. 4336c. To use another agency's CEs under section 109, the borrowing agency must identify the relevant CE listed in another agency's (``establishing agency'') NEPA procedures that covers the borrowing agency's category of proposed actions or related actions; consult with the establishing agency to ensure that the proposed adoption of the CE for a category of actions is appropriate; identify to the public the CE that the borrowing agency plans to use for its proposed actions; and document adoption of the CE. 42 U.S.C. 4336c. HUD has prepared this notice to meet these statutory requirements.

HUD Programs

For many HUD programs, HUD is authorized by statute to allow Responsible Entities (REs), typically states, units of general local government, and tribes, to assume responsibility to conduct NEPA reviews under HUD regulations at 24 CFR part 58. For other HUD programs, HUD performs the environmental review under 24 CFR part 50. HUD intends to apply these categorical exclusions to reviews conducted under both parts 50 and 58.

Both parts 50 and 58, as well as 24 CFR part 51, contain additional environmental requirements that certain HUD projects must comply with. Proposed actions that are categorically excluded from NEPA but still subject to these requirements are known as ``Categorically Excluded Subject to'' the requirements listed in 24 CFR 58.5 and 50.4 (CEST), and proposed actions that are categorically excluded from NEPA but not subject to these requirements are known as ``Categorically Excluded Not Subject to'' the requirements listed in Sec. Sec. 58.5 and 50.4 (CENST). HUD has evaluated the identified USDA-FSA CEs and has designated each as CENST or CEST in Section II. USDA-FSA Categorical Exclusions.

HUD Regulatory Limitations on Adopting CEs

HUD's regulations at 24 CFR 58.36 and 50.17 limit HUD's ability to utilize adopted categorical exclusions without a waiver. This notice will not go into effect until 58.36 and 50.17 are amended or until a waiver of these regulations is issued.

II. USDA-FSA Categorical Exclusions

HUD has identified the following CEs listed in USDA-FSA regulation, 7 CFR part 799 Subpart D--Categorical Exclusions, for adoption. Under each CE, HUD has described categories of proposed actions for which HUD, under part 50, or an RE, under part 58, may use the CE and if the activity will be evaluated as CENST or CEST. The list of categories comprises the proposed actions for which HUD contemplates using the CEs at this time, primarily in support of agricultural activities funded with HUD's Community Development Block Grant--Disaster Recovery (CDBG-

DR) program. However, HUD may expand the use of the CEs identified below to other substantially similar agricultural activities, where appropriate.

1. 7 CFR 799.31(b)(2)(i): Existing fence repair.

HUD Level of Review: CENST.

Potential application to HUD activities:

Repair, improvement, or minor modification of existing fences.

2. 7 CFR 799.31(b)(2)(ii): Improvement or repair of farm-related structures under 50 years of age.

HUD Level of Review: CENST.

Potential application to HUD activities:

Repair, improvements, or minor modifications of farm-related structures under 50 years of age.

3. 7 CFR 799.32(d)(2)(i): Minor construction, such as a small addition.

HUD Level of Review: CENST.

Potential application to HUD activities:

Minor construction, such as a small addition, without ground disturbance, of agricultural related structures.

4. 7 CFR 799.32(d)(2)(iv): Grading, leveling, shaping, and filling.

HUD Level of Review: CENST.

Potential application to HUD activities:

Grading, leveling, shaping, and filling occurring specifically in areas with previous ground disturbance, soils that are not likely to possess intact and distinct soil horizons and have the reduced likelihood of possessing historic properties with their original depositional contexts in the area and to the depth to be excavated, also referred to as the plow zone.

5. 7 CFR 799.32(d)(2)(xiii): Trough or tank installation.

HUD Level of Review: CENST.

Potential application to HUD activities:

Agricultural water trough or tank installation without ground disturbance.

6. 7 CFR 799.32(d)(3)(i): Fence installation and replacement.

HUD Level of Review: CENST.

Potential application to HUD activities:

Fence installation and replacement that support agricultural needs, without ground disturbance.

7. 7 CFR 799.32(e)(2)(iii): Construction of a new farm storage facility.

HUD Level of Review: CEST.

Potential application to HUD activities:

Construction of a new farm storage facility with ground disturbance.

8. 7 CFR 799.32(e)(2)(xi): Grading, leveling, shaping, and filling in areas or to depths not previously disturbed.

[[Page 95812]]

HUD Level of Review: CEST.

Potential application to HUD activities:

Grading, leveling, shaping, and filling in areas or to depths not previously disturbed for agricultural efforts.

9. 7 CFR 799.32(e)(2)(xiv): Land smoothing.

HUD Level of Review: CEST.

Potential application to HUD activities:

Land smoothing for agricultural needs.

10. 7 CFR 799.32(e)(2)(xxvii): Watering tank or trough installation, if in areas not previously disturbed.

HUD Level of Review: CEST.

Potential application to HUD activities:

Agricultural watering tank or trough installation that includes new ground disturbance.

11. 7 CFR 799.32(e)(2)(xxviii): Wells.

HUD Level of Review: CEST.

Potential application to HUD activities:

Well installation and repairs for agricultural needs, with ground disturbance.

III. Consideration of Extraordinary Circumstances

When applying the adopted CEs, HUD or the RE will evaluate the proposed action to ensure evaluation of integral elements listed above. In addition, in considering extraordinary circumstances, HUD will consider whether the proposed action has the potential to result in significant effects as described in USDA-FSA's extraordinary circumstances listed at 7 CFR 799.33. USDA-FSA defines extraordinary circumstances in which a normally categorically excluded action may have a significant environmental effect, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; a proposed action connected to other actions with potential impacts; a proposed action that is related to other proposed actions with cumulative impacts; proposed actions that do not comply with 40 CFR 1506.1 Limitations on actions during the NEPA process; and/or contains violations of any existing Federal, State, or local government law, policy, or requirements.

IV. Consultation With USDA-FSA and Determination of Appropriateness

HUD and USDA-FSA began consultation in December 2023 to identify USA-FSA CEs that could apply to HUD proposed agricultural actions. This consultation included a review of USDA-FSA's experience developing and applying the CEs and the types of actions for which HUD plans to utilize the CEs. Based on this consultation and review, HUD has determined that the types of agricultural projects it intends to undertake are substantially similar to such projects for which USDA-FSA has applied the CE. Accordingly, the impacts of HUD projects will be substantially similar to the impacts of USDA-FSA projects, which are not significant, absent the existence of extraordinary circumstances. Therefore, HUD has determined that its proposed use of the agricultural-related CEs, as described within this notice, would be appropriate.

V. Conclusion

This notice documents adoption of the USDA-FSA CEs listed above in accordance with 42 U.S.C. 4336c(4), and they will be available for use by HUD and REs effective either upon amendment of 24 CFR 58.36 and 50.17 or upon issuance of a waiver of these regulations.

Marion McFadden,
Principal Deputy Assistant Secretary for Community Planning and
Development, Office of Community Planning and Development.
[FR Doc. 2024-28293 Filed 12-2-24; 8:45 am]
BILLING CODE 4210-67-P



OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

MEMORANDUM FOR: Marion M. McFadden, Principal Deputy Assistant Secretary
for Community Planning and Development, D

THROUGH: Kera Package, Deputy Assistant Secretary
for Grant Programs, DG **KERA PACKAGE** Digitally signed by KERA PACKAGE
Date: 2024.12.23 16:58:00 -05'00'

FROM: Kristin Fontenot, Director, Office of Environment and Energy, DGE
KRISTIN FONTENOT Digitally signed by KRISTIN FONTENOT
Date: 2024.12.20 14:14:15 -05'00'

SUBJECT: Puerto Rico Department of Housing - ReGrow Puerto Rico Program:
24 CFR 58.36 Waiver to Utilize the U.S. Department of Agriculture,
Farm Service Agency Adopted Categorical Exclusions Identified in
FR-6492-N-01

BACKGROUND:

Pursuant to the waiver authority of §7(q) of the Department of Housing and Urban Development Act (codified at 42 U.S.C. §3535(q)) and 24 CFR § 5.110, I hereby temporarily waive the requirement of 24 CFR § 58.36 as provided in more detail below. This temporary waiver is limited to the Puerto Rico Department of Housing's (PRDOH) agricultural activities under the ReGrow Puerto Rico Program¹ for two (2) years, effective at the execution of the waiver.

The ReGrow Puerto Rico Program is one of the Community Development Block Grant - Disaster Recovery (CDBG-DR) programs supported by PRDOH. This program offers financial assistance to small and medium agricultural businesses and non-governmental organizations engaged in sustainable agricultural activities that contribute to strengthening the agricultural economy since the impacts of Hurricane Irma and Maria. As with all HUD-funded projects, the ReGrow Puerto Rico Program is subject to HUD's environmental review regulations.

Since HUD predominantly supports residential and community development activity, the proposed agricultural projects supported in the ReGrow Puerto Rico Program fall outside the listed activities in 24 CFR 58 Subpart D – Environmental Review Process: Documentation, Range of Activities, Project Aggregation and Classification. As a result, these projects, many with a minimum potential to impact the environment, must be evaluated as an Environmental Assessment (EA) and require additional time and resources to complete compared to lower levels of environmental reviews like a Categorical Exclusion (CE).

This temporary waiver issued to the PRDOH will allow the department to utilize specific CEs identified by the United States Department of Agriculture, Farm Service Agency (USDA-FSA), per 7 CFR 799 Subpart D- Categorical Exclusions, and adopted by HUD in FR-6492-N-01²

¹ <https://cdbg-dr.pr.gov/en/re-grow-pr-urban-rural-agriculture-program/>

² <https://www.federalregister.gov/documents/2024/12/03/2024-28293/notice-of-adoption-of-us-department-of-agriculture-farm-service-agency-categorical-exclusions>

through the Section 109 process of the National Environmental Policy Act (NEPA), enacted as part of the Fiscal Responsibility Act (FRA) of 2023. In total, there are eleven (11) applicable CEs adopted in FR-6492-N-01 that are consistent with ReGrow Puerto Rico's CDBG-DR funded program that can be utilized to document environmental compliance.

The \$172,500 million ReGrow Puerto Rico program contains 2,596 applications. Approximately 200 of the applications require an EA level of review under Part 58 but would be classified as one (1) of the eleven (11) adopted USDA-FSA CEs. These include such activities as minor rehabilitation of agricultural buildings and structures; fence repairs; installation of generators; new construction of agricultural structures for agricultural production and livestock; and farmland management activities. Despite their limited impact, however, they do not meet HUD's categorical exclusions at 24 CFR § 58.34 and 35, because these are not activities HUD typically supports.

Pursuant to 24 CFR § 58.36, Environmental Assessments, "If a project is not exempt or categorically excluded under § 58.34 and 58.35, the responsible entity must prepare an EA..." To date, PRDOH has processed 106 of the 200 identified projects as an EA, with approximately 100 remaining for review. Based on the 106 reviews completed between May 2022 and April 2024, each EA has taken approximately four (4) months to complete, at an average cost of \$13,000. Based on the available data, it will take an equivalent time of two (2) years and \$1.3 million to complete the remaining 100 reviews as EAs. Through this waiver, PRDOH is permitted to utilize the adopted CEs listed in FR-6492-N-01, expediting the environmental reviews process to complete the remaining 100 projects. The use of the adopted CEs will allow PRDOH to process each review within days and at a fraction of the initial cost. This will expedite the agricultural recovery efforts and will preserve the cost savings to address additional disaster recovery efforts.

FINDINGS:

1. Agricultural activities as referenced above, do not meet the criteria of HUD's 24 CFR § 58.35 (a) and (b), and therefore require the completion of an environmental assessment level of review pursuant to 24 CFR § 58.36.
2. An environmental assessment requires additional analysis of environmental factors beyond the related laws and authorities required for a HUD categorical exclusion at 24 CFR § 58.35 (a).
3. Many of the CDBG-DR activities funded through the ReGrow Puerto Rico program are consistent with the USDA-FSA's categorical exclusions.
4. HUD consulted with the USDA-FSA and documented the consultation and their approval of the use of eleven (11) categorical exclusions.
5. Performing environmental assessments has an average cost of \$13,000.
6. HUD adopted USDA-FSA's eleven (11) categorical exclusions through publication in the Federal Register, FR-6492-N-01
7. Upon approval of a temporary waiver of 24 CFR § 58.36, PRDOH will be permitted to utilize the adopted CEs listed in FR-6492-N-01.

DETERMINATIONS:

1. To assist with the timely recovery of the agricultural community, a temporary waiver of 24 CFR § 58.36 must be granted to utilize another agency's adopted CE through the NEPA Section 109 process, enacted as part of the FRA of 2023.
2. The approval of this temporary waiver is consistent with HUD's objective to perform an analysis of a project's impacts to the environment or the environment's impact on the project.
3. Adopting the USDA-FSA's categorical exclusions, FR-6492-N-01, ensures that the environmental review will be conducted to a level appropriate to the activity and environmental impact.
4. Pursuant to the authority contained in 24 CFR § 5.110, the above findings constitute good cause for granting the temporary waiver of 24 CFR § 58.36.
5. This temporary waiver shall be effective for two (2) years, upon the date the waiver is issued.

DECISION:

MARION
MCFADDEN

Digitally signed by
MARION MCFADDEN
Date: 2024.12.23 17:06:08
-05'00'

Approve

Disapprove

Date

Comments



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO



V1.0 | 2023-09-21

CDBG-DR PROGRAM

Re-Grow PR Urban Rural Agriculture (RGRW) Program

ENVIRONMENTAL FIELD OBSERVATION REPORT

APPLICATION GENERAL INFORMATION

Application No.:	PR-RGRW-04265-W	Applicant Name:	Jorge Casiano
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PROPERTY INFORMATION

Property Address:
Bo Llanos Costa, Carr 303
Lote 3D, Cabo Rojo, P.R. 00662

Latitude:	17.98209	Longitude:	-67.13228
Property Type:	Land	Year Built:	N/A
Number of Buildings:	1	Are Utilities Connected?	No

Property Remarks:

Is there evidence of damage from a previous disaster?	No
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Damage Remarks:

SIGNATURES OF INSPECTION REPORT

Environmental
Inspector:

Juan C. Colón

Printed Name

Signature

3-26-2025

Date

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

REQUIRED PHOTOS



Front of Property



Rear of Property



Left Side of Property



Right Side of Property

PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS



Front of Property



Front of Property



Front of Property Outwards



Front of Property Outwards

ADDITIONAL PHOTOS



Rear of Property



Rear of Property



Rear of Property Outwards



Rear of Property Outwards

ADDITIONAL PHOTOS



Left Side of Property



Left Side of Property



Left Side of Property Outwards



Left Side of Property Outwards

ADDITIONAL PHOTOS



Right Side of Property



Right Side of Property



Right Side of Property Outwards



Right Side of Property Outwards

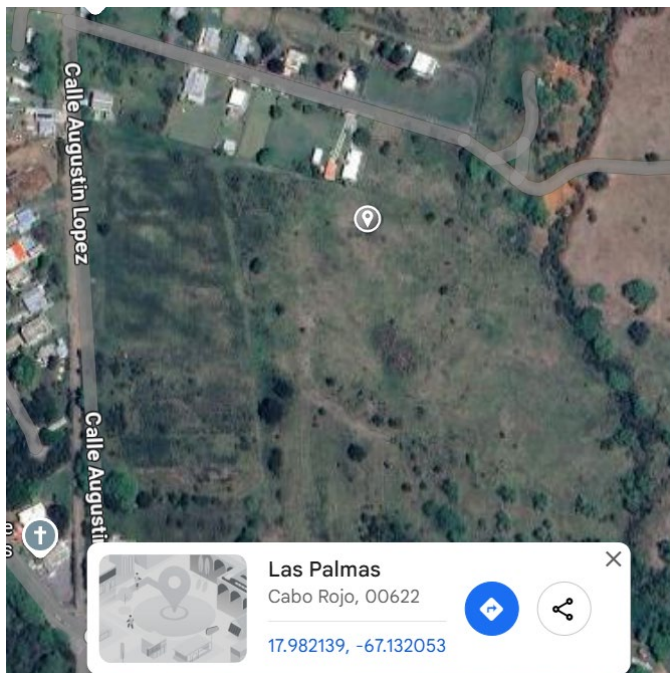
ADDITIONAL PHOTOS



Streetscape



Streetscape

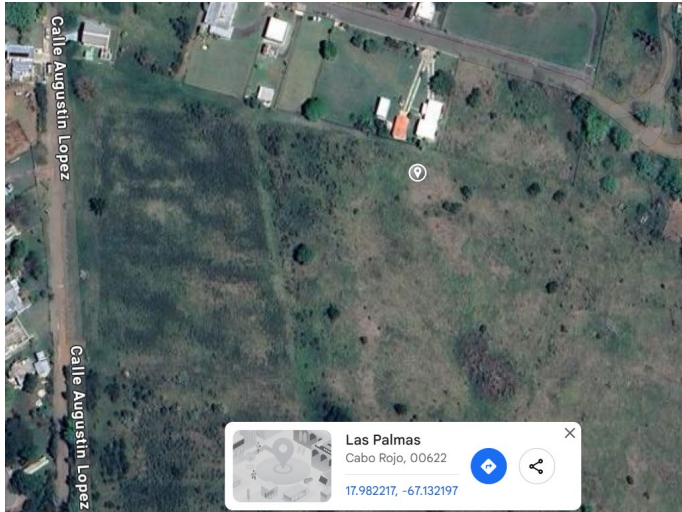


New Well Coordinates



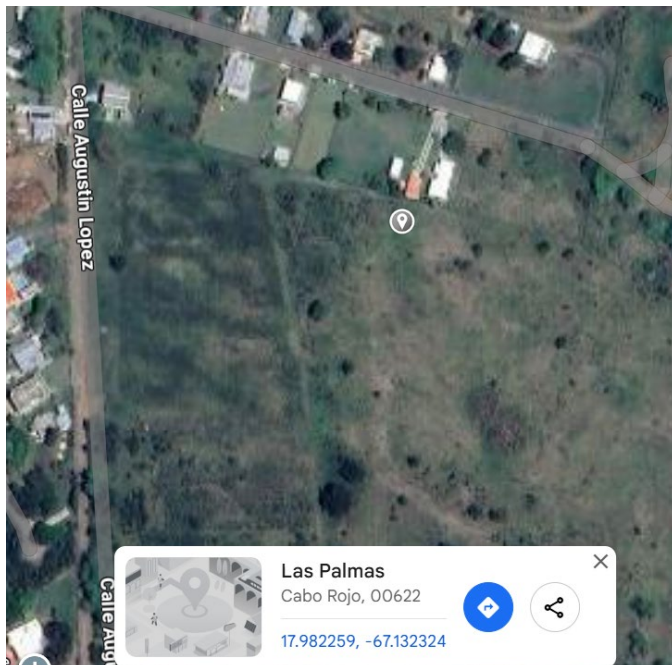
Proposed Location for New Well | Water Lines will be superficial (No need to dig)

ADDITIONAL PHOTOS



New Solar System Coordinates | This system will be mounted on pillars (4 to 6 pillars, quantity will be determined by technic), Deep: 2'to 3', Footprint: 40 sq.ft.

