



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://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-01155-W-RE

**HEROS Number:** 900000010365241

**Start Date:** 11/13/2023

**State / Local Identifier:**

**Project Location:** , Yauco, PR 00698

**Additional Location Information:**

Location centroid: Latitude 18.150394, longitude -66.856527 at the address given above. Cadastral: 288-000-002-01-901

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

This project (PR-RGRW-01155-W-RE) entails the award of a grant to Felix Ramos Torres, an agricultural business, at Carr 374, km 5 interior, Sector Santa Teresa Bo., Yauco, PR 00698. Tax ID Number: 288-000-002-01-901. Coordinates (18.150394, -66.856527). This project had an original CENST review which included the purchase of farm equipment including a plow, saw, sprayer, chainsaw, UTV and feller for project cost of \$24,882.33. See attached CENST environmental review. This review includes a scope item previously considered as an EA level of review (metal shed) which is now evaluated as CEST level of review in accordance with FR-6492-N-01 with a project cost of \$857.43. The proposed project includes the purchase and installation of a Newport metal shed for storage. The shed will be approximately 120 square feet (ft) in size (10 ft by 12 ft) with a total height of approximately 10 ft. The metal shed is prefabricated and will be assembled with screws. It will be built on a 12 ft by 14 ft concrete platform that will add two extra ft around the shed. The ground will be graded before the construction of the concrete base to aid with leveling and the thickness of the concrete base is expected to be between 6 to 10 inches. The shed will be anchored to the concrete base using floor and wall anchors, expansions, and screws. The concrete base is not included in the IUGF. No electrical or water utilities are required. There is one location option evaluated for the shed in the northeast portion of the parcel; The location area is currently undeveloped. No tree clearing or ground drilling is required for construction. Due to grading before the construction of the concrete base, there is an estimated depth of ground disturbance of 1 ft. The applicant owns the property and currently uses it for agricultural use; therefore, no acquisition or conversion is required. The project Felix Ramos Torres, PR-RGRW-01155-W-RE 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 has 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: 58.35(a)(3)(iii)

**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:** \$857.43

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$857.43

**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
Endangered Species Act	<p>In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR Boa does not move off, the construction manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the PR Boa.</p> <p>We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is</p>	N/A	



	<p>not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican sharp-shinned hawk and Puerto Rican broadwinged hawk. Although there will be no tree removal, the Service recommends that PRDOH implement the following conservation measures for the bird species in case an encounter occurs:</p> <p>1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.</p> <p>* Breeding Seasons:</p> <p>* Puerto Rican parrot: February-June.</p> <p>* Puerto Rican sharp-shinned hawk: December-June.</p> <p>* Puerto Rican broad-winged hawk: December-June.</p>			
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	<p>2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.</p> <p>3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at:  Mobile: 305-304-1386  Office phone: 786-244-0081  Office Direct Line: 939-320-3120  Email: jose_cruz-burgos@fws.gov</p>			
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**Determination:**

<input type="checkbox"/>	This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (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)).
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Preparer Signature:  Date: April.7.2025

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

Responsible Entity Agency Official Signature:  Date: 4/8/2025

Name/ Title: Pedro A. de León Rodríguez, MSEM/Permits and Environmental Compliance Specialist

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

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

**Project Information**

**Project Name:** PR-RGRW-01155-W-RE

**HEROS Number:** 900000010365241

**Start Date:** 11/13/2023

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

**State / Local Identifier:**

**RE Preparer:** Ianmario Heredia Diadone

**Certifying Office**  
**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:** , Yauco, PR 00698

**Additional Location Information:**

Location centroid: Latitude 18.150394, longitude -66.856527 at the address given above. Cadastral: 288-000-002-01-901

**Direct Comments to:** environmentcdbg@vivienda.pr.gov

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

This project (PR-RGRW-01155-W-RE) entails the award of a grant to Felix Ramos Torres, an agricultural business, at Carr 374, km 5 interior, Sector Santa Teresa Bo., Yauco, PR 00698. Tax ID Number: 288-000-002-01-901. Coordinates (18.150394, -66.856527). This project had an original CENST review which included the purchase of farm equipment including a plow, saw, sprayer, chainsaw, UTV and feller for project cost of \$24,882.33. See attached CENST environmental review. This review includes a scope item previously considered as an EA level of review (metal shed) which is now evaluated as CEST level of review in accordance with FR-6492-N-01 with a project cost of \$857.43. The proposed project includes the purchase and installation of a Newport metal shed for storage. The shed will be approximately 120 square feet (ft) in size (10 ft by 12 ft) with a total height of approximately 10 ft. The metal shed is prefabricated and will be assembled with screws. It will be built on a 12 ft by 14 ft concrete platform that will add two extra ft around the shed. The ground will be graded before the construction of the concrete base to aid with leveling and the thickness of the concrete base is expected to be between 6 to 10 inches. The shed will be anchored to the concrete base using floor and wall anchors, expansions, and screws. The concrete base is not included in the IUGF. No electrical or water utilities are required. There is one location option evaluated for the shed in the northeast portion of the parcel; The location area is currently undeveloped. No tree clearing or ground drilling is required for construction. Due to grading before the construction of the concrete base, there is an estimated depth of ground disturbance of 1 ft. The applicant owns the property and currently uses it for agricultural use; therefore, no acquisition or conversion is required. The project Felix Ramos Torres, PR-RGRW-01155-W-RE 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 has been classified as CEST under the waiver.

**Maps, photographs, and other documentation of project location and description:**[ReEvaluation Memo .docx](#)[PR-RGRW-01155-W-RE Site Map.pdf](#)[PR-RGRW-01155-W-RE IUGF CEST.pdf](#)[PR-RGRW-01155 CENST ERR.pdf](#)[PRDOH Regrow Puerto Rico Program - 5836 Waiver \(002\).pdf](#)[PR-RGRW-01155-W-RE EFOR.pdf](#)**Level of Environmental Review Determination:**

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

58.35(a)(3)(iii)

**Determination:**

	This categorically excluded activity/project converts to <b>EXEMPT</b> 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; <b>Funds may be committed and drawn down after certification of this part</b> 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, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (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:**[01155-SIG-PAGE\(1\).pdf](#)

**7015.15 certified by Certifying Officer**  
**on:**

**7015.16 certified by Authorizing Officer**  
**on:**

**Reevaluation of a Completed Review**

The environmental findings of a completed environmental review were re-evaluated to determine if the original findings are still valid for all of the three scenarios below:

- a. Substantial changes in the nature, magnitude, or extent of the project, including adding new activities not anticipated in the original scope of the project are proposed.
- b. There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project, or
- c. The selection of an alternative not in the original finding is proposed.

It was determined that the original findings were still valid.

**Statement or memo documenting determination:**

The project Felix Ramos Torres, PR-RGRW-01155-W-RE 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 has been classified as CEST under the waiver.

[ReEvaluation Memo \(1\).docx](#)

[PR-RGRW-01155 CENST ERR\(1\).pdf](#)

[PRDOH Regrow Puerto Rico Program - 5836 Waiver \(002\)\(1\).pdf](#)

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

**Funding Information**

<b>Grant / Project Identification Number</b>	<b>HUD Program</b>	<b>