Proposed Location New Solar System | Electrical Lines will be superficial (No need to dig)

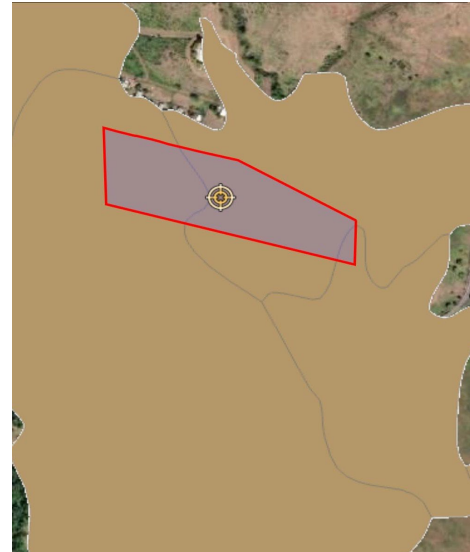
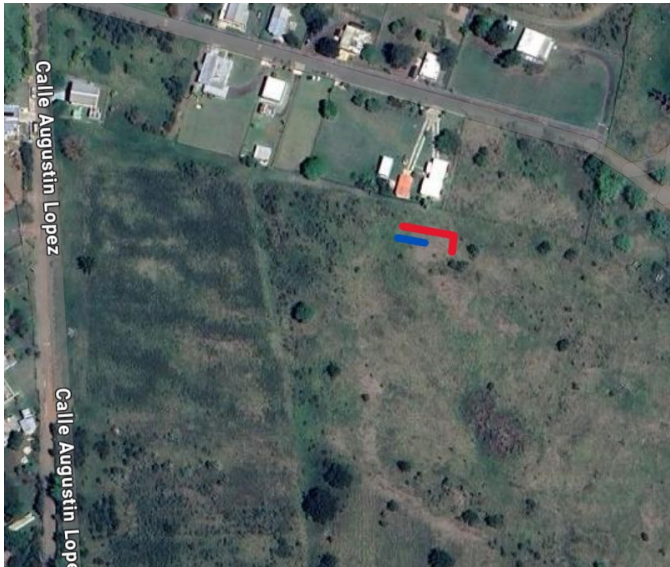


New Greenhouse Coordinates



Proposed Location for New Greenhouse | Dimensions are: 60'x150' or 150x60'

ADDITIONAL PHOTOS



Red: Water Lines | Blue: Electric Lines | Basically GH, SS and Well are close to each other.

Land



Aerial View | Proposed Locations | See all Proposed Location & Left Side of Property Photos for better surroundings visualization.

Drawing made by applicant for better understanding | Greenhouse, Solar System (Sun in Drawing) and Well Proposed Location.



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO



V1.0 | 2023-09-21

CDBG-DR PROGRAM

Re-Grow PR Urban Rural Agriculture (RGRW) Program

ENVIRONMENTAL FIELD OBSERVATION REPORT

APPLICATION GENERAL INFORMATION

Application No.:	PR-RGRW-04265-W	Applicant Name:	Jorge Casiano
------------------	-----------------	-----------------	---------------

PROPERTY INFORMATION

Property Address:
Bo Llanos Costa, Carr 303
Lote 3D, Cabo Rojo, P.R. 00662

Latitude:	17.98209	Longitude:	-67.13228
Property Type:	Land	Year Built:	N/A
Number of Buildings:	1	Are Utilities Connected?	No

Property Remarks:

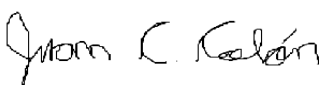
Is there evidence of damage from a previous disaster?	No
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Damage Remarks:

SIGNATURES OF INSPECTION REPORT

Environmental
Inspector:

Juan C. Colón
Printed Name


Signature

3-26-2025
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Front of Property



Rear of Property



Left Side of Property



Right Side of Property

PHOTOS OF RECOGNIZED ENVIRONMENTAL CONDITIONS



Front of Property



Front of Property



Front of Property Outwards



Front of Property Outwards

ADDITIONAL PHOTOS



Rear of Property



Rear of Property



Rear of Property Outwards



Rear of Property Outwards

ADDITIONAL PHOTOS



Left Side of Property



Left Side of Property



Left Side of Property Outwards



Left Side of Property Outwards

ADDITIONAL PHOTOS



Right Side of Property



Right Side of Property



Right Side of Property Outwards



Right Side of Property Outwards

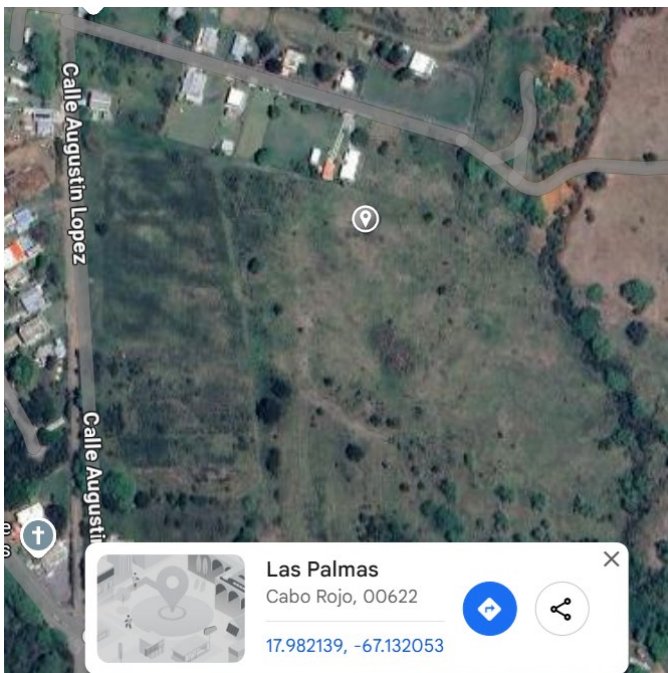
ADDITIONAL PHOTOS



Streetscape



Streetscape

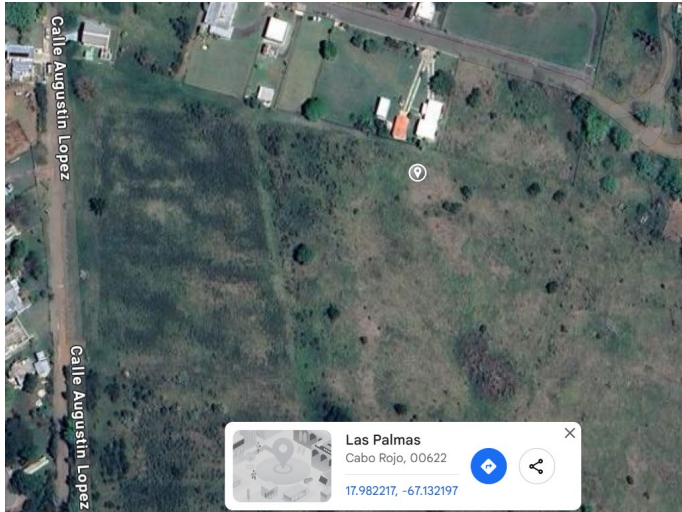


New Well Coordinates



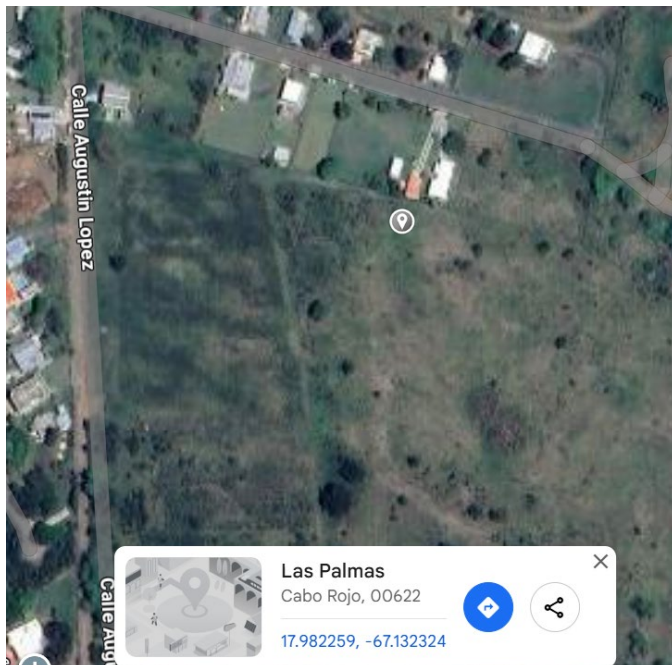
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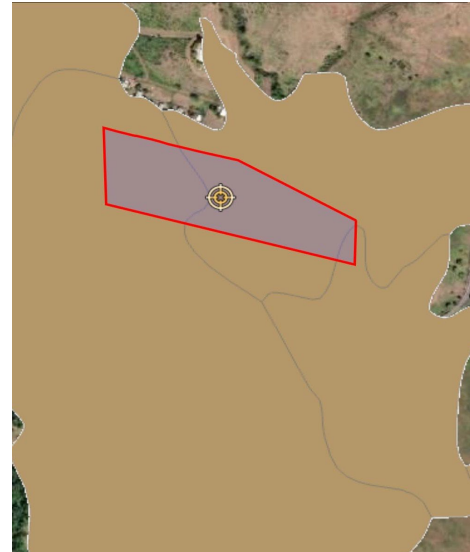
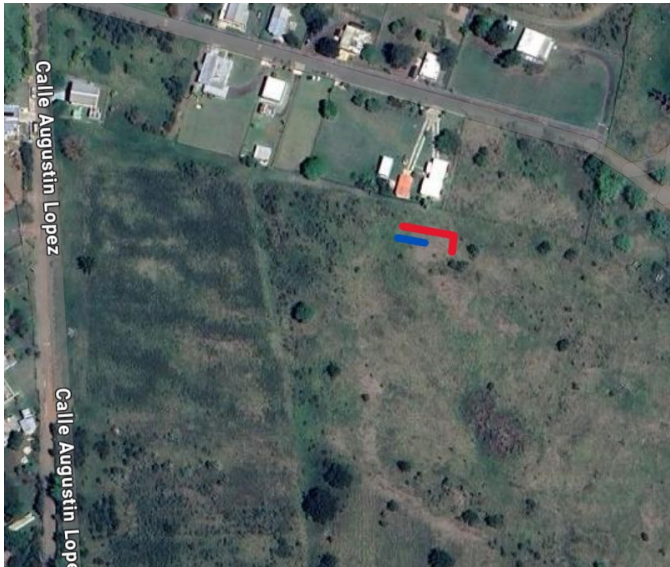


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Drawing made by applicant for better understanding | Greenhouse, Solar System (Sun in Drawing) and Well Proposed Location.



United States Department of the Interior

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



In Reply Refer To:
FWS/R4/CESFO/BKT/HUD

Mr. Efrain Maldonado
Field Office Director
U.S. Department of Housing and Urban Development
235 Federico Costa Street, Suite 200
San Juan, Puerto Rico 00918

Re: Blanket Clearance Letter for Federally
sponsored projects, Housing and Urban
Development

Dear Mr. Maldonado:

On January 14, 2013, the U.S. Fish and Wildlife Service (USFWS) in coordination with the U.S. Department of Housing and Urban Development (HUD), signed the Blanket Clearance Letter (BCL) to expedite the consultation process, for federally sponsored projects. On March 20, 2025, the USFWS and the Puerto Rico Department of Housing (PRDOH) acting as the responsible entity designated by HUD decided to review and update the BCL to ensure that new available information regarding the consultation process is included. This letter replaces the January 14, 2013, Blanket Clearance Letter for HUD sponsored projects.

The U.S. Fish and Wildlife Service (USFWS) is one of two lead Federal Agencies responsible for the protection and conservation of Federal Trust Resources, including threatened or endangered species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (ESA). In the U.S. Caribbean, the USFWS has jurisdiction over terrestrial plants and animals, the Antillean manatee and sea turtles when nesting. The National Marine Fisheries Service has jurisdiction over marine species, except for the manatee. The ESA directs all Federal agencies to participate in conserving these species. Section 7 of the ESA requires Federal agencies to consult with the USFWS to ensure that actions they fund authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitat.

The USFWS issued regulations in 1986 detailing the consultation process. As part of this consultation process, the USFWS reviews development projects to assist Federal agencies on the compliance of the ESA. Since HUD typically allocate grant funds for rural and urban development projects, obligations under the ESA, as well as the National Environmental Policy Act (NEPA), require HUD to perform consultation and an environmental impact review prior to the project's

authorization. Primarily, these projects involve repair or reconstruction of existing facilities associated with developed land.

In order to expedite the consultation process, the Caribbean Ecological Services Field Office (CESFO) has developed this BCL to cover for activities and projects that typically result in no adverse effects to federally-listed species under our jurisdiction. The proposed project criteria discussed below are subject to the following conditions:

1. The project is located within an urban or developed area.
 - An urban or developed area is defined as an area that 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 neighborhood 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 applicant¹.
2. If the project is located in a rural area, and the project is located within a disturbed area that does not require additional clearing of forested (trees) areas.
3. The project is not located within (or adjacent to) drainages, rivers, streams, wetlands, aquatic systems, or coastal areas.
4. If the project is located in a rural area, and the project is not located immediately adjacent to forested areas (e.g., rock walls and haystack hills (“mogotes”); wet montane forest; lowland wet forest; remnant coastal; mangrove forest; damp and dry limestone karst forests; pastureland with patches of exotic trees²).
5. The lighting associated to the facilities is not visible directly or indirectly from the shoreline or beach area.

Proposed projects that **do not** meet the above conditions **Do Not Qualify** for review under the Blanket Clearance Letter developed for compliance with Section 7 of the Endangered Species Act.

¹ This is the definition used by the USFWS in IPaC.

¹ *Ibid.*

Project Criteria:

1. Activities related to the resurfacing existing streets or roads; maintenance of existing upland gabion or reinforced concrete retention walls; construction, reconstruction or repair of gutters and sidewalks along existing roads.
2. Repair, replace, improve, reconstruct and/or rehabilitate facilities in already established public transportation systems (Signs, sidewalks and ramps, bus stops and existing routes).
3. Repair, replace, improve, reconstruct, rehabilitate and/or expanding existing public transportation facilities located in urban or developed areas.
4. Construction of new facilities for public transportation systems (e.g. School bus stops, city buses, trolleybuses, public car stops, Public car terminal) in urban or developed areas.
5. Repair, replace, improve, reconstruct, or rehabilitate existing bridges or rip-rap. (follow FWS rip-rap guidance for design).
6. Reconstruction, or emergency repairs, of existing structures, including but not limited to buildings, facilities and homes.
7. Demolition of dilapidated single-family homes or buildings.
8. Rebuilding of demolished single-family homes or buildings.
9. Retrofitting existing buildings.
10. Construction of residential and/or commercial facilities.
11. Construction, repair, replace, improve, reconstruct, and/or rehabilitate recreational facilities.
12. Addition of concrete pads to the existing footprint of a residential and/or commercial structure, provided that the resulting addition is less than 20% of the size of the existing structure.
13. Improvement or renovations to existing structures (exterior and interior) renovations resulting in an exterior increase greater than 20%.
14. Improvements or renovations to existing structures (exterior and interior renovations) resulting in an exterior increase of less than 20%.
15. Acquisition of residential and/or commercial properties in urban or developed areas for the relocation of families and/or activities.
16. Construction, reconstruction, rehabilitation and/or expansion of cemeteries.

17. Installation/drilling of new water well and associated utility infrastructure, either above ground or underground.
18. Establishment of power facilities, including but not limited to associated aboveground and/or underground infrastructure.
19. Construction of electrical system infrastructure and associated components, including but not limited to associated aboveground and/or underground infrastructure.
20. Construction of land based small electric generating facilities, including those fueled with wind, sun, or biomass, capable of producing no more than 10 MW. *
21. Activities within existing Right of Ways (ROWs) related to water and sanitary infrastructure; communication infrastructure; roads, bridges and highways without the removal of native vegetation and/or major earth movement.
22. Construction of rooftop or urban telecommunications systems and associated components, including but not limited to associated aboveground and/or underground infrastructure.
23. Establishment of temporary debris storage (TDS) facilities.
24. Establishment and/or closure of solid waste management facilities. But not new landfills.
25. Installation of water storage systems (cisterns) and associated infrastructure, either above ground or underground, including but not limited to installations on existing or new concrete pads, or existing or new roofs.
26. Installation of solar panels, battery storage systems and/or associated utility infrastructure, either above ground or underground, on existing or new concrete pads, existing or new roofs, ground or pole mounted.
27. Installation of generators on existing or new concrete slabs, and associated utility infrastructure, either above ground or underground.
28. Repair of existing agricultural structures including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with less than 20% expansion of footprint.
29. New construction of agricultural structures in established farms including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with or without underground and/or aboveground infrastructure utility connections.
30. Construction of fences, cattle corrals, concrete slabs.
31. Installation of storage containers on new concrete slab.

32. New construction or work which expands the footprint of an existing structure and occurs entirely on disturbed, regularly maintained, upland property, including the staging of equipment.

*Comply with USFWS wind energy guidelines if more than one wind turbine, consider painting one blade black to help birds see the blades. <https://www.fws.gov/media/land-based-wind-energy-guidelines>

Determination:

Based on the nature of the projects described above and habitat characteristics described on project criteria, we have determined that the actions and type of projects described above may be conducted within this BCL without adversely affecting federally-listed species under our jurisdiction. Thus, consultation under Section 7 of the Endangered Species Act is not required.

For all projects, HUD and its funded partners (municipalities) are expected to implement Best Management Practices to enhance the conservation of our trust resources (i.e.; listed species, wetlands, aquatic habitats, migratory birds and marine mammals) and avoid impacts from project development to aquatic habitat such as erosion and stream sedimentation. The Service provides the following recommendations that have proven to help achieve this effort.

Water Crossing Structures:

1. Use of bottomless culverts or single span bridges instead of traditional box or RCP culverts or any other water crossing structure that impacts the stream bottom, particularly in streams which support native fish. The use of bottomless culverts or a short span bridge would provide a more stable crossing and would not alter the stream habitat. However, if bottomless structures or bridges are not feasible due to cost or engineering constraints, we recommend the following criteria be used to maintain good habitat in the streams:
 - a. The stream should not be widened to fit the bridge since this can lead to sedimentation during low flows and possible bank erosion during high flows. Rather, the bridge should be designed to fit the stream channel at the point of crossing. Culverts should be sized to carry natural bank full flow. Additional flow can be capture by culverts placed at a higher elevation so as not to impact bank full flows.
 - b. Bridge abutments, wing walls or any other structures should not intrude into the active stream channel.
 - c. All culvert footings must be countersunk into the stream channel at both the invert and outlet ends at a minimum of 10% of the culvert height. This will align the water crossing structure with the slope of the stream.
 - d. Waterways must not be blocked as to impede the free movement of water and fish. Materials moved during construction, such as grubbing, earth fills, and earth cut

materials must not be piled where they can fall back into the stream and block the drainage courses.

- e. Appropriate erosion and/or sedimentation controls measures are to be undertaken to protect water quality until riverbanks are re-vegetated. It has been our experience that appropriate erosion and/or sedimentation control measures are not implemented properly by project contractors. In order to function properly, silt fences need to be buried 6" (proper depth is marked by a line on the silt fence) and supported at regular intervals by wood stakes. For that reason we are recommending that the enclosed drawing of proper silt fence installation is included in all final project construction plans.
- f. Upon completion of a water crossing construction, any temporary fill, must be removed from the construction area and disposed in a landfill.

For a detailed guide to water crossing structures, the Service developed a detailed guide to water crossing structures for regulatory review by permitting agencies, protect damaged structures, reduce future damages, and prevent or minimize damage to natural resources. The document is titled "Guidance for Repair, Replacement, and Clean-up Projects in Streams and Waterways of Puerto Rico and U.S. Virgin Islands" and is available at:

<https://www.fws.gov/media/guidance-repair-replacement-and-clean-structures-streams-and-waterways-puerto-rico-and-us>

Limitations:

Actions that do not meet the above project criteria, such as actions requiring placement of fill, disturbance, or modification to land outside of an existing access road or ROW; actions that occur on vacant property harboring a wetland and/or forest vegetation; actions requiring excavation, clearing of native vegetation, or alteration of storm water drainage patterns; or actions that require lighting which can be directly or indirectly seen from a beach, must be individually coordinated through the Caribbean Ecological Services Field Office and will be evaluated on a case by case basis.

The Service reserves the right to revoke or modify this BCL if:

1. New information reveals that the categories of work covered in this BCL may affect listed or designated critical habitat in a manner, or to an extent, not previously considered.
2. The categories of work included in this BCL are subsequently modified to include activities not considered in this review.
3. New species are listed, or designated critical habitat may be affected.
4. Lack of compliance with criteria in this BCL.

To obtain additional information on threatened and endangered species, you may visit our website <https://www.fws.gov/office/caribbean-ecological-services> where you will also find the Map of the Species by Municipality and the Map of Critical Habitat. These maps provide information on the species/habitat relations within a municipality and could provide the applicants an insight if the proposed action is covered under this BCL or may affect a species, thus requiring individual review

The USFWS has also developed a web based tool called the Information for Planning and Consultation (IPaC). Please visit <https://ipac.ecosphere.fws.gov/> and familiarize yourself with the features we offer. We encourage you to begin your project planning process by requesting an Official Species List for your individual project that will include all species that may occur in the vicinity of the action area and includes a map of the action area. The site will also identify designated critical habitat, or other natural resources of concern that may be affected by your proposed project. Best management practices or conservation measures are available at the site for some species, but we expect the site to continue growing in its offering.

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. It is our 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 additional questions regarding this BCL, please do not hesitate to contact us at (786) 244-0081 or via email at caribbean_es@fws.gov.

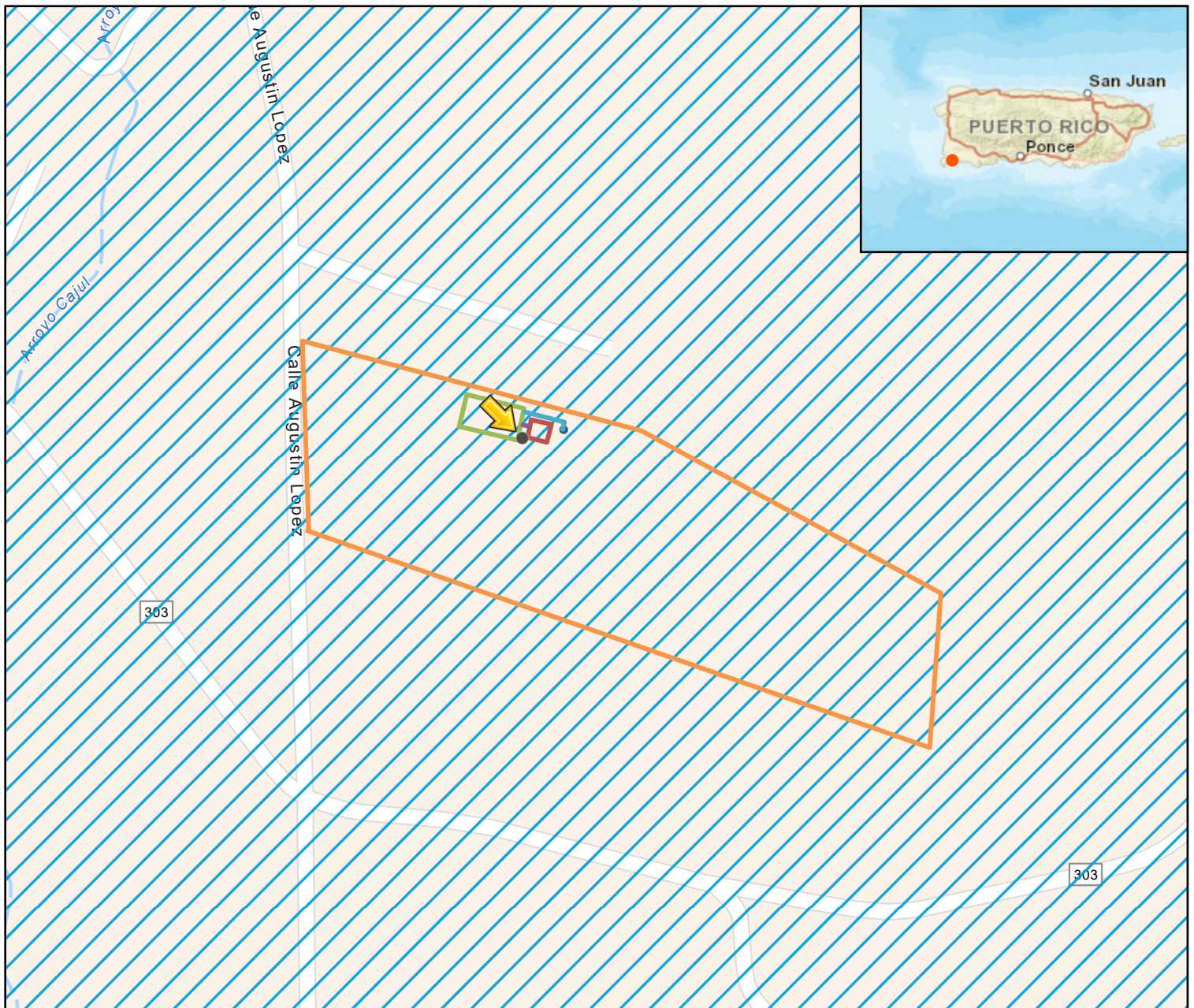
Sincerely,

LOURDES
MENA

Digitally signed by
LOURDES MENA
Date: 2025.04.24
09:11:24 -04'00'

Lourdes Mena
Field Supervisor

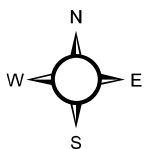
PR-RGRW-04265-W CZM



Legend

 Coastal Zone Management Act Boundary

0 0.04 0.09 0.17 mi



NOAA

Coastal Zone Management Act



DEPARTAMENTO DE LA VIVIENDA
PROGRAMA RENACER AGRÍCOLA DE PUERTO RICO –
AGRICULTURA URBANA Y RURAL
FORMULARIO SOBRE USO PREVISTO DE LOS FONDOS

Yo, Jorge Casiano, representante autorizado/a para el negocio Caribbean Growponics Tech Corp., con el Caso Número PR-RGRW-04265 para el Programa Renacer Agrícola de Puerto Rico – Agricultura Urbana y Rural (**Programa Renacer Agrícola**), por la presente reconozco que fondos de subvención por la suma de \$150,000.00 se usarán de conformidad con el uso de fondos descrito a continuación.

Además, reconozco que, como parte del proceso de revisión de recibos, el Formulario sobre Uso Previsto de los Fondos será comparado con los recibos recopilados para verificar el cumplimiento con la información provista en dicho formulario.

Item	Equipment Expense Type RGRW	Unmet Need	Initials
Fertilizer	Production Supplies (Regrow Only)	\$2,794.00	
Greenhouse	Farm Infrastructure (Regrow Only)	\$117,496.30	
Seeds #1	Production Supplies (Regrow Only)	\$1,760.00	
Seeds #2	Production Supplies (Regrow Only)	\$105.59	
Solar system	Farm Infrastructure (Regrow Only)	\$8,999.00	
Spraying Equipment	Farm Equipment (Regrow Only)	\$438.83	
Substrate	Production Supplies (Regrow Only)	\$9,476.00	
Water well	Farm Infrastructure (Regrow Only)	\$9,906.00	

\$150,000.00
Total de Uso Previsto de los
Fondos

Además, reconozco y entiendo que:

- El incumplimiento con el uso previsto de los fondos descrito en este Formulario podría requerir el pago de los fondos a Departamento de la Vivienda.

- Los fondos del Programa Renacer Agrícola solo pueden ser utilizados para actividades elegibles y el uso permitido de los fondos, según se establece en las Guías del Programa Renacer Agrícola.
- El Formulario sobre Uso Previsto de los Fondos será revisado por el equipo del Programa Renacer Agrícola y, **si es aprobado**, será el formulario oficial que se utilizará durante el proceso de revisión de los recibos.

Jorge Casiano

12/02/2024

Nombre

Firma

Fecha



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO



Memorandum to File

Date: 5/2/2025

From: Justin Neely
Environmental Manager
CDBG-DR Program
Regrow Puerto Rico Program
Puerto Rico Department of Housing

Application Number: PR-RGRW-04265-W

Project: Caribbean Growponics Tech Corp.

Re: Justification for the Infeasibility and Impracticability of Radon Testing

After reviewing Application Number PR-RGRW-04265-W under the Regrow Puerto Rico Program, administered by the Puerto Rico Department of Housing (**PRDOH**), to complete the property's contamination analysis in accordance with 24 C.F.R. § 50.3(i) and 24 C.F.R. § 58.5(i), we have determined that testing the property's radon levels is infeasible and impracticable.

Per the U.S. Department of Housing and Urban Development's (**HUD**) CPD Notice 23-103, the recommended best practices and alternative options for radon testing are infeasible and impracticable in this case due to the following reasons:

- As required by the CPD Notice 23-103, the scientific data reviewed in lieu of testing must consist of a minimum of ten documented test results over the previous ten years. If there are less than ten documented results over this

period, it is understood that there is a lack of scientific data. The latest report for radon testing in Puerto Rico was prepared in 1995 by the U.S. Department of the Interior in Cooperation with the U.S. Environmental Protection Agency. No other completed studies and reports on radon testing are available in Puerto Rico.

- There is no available science-based or state-generated information for Puerto Rico for the last ten years that can be used to determine whether the project site is in a high-risk area. The Department of Health and Human Services, Centers for Disease Control and Prevention (**CDC**), National Environmental Public Health Tracking, and Radon Testing map do not include Puerto Rico data.
- There are only two (2) licensed professionals in Puerto Rico who can conduct radon testing using the American National Standards Institute/American Association of Radon Scientists and Technologists (**ANSI/AARST**) testing standards, which makes it difficult, time-consuming, and highly expensive to coordinate and secure a site visit for the contamination evaluation.
- Do-it-yourself (**DIY**) radon test kits are known to be unreliable in assuring and controlling the quality of the test results; they are not readily available in Puerto Rico, and the cost and time required for purchasing and sending them for analysis are unreasonable when weighed against the results' reliability and the need for prompt results.
- Local authorities in Puerto Rico do not have the specialized radon monitoring equipment or trained staff needed to conduct the radon testing analysis and ensure proper quality control and quality assurance practices are adhered to. We also do not have a radiation laboratory certified for radon testing.

As part of the evaluation for this determination, PRDOH sent information requests to six (6) local agencies at the state and federal levels. We received responses from the following agencies:

- United States Geological Survey;
- Centers for Disease Control and Prevention;
- Puerto Rico Department of Health; and
- United States Environmental Protection Agency.

The agencies mentioned above confirmed the lack of scientific data on Radon testing for Puerto Rico and the technical difficulties that we face to comply with HUD's Radon testing requirement. For the above-mentioned reasons, Radon testing is infeasible and impracticable for this property, and no further consideration of Radon is needed for the environmental review.



OFICINA ESTATAL DE

CONSERVACIÓN HISTÓRICA

GOBIERNO DE PUERTO RICO

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

Thursday, April 3, 2025

Lauren B Poche

269 Avenida Ponce de León, San Juan, PR, 00917

**SHPO-CF-04-01-25-08 PR-RGRW-04265-W (Cabo Rojo), Caribbean Growponics
Tech Corp.**

Dear Ms. Poche,

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



OFICINA ESTATAL DE
CONSERVACIÓN HISTÓRICA
OFICINA DEL GOBERNADOR

STATE HISTORIC
PRESERVATION OFFICE
OFFICE OF THE GOVERNOR

April 1, 2025

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-04265-W –
CARIBBEAN GROWPONICS TECH CORP. – BO LLANOS COSTA, CARR 303 LOTE 3D, CABO
ROJO, 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 were 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 Caribbean Growponics Tech Corp. located at Bo Llanos Costa, Carr 303 Lote 3D, in the municipality of Cabo Rojo. The undertaking for this project consists of installing a new 150-foot (ft; 45.7 meters [m]) by 60 ft (18.3 m) greenhouse, a new solar array, and a new well. The greenhouse will be located at 17.982259, -67.132324 and anchored by posts driven 2 ft (0.6 m) into the ground. The new solar array will be mounted on either four or six pillars (the technicians will determine the quantity during installation), located at 17.982217, -67.132197. The pillars will be anchored 2 – 3 ft (0.6 – 0.91 m) deep within a 40 square

foot (sqft; 3.72 square meters [sqm]) area. A new above-ground electric line will connect the solar array to the greenhouse. The new well will be located at 17.982139, -67.132053 and excavated to a depth of 80 – 110 ft (24.4 – 33.5 m) deep. A submersible water pump will be utilized to supply water to the greenhouse via a new above-ground water line.

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.poché@horne.com or phone at 225-405-7676 with any questions or concerns.

Kindest regards,




Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager

LBP/JCO

Attachments

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM SECTION 106 NHPA EFFECT DETERMINATION		 DEPARTMENT OF HOUSING <small>GOVERNMENT OF PUERTO RICO</small>
APPLICANT: Caribbean Growponics Tech Corp.		
CASE ID: PR-RGRW-04265-W	CITY: Cabo Rojo	

PROJECT LOCATION: Bo LLanos Costa, Carr 303 Lote 3D	
PROJECT COORDINATES: 17.98209, -67.13228	
TPID (Número de Catastro): 403-000-010-87-000	
TYPE OF UNDERTAKING: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
CONSTRUCTION DATE (AH est.): n/a	PROPERTY SIZE (acres): 15.2 Direct APE: 1.06


SOI-QUALIFIED ARCHITECT/ARCHITECTURAL HISTORIAN: N/A
DATE REVIEWED: Click or tap to enter a date.
SOI-QUALIFIED ARCHAEOLOGIST: Jennifer Ort, M.S., RPA
DATE REVIEWED: April 1, 2025

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 Caribbean Growponics Tech Corp. consist of installing a new 150-foot (ft; 45.7 meters [m]) by 60 ft (18.3 m) greenhouse, a new solar array, and a new well. The greenhouse will be located at 17.982259, -67.132324 and anchored by posts driven 2 ft (0.6 m) into the ground. The new solar array will be mounted on either four or six pillars (the technicians will determine the quantity during installation), located at 17.982217, -67.132197. The pillars will be anchored 2 – 3 ft (0.6 – 0.91 m) deep within a 40 square foot (sqft; 3.72 square meters [sqm]) area. A new above-ground electric line will connect the solar array to the greenhouse. The new well will be located at 17.982139, -67.132053 and excavated to a depth of 80 – 110 ft (24.4 – 33.5 m) deep. A submersible water pump will be utilized to supply water to the greenhouse via a new above-ground water line.

The project area is located at Bo LLanos Costa, Carr 303 Lote 3D, within the Municipality of Cabo Rojo. Based on a review of historical aerial imagery, the general area was within a rural agricultural setting, per 1940 aerial imagery, the earliest available for the project area. The project area appears cleared and used for agricultural purposes throughout available imagery, although the

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM SECTION 106 NHPA EFFECT DETERMINATION	 DEPARTMENT OF HOUSING <small>GOVERNMENT OF PUERTO RICO</small>
APPLICANT: Caribbean Growponics Tech Corp.	
CASE ID: PR-RGRW-04265-W	CITY: Cabo Rojo

eastern portion appears to have been abandoned for planting purposes in 1993 imagery. The western half remained as agricultural fields until 2020 imagery when it also seems to have been allowed to become fallow. The entire APE after 2020 remains unplanted, although cleared of trees.

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, solar array, and well plus a 15-meter buffer, and the visual APE is the viewshed of the proposed project.


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 no reported archaeological materials or significant cultural properties within a half-mile (mi) radius of the project location.

The proposed project is located in the Southern Coastal Plains at an elevation of 201.75 ft (61.5 m) above modern sea level. Per the USGS/NRCS Web Soil Survey, the project area crosses two mapped soil series: Llanos Costa loam, 0 to 2 percent slopes (LnA) is mapped on the west side, and Llanos Costa loam, 5 to 12 percent slopes (LnC) is mapped to the east. The project area APE is in an open currently fallow field. The closest freshwater source is an unnamed stream located 0.11 miles (m; 0.18 kilometers [km]) east of the project area. The Arroyo Cajui is located 0.23 mi (0.37 km) west of the project area. The southern coast is approximately 2.39 mi (3.84 km) from the project area.

IDENTIFICATION OF HISTORIC PROPERTIES - ARCHITECTURE

Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information, by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that the project area is not within the boundaries of a National Register of Historic Places (NRHP)-eligible /listed Traditional Urban Center or Historic District.


PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM SECTION 106 NHPA EFFECT DETERMINATION	 DEPARTMENT OF HOUSING <small>GOVERNMENT OF PUERTO RICO</small>
APPLICANT: Caribbean Growponics Tech Corp.	
CASE ID: PR-RGRW-04265-W	CITY: Cabo Rojo

DETERMINATION

The following historic properties have been identified within the APE:

- Direct Effect:
 - n/a
- Indirect Effect:
 - n/a

Based on the results of our historic property identification efforts, the Program has determined that 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. 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-04265-W is located. The closest freshwater body is approximately 0.11 m (0.18 km) east of the project area. The previous use of the APE for agricultural purposes has minimally impacted the surrounding terrain. Therefore, no impact to cultural properties is anticipated for this reconstruction project.

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM SECTION 106 NHPA EFFECT DETERMINATION		 DEPARTMENT OF HOUSING <small>GOVERNMENT OF PUERTO RICO</small>
APPLICANT: Caribbean Growponics Tech Corp.		
CASE ID: PR-RGRW-04265-W		CITY: Cabo Rojo

RECOMMENDATION (PLEASE KEEP ON SAME PAGE AS SHPO STAFF SECTION)

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

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

THIS SECTION IS TO BE COMPLETED BY SHPO STAFF ONLY

The Puerto Rico State Historic Preservation Office has reviewed the above information and:	
<input type="checkbox"/> Concurs with the information provided. <input type="checkbox"/> 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



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo

PROJECT (PARCEL) LOCATION - AREA OF
 POTENTIAL EFFECT (APE)

Latitude: 17.982090
 Longitude: -67.132280

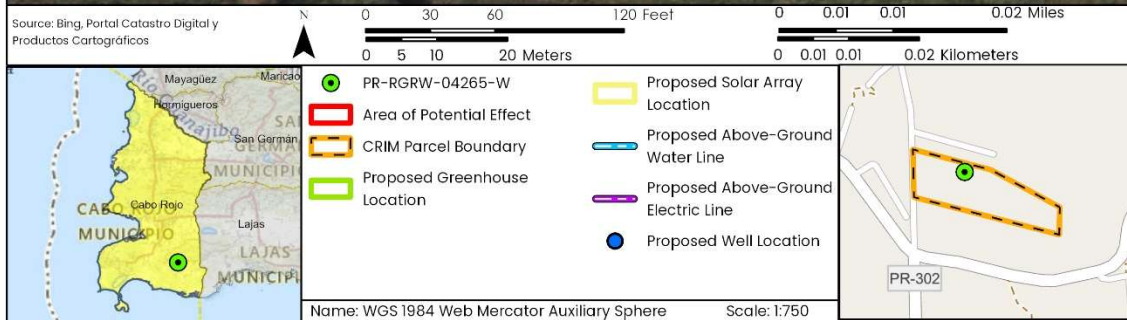
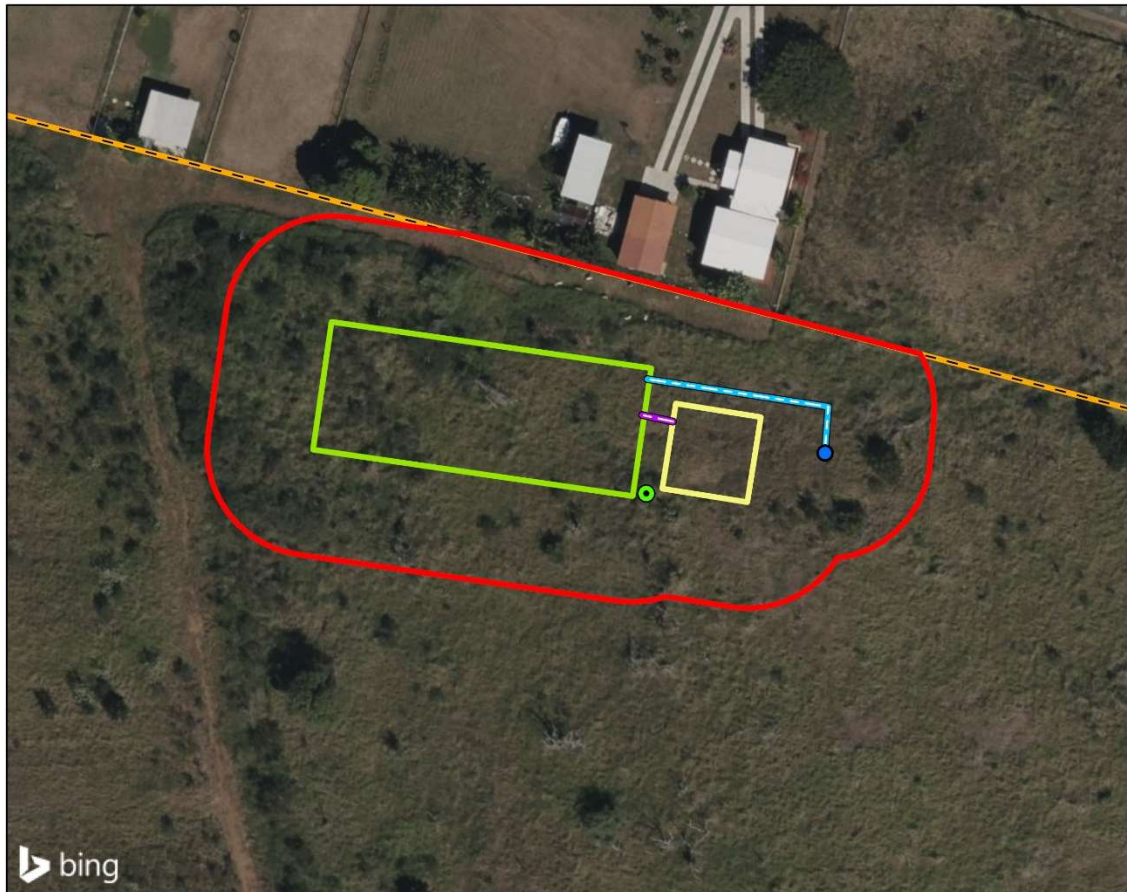


PUERTO RICO DEPARTMENT OF HOUSING
 RE-GROW PROGRAM



Application ID#: PR-RGRW-04265-W

Address: Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, Puerto Rico



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGrow Puerto Rico Program
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo

PROJECT (PARCEL) LOCATION - AERIAL BASE

Latitude: 17.982090
 Longitude: -67.132280

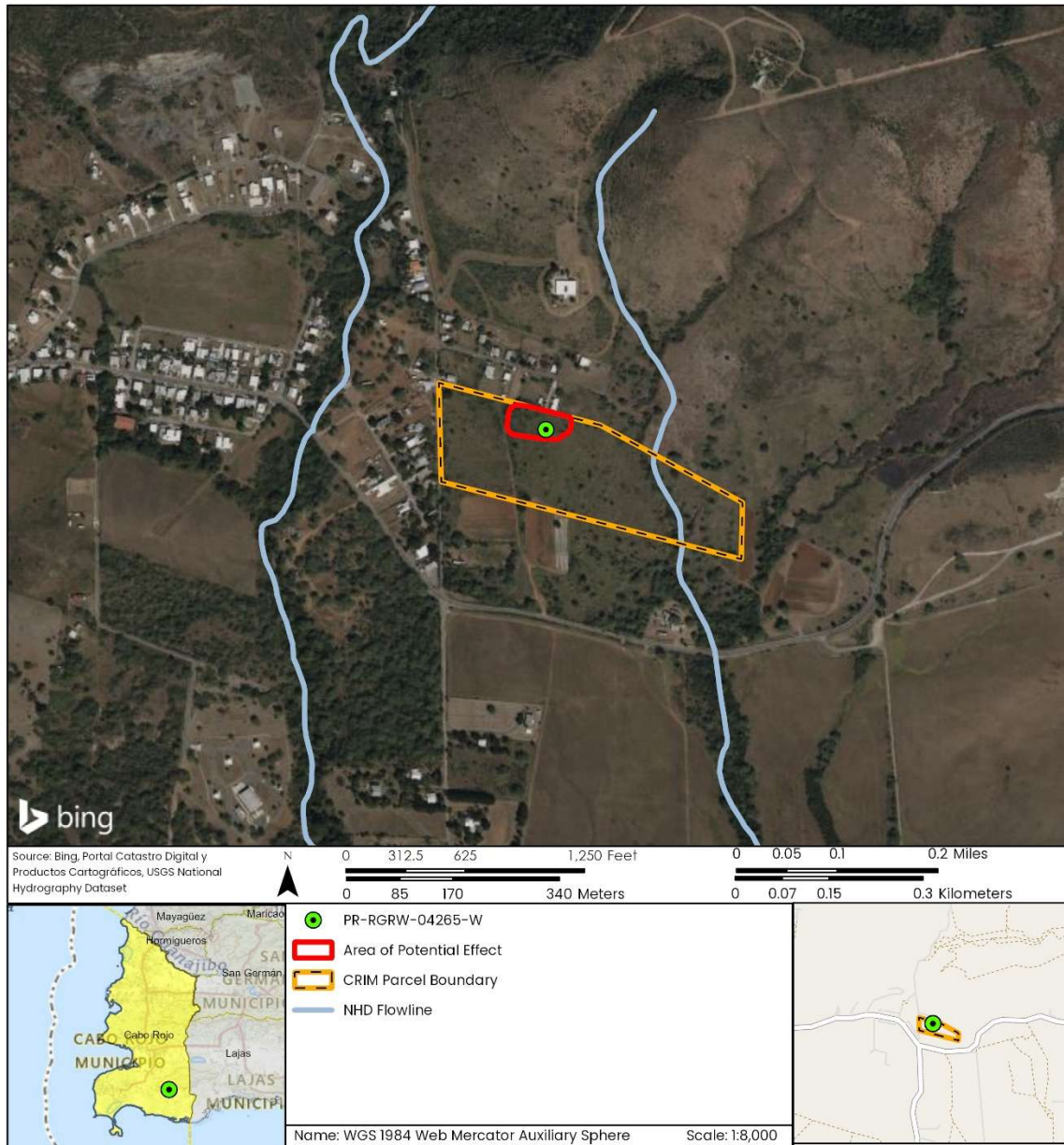


PUERTO RICO DEPARTMENT OF HOUSING
 RE-GROW PROGRAM



Application ID#: PR-RGRW-04265-W

Address: Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, Puerto Rico



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGROW PUERTO RICO PROGRAM
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo

PROJECT (PARCEL) LOCATION -
 TOPOGRAPHIC BASE

Latitude: 17.982090
 Longitude: -67.132280

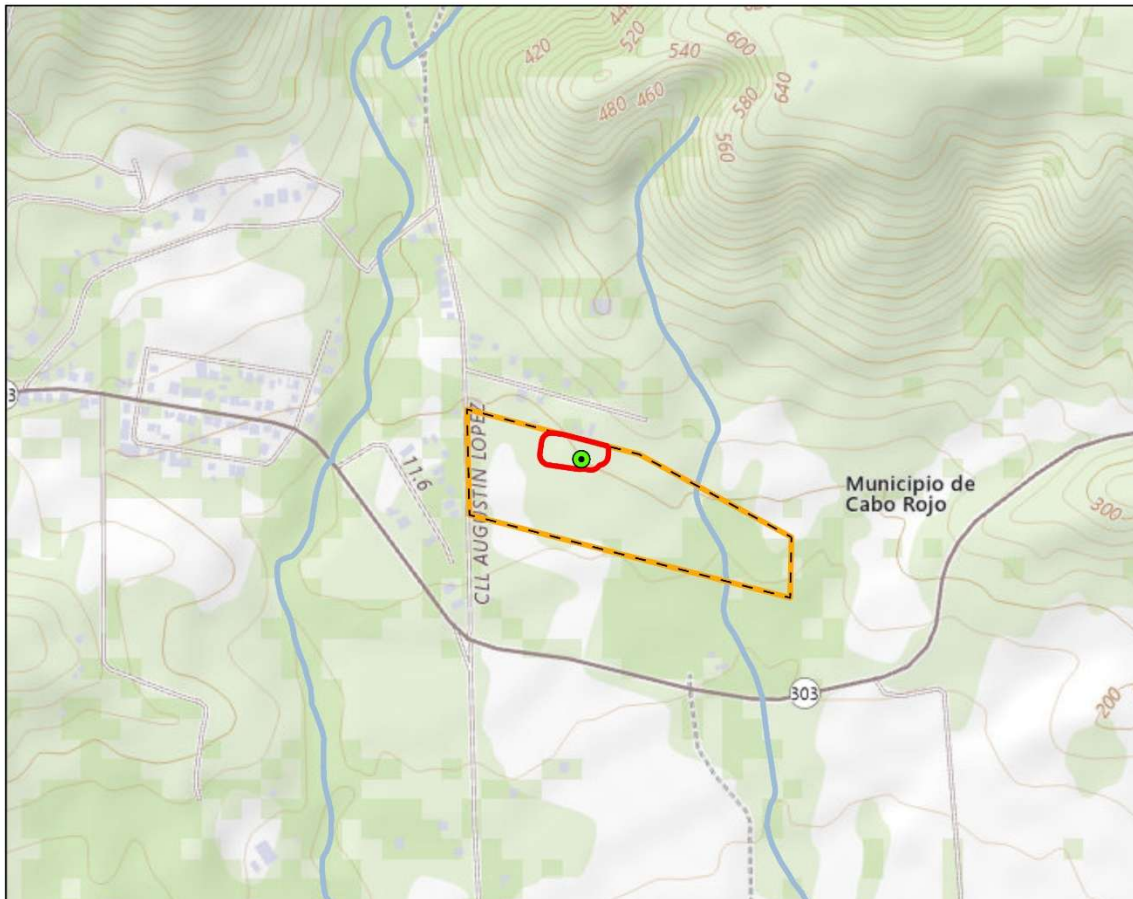


PUERTO RICO DEPARTMENT OF HOUSING
 RE-GROW PROGRAM



Application ID#: PR-RGRW-04265-W

Address: Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, Puerto Rico



Source: ESRI Imagery Basemap service, Portal
 Catastro Digital y Productos Cartográficos, USGS
 National Hydrography Dataset

0 312.5 625 1,250 Feet
 0 85 170 340 Meters
 0 0.05 0.1 0.2 Miles
 0 0.07 0.15 0.3 Kilometers



- PR-RGRW-04265-W
 - Area of Potential Effect
 - CRIM Parcel Boundary
 - NHD Flowline
- Name: WGS 1984 Web Mercator Auxiliary Sphere Scale: 1:8,000



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGrow Puerto Rico Program
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo

PROJECT (PARCEL) LOCATION - SOILS MAP

Latitude: 17.982090
 Longitude: -67.132280

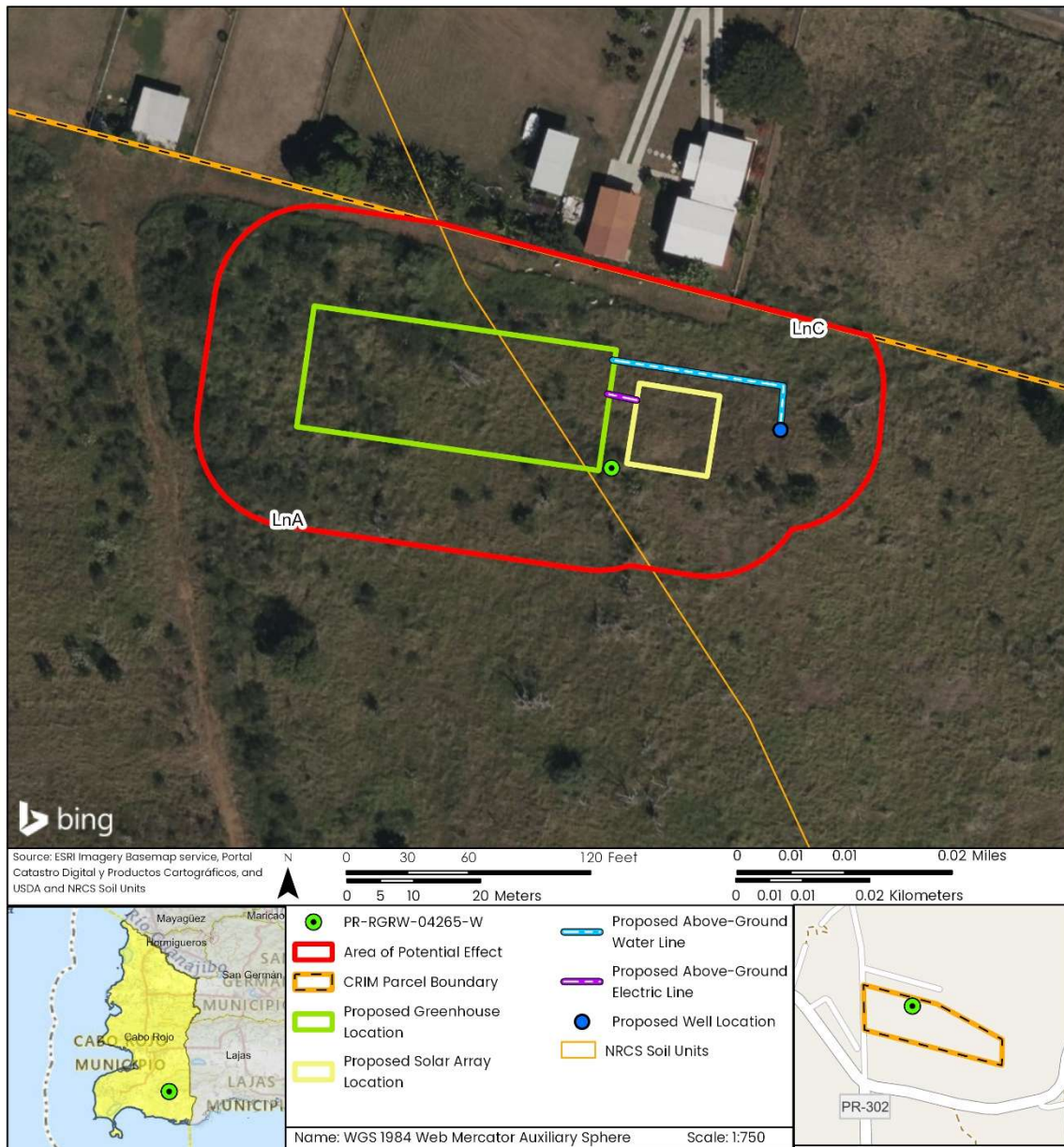


PUERTO RICO DEPARTMENT OF HOUSING
 RE-GROW PROGRAM



Application ID#: PR-RGRW-04265-W

Address: Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, Puerto Rico



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGrow Puerto Rico Program
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo

HISTORIC PROPERTIES - AERIAL BASE

Latitude: 17.982090
 Longitude: -67.132280

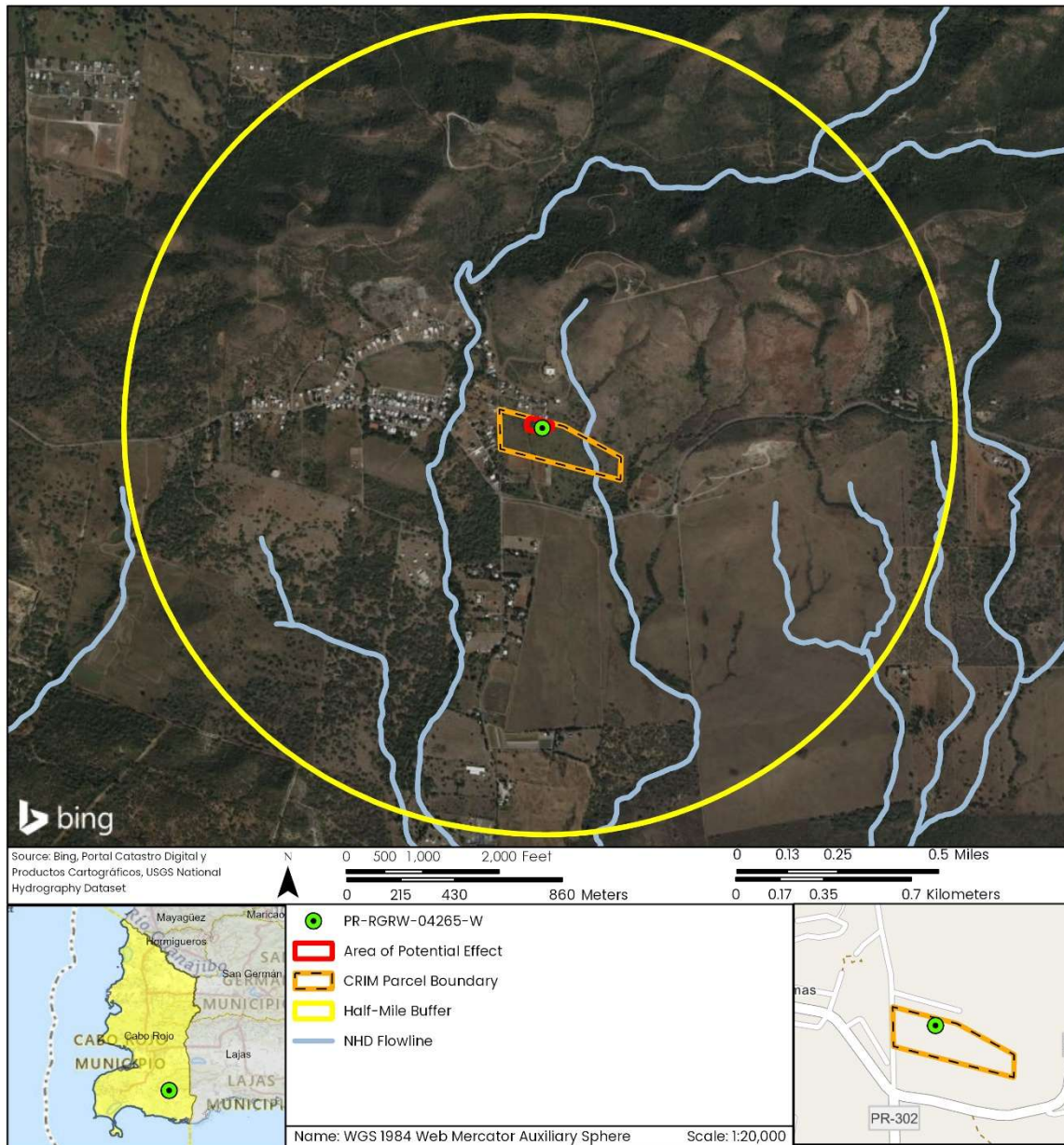


PUERTO RICO DEPARTMENT OF HOUSING
 RE-GROW PROGRAM



Application ID#: PR-RGRW-04265-W

Address: Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, Puerto Rico



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGrow Puerto Rico Program
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo

HISTORIC PROPERTIES -
 TOPOGRAPHIC BASE

Latitude: 17.982090
 Longitude: -67.132280

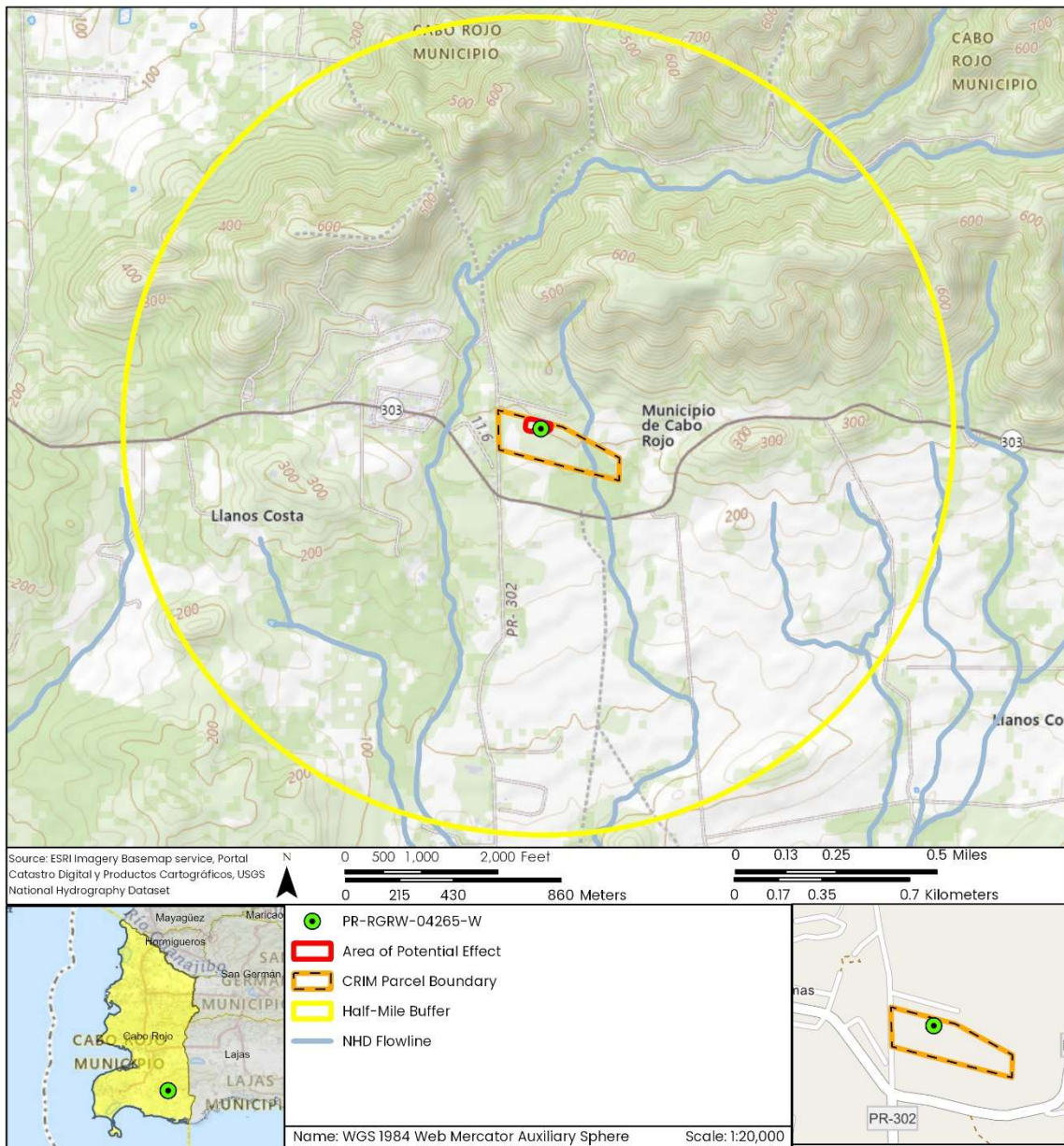


PUERTO RICO DEPARTMENT OF HOUSING
 RE-GROW PROGRAM



Application ID#: PR-RGRW-04265-W

Address: Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, Puerto Rico



PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGROW PUERTO RICO PROGRAM
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo



PHOTO #: 1

DESCRIPTION (INCLUDE DIRECTION): Proposed Location for the new well and water lines, looking east.

DATE: 3/26/2025



PHOTO #:2

DESCRIPTION (INCLUDE DIRECTION): Proposed location of the new Solar Array, looking north.

DATE: 3/26/2025

PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM
 ReGROW PUERTO RICO PROGRAM
 SECTION 106 NHPA EFFECT DETERMINATION



APPLICANT: Caribbean Growponics Tech Corp.

CASE ID: PR-RGRW-04265-W

CITY: Cabo Rojo



PHOTO #: 3

DESCRIPTION (INCLUDE DIRECTION): Proposed Location for the greenhouse, looking northwest.

DATE: 3/26/2025



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

April 30, 2024

Arch. Carlos A. Rubio Cancela

Executive Director

Puerto Rico State Historic Preservation Office

Cuartel de Ballajá, Third Floor

San Juan, Puerto Rico 00901

Re: Authorization to Submit Documents for Consultation

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 review services, among others, that will support the objectives of the agenda for both CDBG-DR and CDBG -MIT Programs.

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,

Aldo A. Rivera Vázquez, PE

Director

Division of Environmental Permitting and Compliance

Office of Disaster Recovery



Self-Certification

<https://www.fws.gov/office/caribbean-ecological-services>

Endangered Species Act Certification

The U.S. Fish and Wildlife Service, Caribbean Ecological Services Field Office developed a Blanket Clearance Letter in compliance with Endangered Species Act of 1973, as amended, and the Fish and Wildlife Coordination Act for federally funded projects.

The Service determined that projects in compliance with the following criteria are not likely to adversely affect federally-listed species.

The Puerto Rico Department of Housing (PRDOH) certifies that the following project **Caribbean Growponics Tech Corp. (PR-RGRW-04265-W)** under the CDBG-DR Regrow Puerto Rico Program, consisting of the installation of a new 150 ft by 60 ft greenhouse, a new solar array, and a new well located at Bo Llanos Costa, Carr 303 Lote 3D, Cabo Rojo, PR 00622, complies with:

Check	Project Criteria
<input type="checkbox"/>	1. Activities related to the resurfacing existing streets or roads; maintenance of existing upland gabion or reinforced concrete retention walls; construction, reconstruction or repair of gutters and sidewalks along existing roads.
<input type="checkbox"/>	2. Repair, replace, improve, reconstruct and/or rehabilitate facilities in already established public transportation systems (signs, sidewalks and ramps, bus stops and existing routes).
<input type="checkbox"/>	3. Repair, replace, improve, reconstruct, rehabilitate and/or expanding existing public transportation facilities located in urban or developed areas.
<input type="checkbox"/>	4. Construction of new facilities for public transportation systems (e.g. school bus stops, city buses, trolleybuses, public car stops, public car terminal) in urban or developed areas.
<input type="checkbox"/>	5. Repair, replace, improve, reconstruct, or rehabilitate existing bridges or rip-rap. We recommend following FWS rip-rap guidance for design: https://www.fws.gov/media/guidance-repair-replacement-and-clean-structures-streams-and-waterways-puerto-rico-and-us

<input type="checkbox"/>	6. Reconstruction, or emergency repairs, of existing structures, including but not limited to buildings, facilities and homes.
<input type="checkbox"/>	7. Demolition of dilapidated single-family homes or buildings.
<input type="checkbox"/>	8. Rebuilding of demolished single-family homes or buildings.
<input type="checkbox"/>	9. Retrofitting existing buildings.
<input type="checkbox"/>	10. Construction of residential and/or commercial facilities.
<input type="checkbox"/>	11. Construction, repair, replace, improve, reconstruct, and/or rehabilitate recreational facilities.
<input type="checkbox"/>	12. Addition of concrete pads to the existing footprint of a residential and/or commercial structure, provided that the resulting addition is less than 20% of the size of the existing structure.
<input type="checkbox"/>	13. Improvement or renovations to existing structures (exterior and interior) renovations resulting in an exterior increase greater than 20%.
<input type="checkbox"/>	14. Improvements or renovations to existing structures (exterior and interior renovations) resulting in an exterior increase of less than 20%.
<input type="checkbox"/>	15. Acquisition of residential and/or commercial properties in urban or developed areas for the relocation of families and/or activities.
<input type="checkbox"/>	16. Construction, reconstruction, rehabilitation and/or expansion of cemeteries.
<input checked="" type="checkbox"/>	17. Installation/drilling of new water well and associated utility infrastructure, either above ground or underground.
<input type="checkbox"/>	18. Establishment of power facilities, including but not limited to associated aboveground and/or underground infrastructure.
<input type="checkbox"/>	19. Construction of electrical system infrastructure and associated components, including but not limited to associated aboveground and/or underground infrastructure.
<input type="checkbox"/>	20. Construction of land based small electric generating facilities, including those fueled with wind, sun, or biomass, capable of producing no more than 10 MW.
<input type="checkbox"/>	21. Activities within existing Right of Ways (ROWs) related to water and sanitary infrastructure; communication infrastructure; roads, bridges and highways without the removal of native vegetation and/or major earth movement.
<input type="checkbox"/>	22. Construction of rooftop or urban telecommunications systems and associated components, including but not limited to associated aboveground and/or underground infrastructure.
<input type="checkbox"/>	23. Establishment of temporary debris storage (TDS) facilities.

<input type="checkbox"/>	24. Establishment and/or closure of solid waste management facilities. But not new landfills.
<input type="checkbox"/>	25. Installation of water storage systems (cisterns) and associated infrastructure, either above ground or underground, including but not limited to installations on existing or new concrete pads, or existing or new roofs.
<input checked="" type="checkbox"/>	26. Installation of solar panels, battery storage systems and/or associated utility infrastructure, either above ground or underground, on existing or new concrete pads, existing or new roofs, ground or pole mounted.
<input type="checkbox"/>	27. Installation of generators on existing or new concrete slabs, and associated utility infrastructure, either above ground or underground.
<input type="checkbox"/>	28. Repair of existing agricultural structures including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with less than 20% expansion of footprint.
<input checked="" type="checkbox"/>	29. New construction of agricultural structures in established farms including but not limited to greenhouses, warehouses, canopies, fences, corrals, and shade structures with or without underground and/or aboveground infrastructure utility connections.
<input type="checkbox"/>	30. Construction of fences, cattle corrals, concrete slabs.
<input type="checkbox"/>	31. Installation of storage containers on new concrete slab.
<input type="checkbox"/>	32. New construction or work which expands the footprint of an existing structure and occurs entirely on disturbed, regularly maintained, upland property, including the staging of equipment.


 Angel G. López-Guzmán
 Deputy Director
 Permits and Environmental Compliance Division
 Puerto Rico Department of Housing
 Disaster Recovery Office, CDBG-DR/MIT
Address: P.O. Box 21365 San Juan, PR 00928
Telephone and Ext: 787-274-2527 ext. 4320
Email: environmentcdbg@vivienda.pr.gov

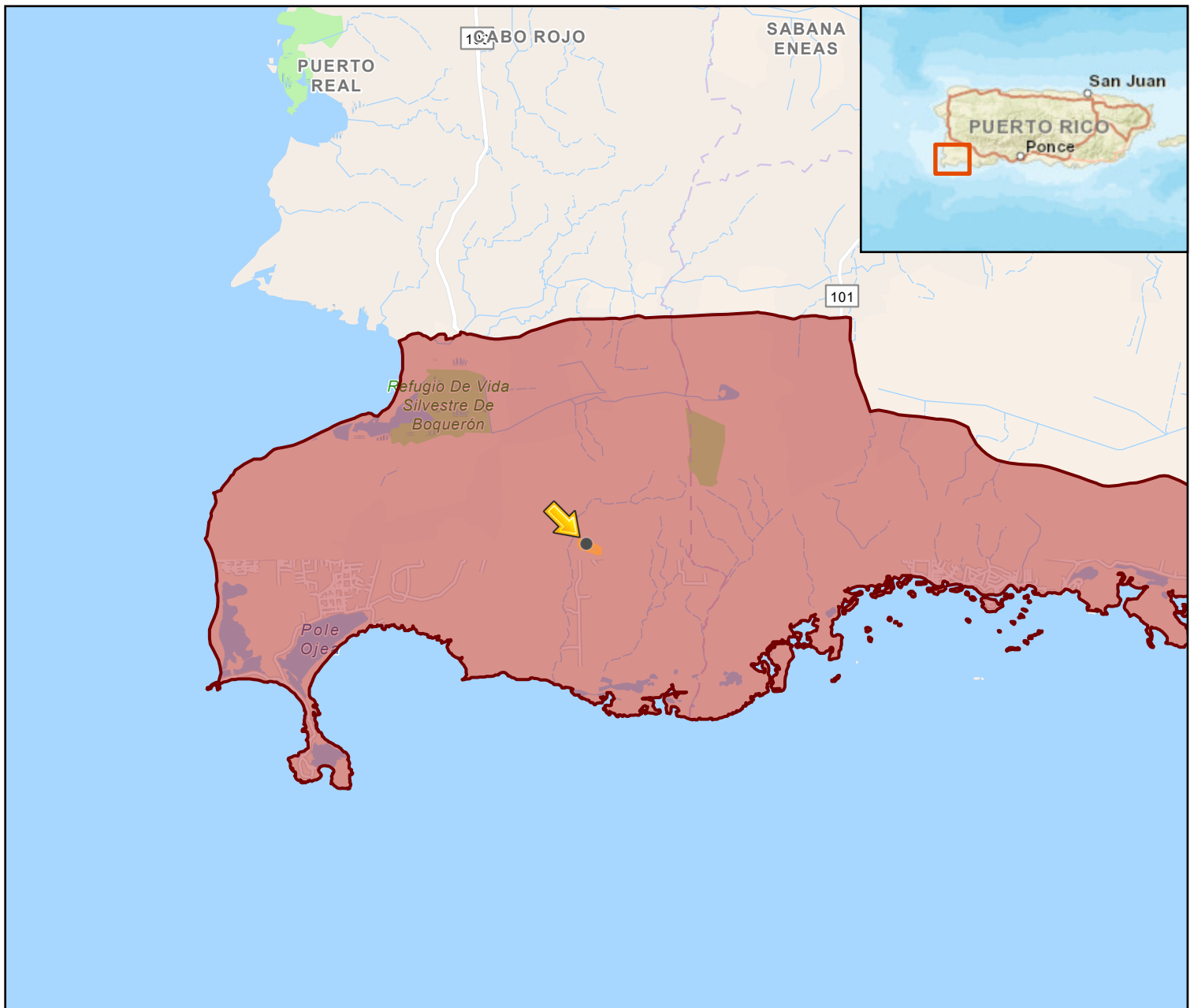
May 8, 2025
 Date

Attachments:

1. Project Site Map (Location Map)
2. Project Site Photos

3. Copy of the Blanket Clearance Letter
4. Others, as necessary to demonstrate compliance with the criteria (e.g. Explanatory Memorandum, Critical Habitat Map, National Wetlands Inventory Map, etc.)

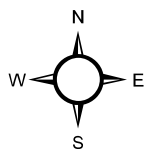
PR-RGRW-04265-W Endangered Species



Legend

USFWS Critical Habitat - Polygon (live agency service)

0 1.25 2.5 5 mi










Endangered Species Habitat

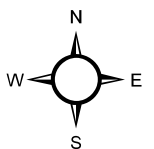
U.S. Fish and Wildlife Service

PR-RGRW-04265-W Site Map

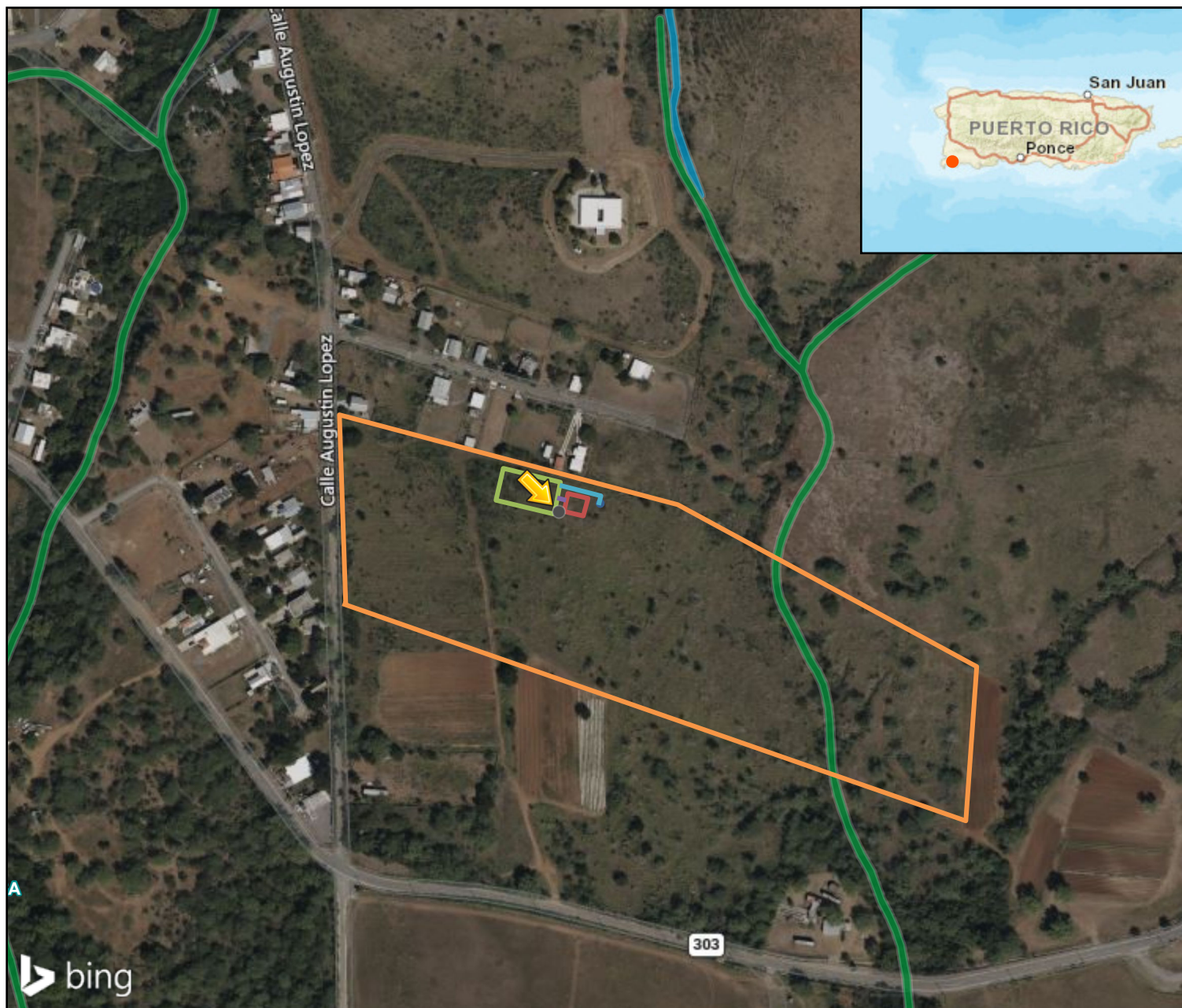


-  PR-RGRW-04265-W
-  Parcel Boundary
-  Proposed Greenhouse Location
-  Proposed Solar Location
-  Proposed Above-Ground Electrical Line
-  Proposed Above-Ground Water Line
-  Proposed Well Location

0 0.01 0.02 0.04 mi



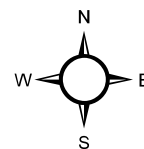
PR-RGRW-04265-W Wetlands



Legend

- Freshwater Forested/Shrub Wetland
- Riverine

0 0.04 0.09 0.17 mi



National Wetlands Inventory

U.S. Fish and Wildlife Service

Radon Attachments



August 20, 2024

Mrs. Carmen R. Guerrero Pérez
Director
Caribbean Environmental Protection Division
City View Plaza II – Suite 7000
#48 Rd. 165 km 1.2
Guaynabo, PR 00968-8069

Via email: guerrero.carmen@epa.gov

RE: Request for information regarding available data on radon testing and levels within Puerto Rico

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

This Notice emphasizes the importance of radon testing and mitigation in ensuring safe living environments, particularly in HUD-assisted properties. PRDOH, as the grantee of the Community Development Block Grant for Disaster Recovery and Mitigation (CDBG-DR/MIT), is responsible for ensuring compliance with environmental requirements under CDBG-DR/MIT programs. To fulfill our obligations under this Notice, we must compile comprehensive and up-to-date information on radon levels, testing practices, and any mitigation efforts within the islands of Puerto Rico.

Specifically, we are seeking for possible availability of the following information:

Radon testing data – Results from radon testing conducted within your agency's purview, including details on location, testing methods, and recorded radon levels.

Barbosa Ave. #606, Building Juan C. Cordero Davila, Rio Piedras, PR 00981 | PO Box 21365 San Juan, PR 00928-1365
Tel: (787) 274-2527 | www.usenda.pr.gov



August 20, 2024

Dr. Silvina Cancelos
Professor
College of Engineering
University of Puerto Rico – Mayagüez Campus
259 Norte Blvd. Alfonso Valdés Cobián
Mayagüez, Puerto Rico

Via email: silvina.cancelos@upr.edu

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Reports and assessments – Any reports, studies, or assessments your agency has produced or commissioned that address radon testing or mitigation.

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This information is vital to ensure that our radon management strategies are practical and compliant with federal requirements. If some of this information may be sensitive or confidential, we are prepared to discuss any necessary agreements or protocols for sharing this data securely.

Please let us know if you require additional details or have any questions regarding this request. We would greatly appreciate your response by September 15, 2024, so we can incorporate this data into our ongoing compliance efforts.

Thank you in advance for your cooperation and support. We look forward to working together on this critical initiative.

Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

Cc:

Mr. Oleg Pavetko, Pavetko.Oleg@epa.gov
Mr. Matthew Laitila, laitila.matthew@epa.gov

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Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

Cc:

Dr. Carlos Marín, carlos.marin3@upr.edu



August 20, 2024

Dr. Jessica Izárry
Director
Office of Island Affairs
U.S. Centers for Disease Control and Prevention
1324 Cll Canada, San Juan, 00920
Guaynabo, PR 00968-8069

Via email: OIA@cdc.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

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Barbosa Ave. #606, Building Juan C. Cordero Dávila, Río Piedras, PR 00918 | PO Box 21365 San Juan, PR 00928-1365
Tel. (787) 274-2527 | www.viviendap.rg.pr.gov

CDBG-DR/MIT Program
Request for Information in relation with HUD CPD-23-103 for Puerto Rico
Page 2 / 2

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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary



August 20, 2024

Mrs. Anais Rodríguez
Secretary
Puerto Rico Department of Natural Resources
Carretera 8838, km. 6.3, Sector El Cinco,
Río Piedras San Juan, PR 00926

Via email: anais.rodriguez@dma.pr.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

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CDBG-DR/MIT Program
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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

Cc: Mr. Luis Márquez, secretariogaire@dma.pr.gov
Eng. Amarilis Rosario, aire@dma.pr.gov
Mrs. Elid Ortega, ortega@dma.pr.gov



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

Dr. Carlos R. Mellado López
Secretary
Puerto Rico Department of Health
PO Box 70184
San Juan, PR 00936-8184

Via email: dr.carlos.mellado@salud.pr.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

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Tel. (787) 274-2527 | www.cdh.pr.gov



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

Mrs. Holly Weyers
Regional Director, Southeast – Puerto Rico
US Geological Survey
3916 Sunset Ridge Road
Raleigh, NC 27607

Via email: hweyers@usgs.gov

RE: Request for Information regarding available data on radon testing and levels within Puerto Rico

The Puerto Rico Department of Housing (PRDOH) kindly requests your assistance in gathering data, information, or reports related to radon testing in Puerto Rico, as this information is crucial for our compliance with the U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) Notice CDP-23-103.

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CDBG-DR/MIT Program
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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

Cc: Mr. Raúl Hernández Dabla, rhernandez2@salud.pr.gov

CDBG-DR/MIT Program
Request for Information in relation with HUD CDP-23-103 for Puerto Rico
Page 2 / 2

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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

Cc: Mr. R. Randall Schumann, rschumann@usgs.gov

From: Charp, Paul (CDC/NCEH/DEHSP) <pac4@cdc.gov>
Sent: Tuesday, September 3, 2024 6:36 AM
To: Miranda, Sandra (CDC/PHIC/DPS); Irizarry, Jessica (CDC/PHIC/DPS); Rzeszutarski, Peter (CDC/NCEH/DEHSP); Vinson, D. Aaron (CDC/NCEH/DEHSP)
Cc: Kostak, Liana (CDC/PHIC/DPS); Vazquez, Germaine (CDC/NCEH/DEHSP)
Subject: RE: REHi: Puerto Rico Request for Information- Randon testing and levels

Good morning, Sandra and others,

In response to the request from Mr. William Rodriguez of the Department of Housing, Government of Puerto Rico, I have reviewed all the available data within the CDC National Environmental Public Health Tracking Network system for data related to radon in Puerto Rico. In addition to the tracking data available on the internet, I also reached out to Mr. Aaron Vinson of the NCEH Tracking Branch.

I was not able to find any data in the CDC systems and this was confirmed by Mr. Vinson. We also reached out the US Environmental Protection Agency who indicated they had no radon data in their systems. Please relay this information to Mr. Rodriguez in your response to his requests

If you have any additional questions, please contact me.

Thank you and best regards,

Paul A. Charp, Ph.D., Fellow, HPS
Senior Health Physicist
Emerging Environmental Hazards and Health Effects Branch (EEHHEB)
Division of Environmental Health Science and Practice (DEHSP)
National Center for Environmental Health (NCEH)
Centers for Disease Control and Prevention (CDC)
pcharp@cdc.gov
770-488-0723 office
404.388.0614 Cell



From: Schumann, R. Randall <rschumann@usgs.gov>
Sent: Wednesday, August 21, 2024 4:39 PM
To: Melanie Medina Smaine <mmedina@vivienda.pr.gov>; Weyers, Holly S <hsweyers@usgs.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>
Subject: RE: Request for Information- Radon testing and levels

Dear Ms. Medina Smaine,

In the early 1990s the U.S. Geological Survey (USGS) conducted geologic assessments of radon potential for all 50 states and the territories of Guam and Puerto Rico, in collaboration with the U.S. EPA. I conducted the geologic radon potential assessment for Puerto Rico. The PDF file of the report is too large to attach to this message but it can be obtained at <https://pubs.usgs.gov/of/1993/0292k/report.pdf>. The USGS did not conduct indoor radon testing and we did not conduct field studies associated with this assessment; it was based on existing data. Mr. David Saldana of the Puerto Rico Department of Health kindly provided us with data for 610 homes that were tested for indoor radon by his agency between 1993 and 1995, which are summarized in the report. I am not aware of any other radon-related geologic studies conducted in the Commonwealth of Puerto Rico by the U.S. Geological Survey.

Best regards,

R. Randall Schumann
Scientist Emeritus
U.S. Geological Survey
Geosciences and Environmental Change Science Center
Denver, Colorado, USA
rschumann@usgs.gov
<https://www.usgs.gov/staff-profiles/r-randall-schumann>

From: Raul Hernandez Doble <rhernandez2@salud.pr.gov>
Sent: Wednesday, August 21, 2024 2:13:31 PM
To: Melanie Medina Smaine <mmedina@vivienda.pr.gov>; Dr. Carlos Mellado <drcarlos.mellado@salud.pr.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Mayra Toro Tirado <mtoro@salud.pr.gov>
Subject: RE: [EXTERNAL] Request for Information- Radon testing and levels

Good afternoon. Ms. Medina

I regret to inform that we do not have any recent information on radon testing, since we do not have a certified radiation laboratory certified for radon testing. There are companies that sell test kits available online that can be done and mailed to a testing laboratory. There are also lists of radon contractors and these companies that process radon testing cartridges with instructions, on the Environmental Protection Agency Indoor air Quality web page. The last radon study in Puerto Rico done by the PR Department of Health was done on the year 1993.

Raul Hernandez Doble
Director, Seccion Salud Radiologica
Division de Salud Ambiental
Secretaria Auxiliar para la Vigilancia y la Proteccion de la Salud Publica
rhernandez2@salud.gov.pr
Phone: (787)765-2929 ext. 3210

From: Reyes, Brenda <Reyes.Brenda@epa.gov>
Sent: Wednesday, September 18, 2024 11:48 AM
To: Cesar O Rodriguez Santos <cesarrodriguez@drna.pr.gov>; Maritza Rosa Olivares <maritzarosaolivares@drna.pr.gov>; Silvina Cancelos Mancini <silvina.cancelos@upr.edu>; Melanie Medina Smaine <mmedina@vivienda.pr.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Povetko, Oleg (he/him/his) <Povetko.Oleg@epa.gov>
Subject: RE: Request for Information- Randon testing and levels

Saludos.

La EPA esta trabajando una respuesta a su petición. Se sometió borrador a la directora y el subdirector para su aprobación y firma.

Brenda Reyes Tomassini
Public Affairs
U.S. EPA
Region 2
Caribbean Environmental Protection Division
(787) 977-5869/(787) 977-5865
Mobile: 202-834-1290

From: Silvina Cancelos Mancini <silvina.cancelos@upr.edu>
Sent: Friday, September 6, 2024 15:04
To: Melanie Medina Smaine <mmedina@vivienda.pr.gov>
Cc: Elaine Dume Mejia <Edume@vivienda.pr.gov>; Luz S Colon Ortiz <Lcolon@vivienda.pr.gov>; Aldo A. Rivera-Vazquez <aarivera@vivienda.pr.gov>; Maritza Rosa Olivares <maritzarosaolivares@drna.pr.gov>; Reyes, Brenda <Reyes.Brenda@epa.gov>; Povetko, Oleg <Povetko.Oleg@epa.gov>
Subject: Re: Request for Information- Randon testing and levels

Estimada Melanie Medina

Quería dejarle saber que recibimos su correo el 21 de agosto al igual que el de Maritza Rosa el pasado 4 de septiembre. Ya las personas involucradas de EPA, junto conmigo y el Dr. Marín estamos al tanto del asunto y estamos trabajando para poder enviarles la información.

Atentamente

Silvina Cancelos
Professor
Associate Director
Mechanical Engineering Department
University of Puerto Rico - Mayaguez
Call BOX 9000 Mayaguez PR 00680
Tel: 787-832-4040 ext 5956
email: silvina.cancelos@upr.edu



Bubble Dynamics Lab
University of Puerto Rico - Mayaguez



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

September 23, 2024

VIA EMAIL

William O. Rodriguez Rodriguez, Esq.
Secretary
Puerto Rico Department of Housing
Barbosa Ave. 606 Building Juan C. Cordero
San Juan, PR 00917
Email: W.Rodriguez@vivienda.pr.gov

RE: EPA Response to August 20, 2024 request for information of data on radon testing and levels in Puerto Rico

Dear Honorable Secretary Rodriguez Rodriguez:

This communication is in response to your letter of August 20, 2024 addressed to the Puerto Rico Department of Natural and Environmental Resources (DNER) and referred to the U.S. Environmental Protection Agency (EPA) regarding available data on radon testing and levels within Puerto Rico.

EPA's National Radon Action Plan 2021–2025 sets a goal for the nation to find, fix and prevent high indoor radon levels in 8 million buildings by 2025 and prevent 3,500 lung cancer deaths per year. Under this Plan, leaders from across multiple sectors are working together to plan, guide, and sustain nationwide action to prevent exposure to radon.

Due to the lack of data in Puerto Rico, EPA undertook an investigation in collaboration with the University of Puerto Rico-Mayaguez (UPRM) Campus, Departments of Civil Engineering and Surveying and Mechanical Engineering, to find out if radon presented a problem in Puerto Rico. Up until 2021, the only data we had for Puerto Rico was a 1993-1995 mail-in radon screening study referred to by the U.S. Geological Survey report (USGS, 1995) in which the USGS concluded that several areas of Puerto Rico have the geologic potential to generate indoor radon levels exceeding the EPA Action Level of 4 pCi/L (picocuries per liter), perhaps locally reaching very high levels above 50 pCi/L, if a house construction and

ventilation allow for soil-gas radon to enter and concentrate within the structure.¹ According to the USGS report, most of these areas are located in the northwest part of the island. Please note that the actual 1993-1995 study documentation is not available to the EPA.

Typical radon testing technology used in mainland United States (charcoal canisters or electric-powered devices) are impractical in Puerto Rico because of high humidity and power outages. The recovery and rebuilding of communities following the aftermath of 2017 Hurricanes Irma and Maria presented an opportunity to develop radon prevention and mitigation strategies in 2019. Initially, EPA sampled indoor radon air in over 170 single-family residences in the municipalities of San Sebastian, Lares, Ciales, Arecibo, Morovis, Camuy, and Hatillo and later expanded the project to other municipalities such as Rincon, Aguada, Aguadilla, Isabela, Quebradillas, Barceloneta and Vega Baja. The quality assurance protocols were anchored in American National Standards Institute/American Association of Radon Scientists and Technologists (ANSI/AARST) standards of practice (ANSI/AARS, 2019). The sampling was designed in two stages: scoping and confirmatory sampling. The scoping sampling was conducted using Corentium Home (CH) electronic monitors and E-Perm systems. Locations measuring above the EPA Action Level of 4 pCi/L with CH were measured at the second stage of the sampling using RAD7 and Corentium Pro Continuous Radon Monitors (CRMs). Nationally certified radon sampling professionals led by one such professional from the UPRM conducted confirmatory sampling in the second stage. Also, during the study, the nationally certified radon mitigation professionals inspected several homes with elevated indoor radon levels.

Mapping radon in Puerto Rico proved to be a complicated endeavor given the COVID-19 pandemic in 2020. EPA and UPRM continue to work on the project, however, results have not been finalized, and no scientific report has been published yet. Unfortunately, EPA cannot share preliminary data at this time because it contains privileged information. Nevertheless, preliminary data from the study does show homes with levels over 4 pCi/L (EPA Action Level) that might need mitigation to protect the health of their inhabitants.

Although many states have developed laws and regulations governing radon disclosure, certification, and mitigation, Puerto Rico lacks legislation or mandatory radon testing provisions for new construction, remodeling, selling or buying homes. Given this loophole and aiming to answer your request, the EPA can provide information on Best Management Practices for sampling indoor radon in Puerto Rico.

¹ **Reference:** USGS. Geologic Radon Potential of Guam and Puerto Rico, Report 93-292-K. Washington, DC: USGS. Retrieved 9/11/2024, from <https://pubs.usgs.gov/of/1993/0292k/report.pdf>.

CITY VIEW PLAZA II BUILDING, 7TH FLOOR
ROUTE 185 GUAYNABO, PR 00988

2

If you have any questions or need any additional information, please contact me at 787-977-5865 or guerrero.carmen@epa.gov or have your staff contact Reyes, Brenda at reyes.brenda@epa.gov or (787) 977-5869.

Sincerely,

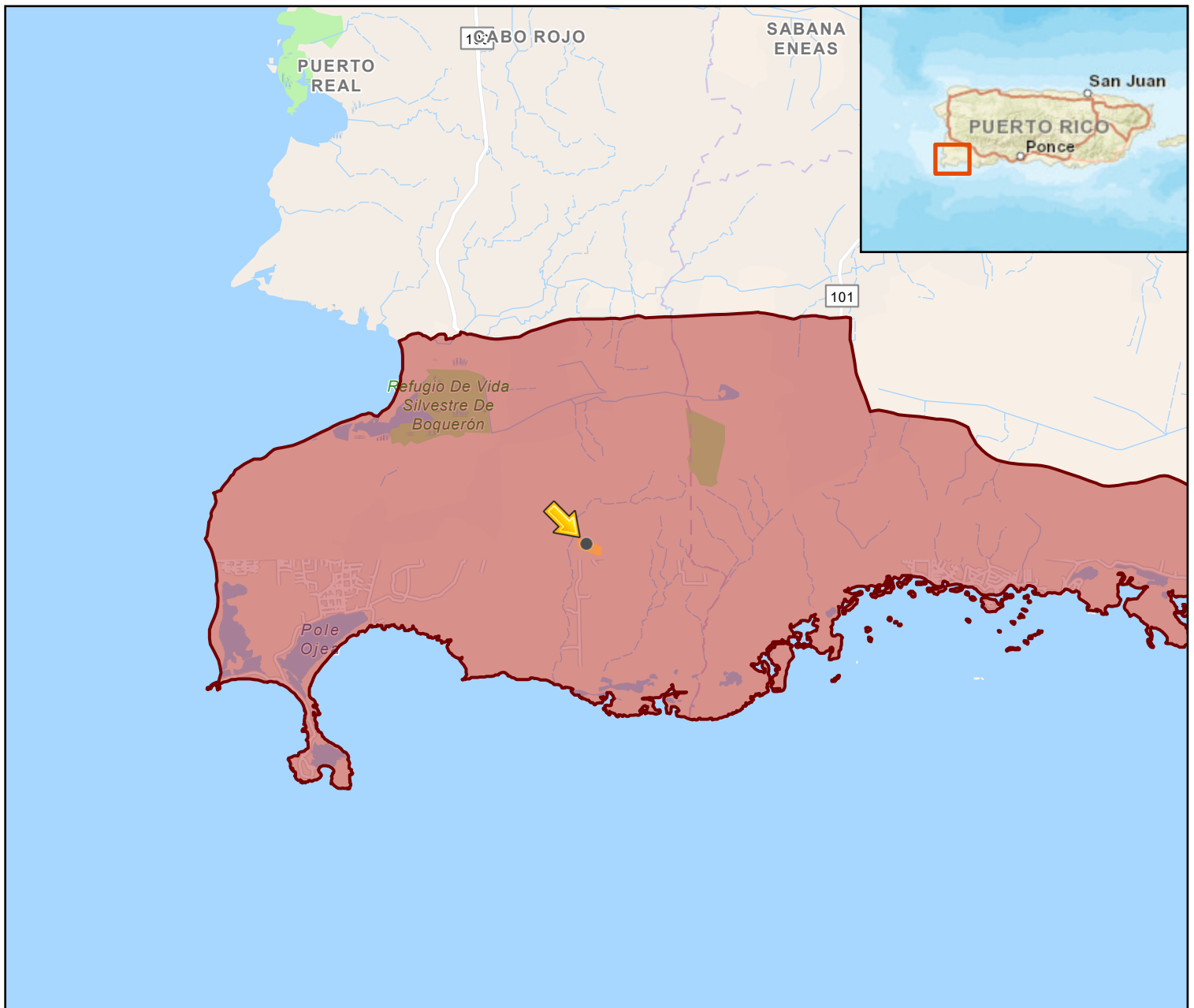
**CARMEN
GUERRERO
PEREZ**

Carmen R. Guerrero Pérez
Director

Digitally signed by
CARMEN GUERRERO PEREZ
Date: 2024.09.23 09:41:39
-04'00'

cc: Roberto Mendez, Esq (Acting Secretary, PR Department of Natural and Env. Resources)
Melany Medina: mmedina@vivienda.pr.gov
Elaine Dume Mejia: Edume@vivienda.pr.gov
Luz S Colon Ortiz: Lcolon@vivienda.pr.gov
Aldo A. Rivera-Vazquez: arivera@vivienda.pr.gov
Cesar O. Rodriguez: cesarrodriiguez@drna.pr.gov
Marita Rosa Olivares: maritzarosaolivares@drna.pr.gov

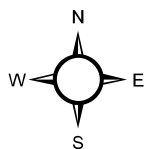
PR-RGRW-04265-W Endangered Species



Legend

USFWS Critical Habitat - Polygon (live agency service)

0 1.25 2.5 5 mi



Endangered Species Habitat

U.S. Fish and Wildlife Service

PR-RGRW-04265-W Farmlands

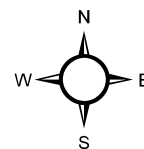


Legend

ClassName

- Prime Farmland
- Not Prime Farmland

0 0.04 0.09 0.17 mi



USGS USA Soils

Farmland dataset

PR-RGRW-04265-W FIRM

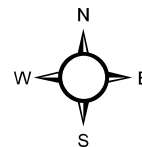


Legend

FEMA Flood Zones - Effective

- 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
- X, Area of Minimal Flood Hazard
- FEMA Flood Zone Panel

0 0.01 0.02 0.04 mi










FEMA Map Service

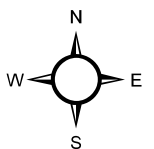
Flood Insurance Rate Maps

PR-RGRW-04265-W Site Map

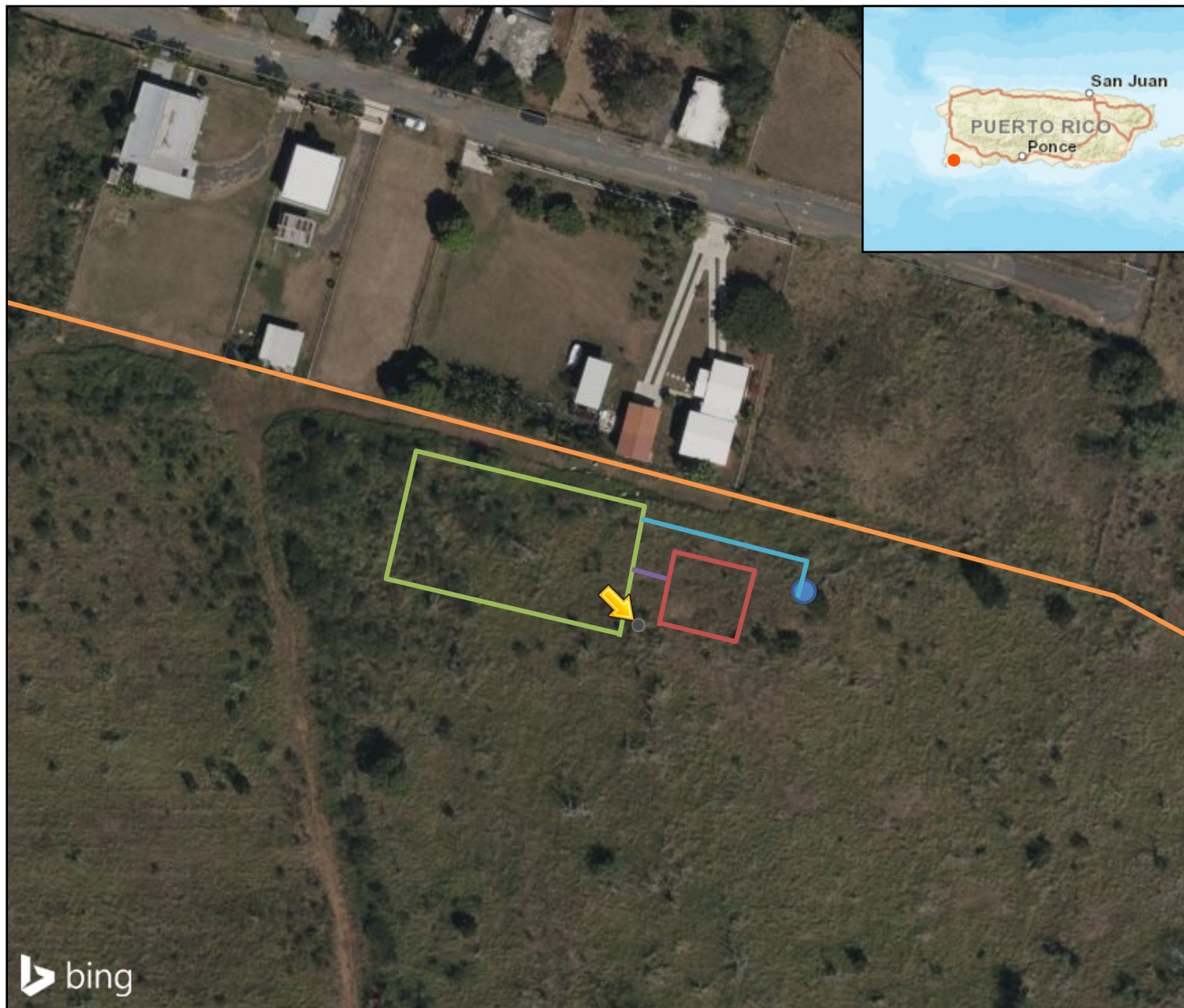


-  PR-RGRW-04265-W
-  Parcel Boundary
-  Proposed Greenhouse Location
-  Proposed Solar Location
-  Proposed Above-Ground Electrical Line
-  Proposed Above-Ground Water Line
-  Proposed Well Location

0 0.01 0.02 0.04 mi



PR-RGRW-04265-W Site Map



PR-RGRW-04265-W



Parcel Boundary



Proposed Greenhouse Location



Proposed Solar Location



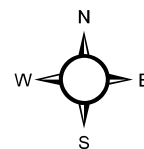
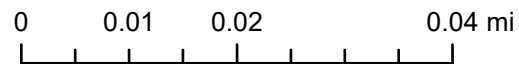
Proposed Above-Ground Electrical Line



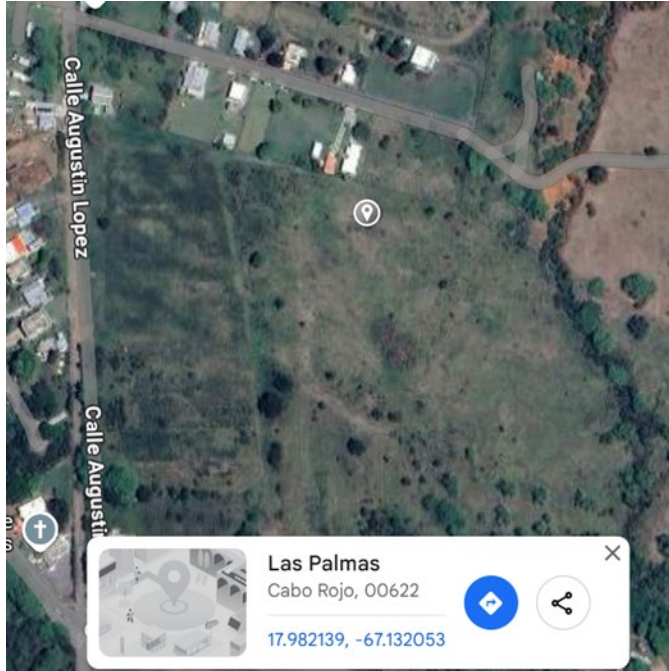
Proposed Above-Ground Water Line



Proposed Well Location



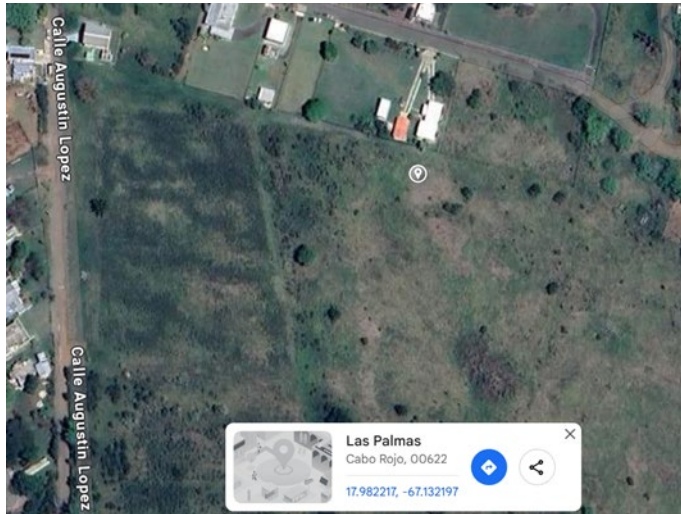
PR-RGRW-04265-W Site Photos



New Well Coordinates



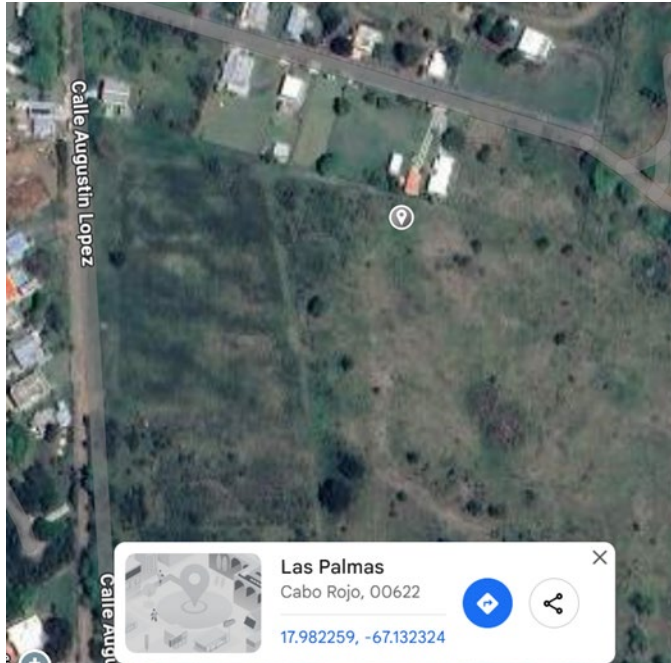
Proposed Location for New Well | Water Lines will be superficial (No need to dig)



New Solar System Coordinates | This system will be mounted on pillars (4 to 6 pillars, quantity will be determined by technic), Deep: 2'to 3', Footprint: 40 sq.ft.



Proposed Location New Solar System | Electrical Lines will be superficial (No need to dig)



New Greenhouse Coordinates



Proposed Location for New Greenhouse | Dimensions are: 60'x150' or 150x60'

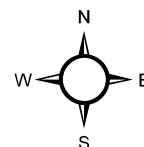
PR-RGRW-04265-W Sole Source Aquifers



Legend

Sole Source Aquifers - EPA August 2019

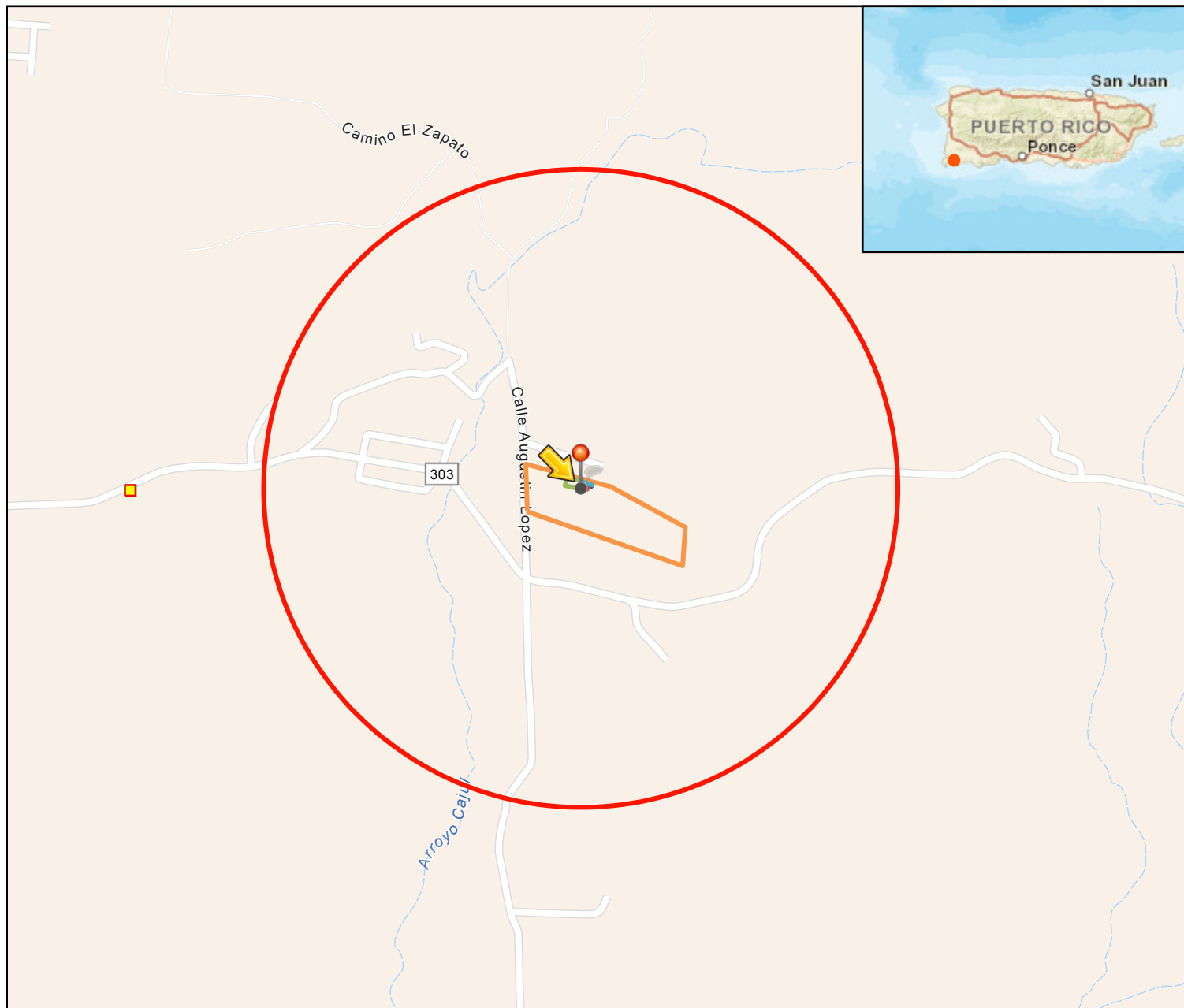
0 180 360 720 mi



Sole Source Aquifers

EPA

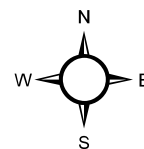
PR-RGRW-04265-W Toxics



Legend

- 3000ft Buffer
- Hazardous waste

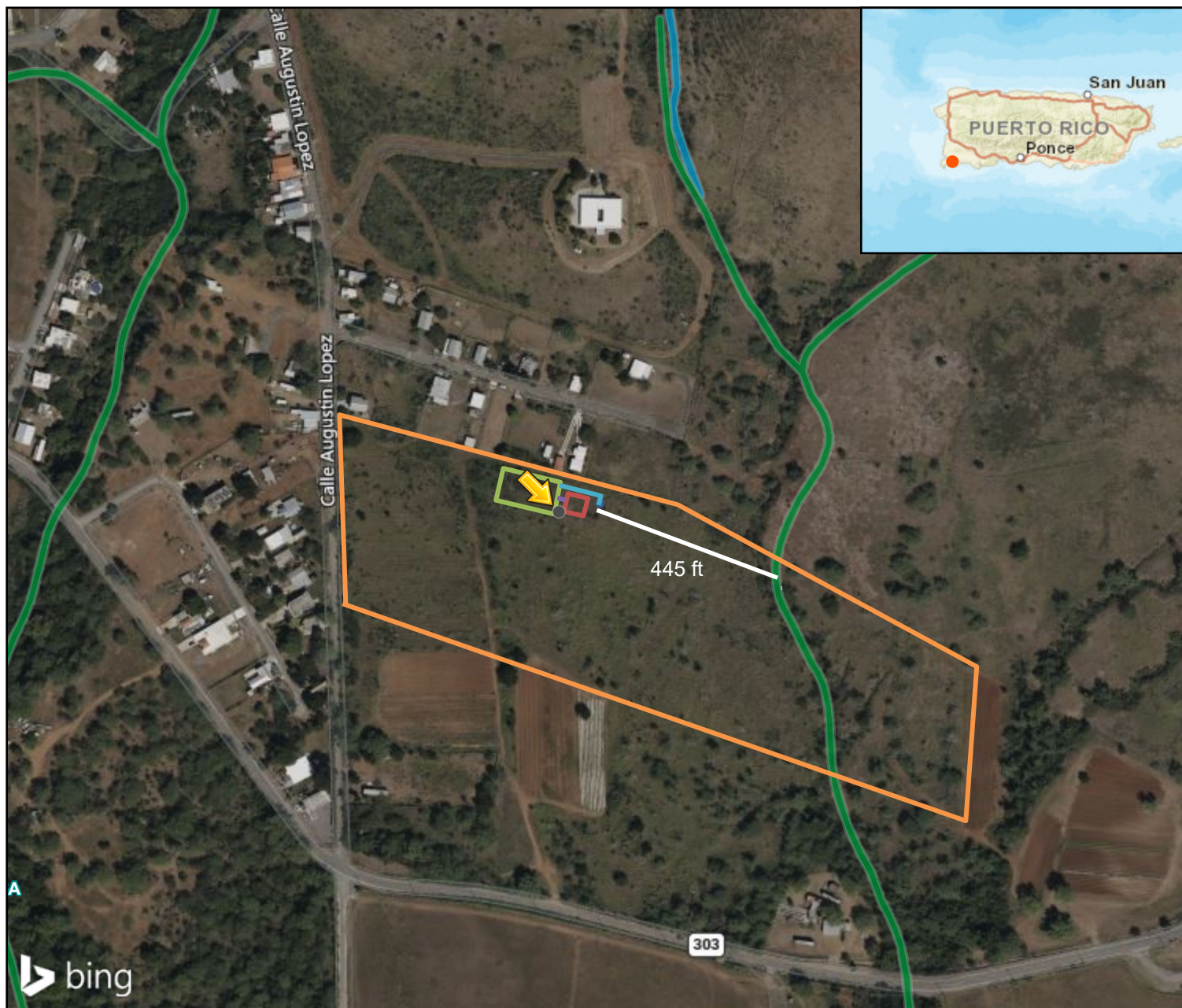
0 0.17 0.35 0.7 mi



Envirofacts Facility Locations

EPA

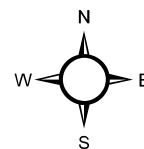
PR-RGRW-04265-W Wetlands



Legend

- Freshwater Forested/Shrub Wetland
- Riverine

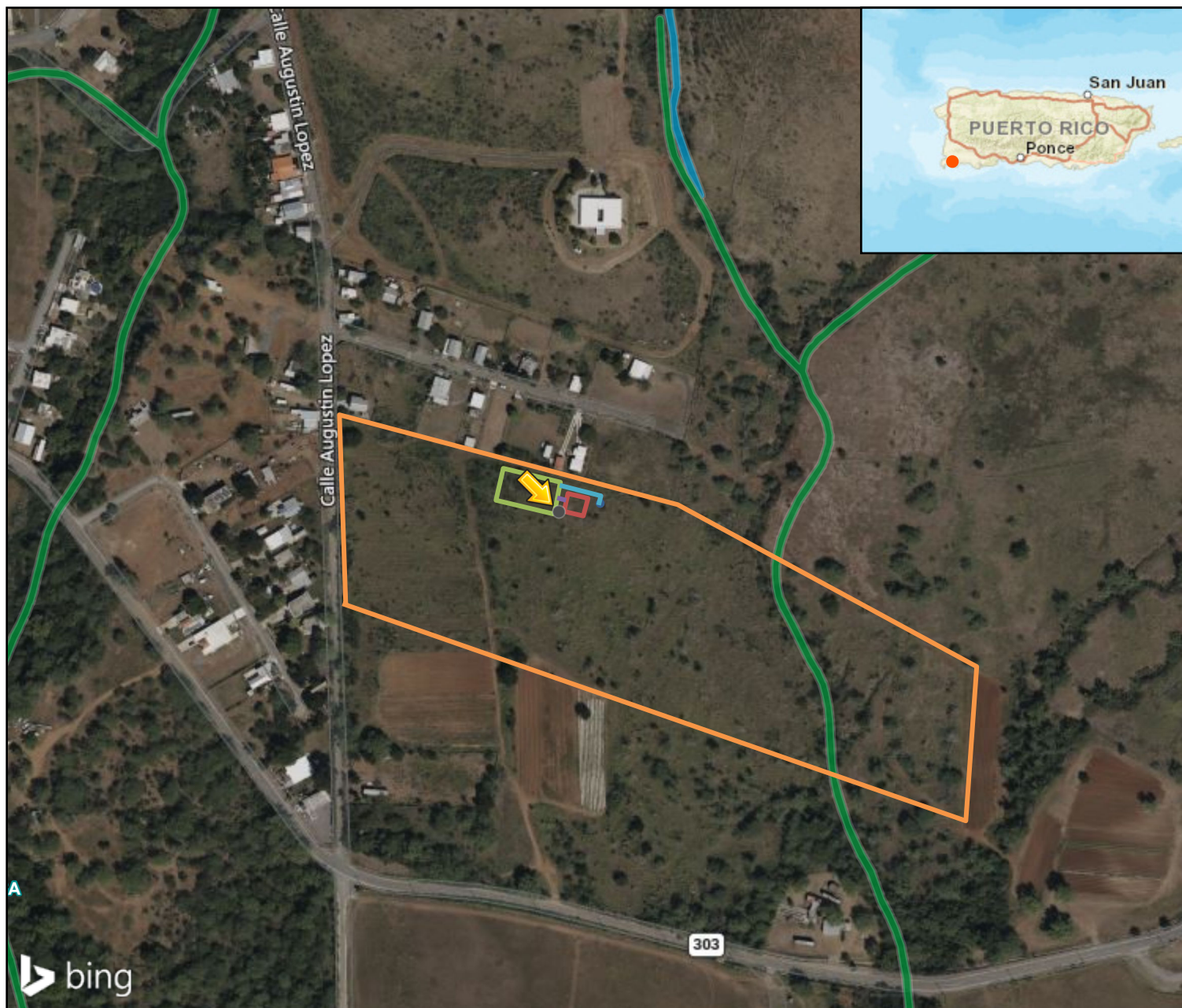
0 0.04 0.09 0.17 mi



National Wetlands Inventory

U.S. Fish and Wildlife Service

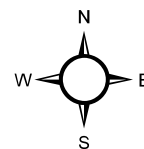
PR-RGRW-04265-W Wetlands



Legend

- Freshwater Forested/Shrub Wetland
- Riverine

0 0.04 0.09 0.17 mi



National Wetlands Inventory

U.S. Fish and Wildlife Service

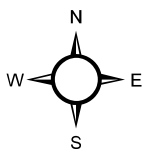
PR-RGRW-04265-W Wild and Scenic



Legend

— Wild and Scenic Rivers

0 10 20 40 mi



National Wild and Scenic River System

National Park Service

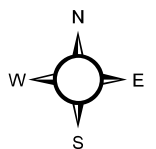
PR-RGRW-04265-W Airports



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

0 10 20 40 mi



Runway Protection Zones

Major Civil and Military Airports

PR-RGRW-04265-W CBRS

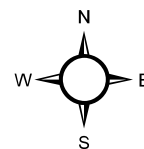


Legend

Unit_Type

- Otherwise Protected Area
- CBRS Buffer Zone

0 0.35 0.7 1.4 mi



U.S. Fish and Wildlife Service

Coastal Barrier Resources Act Program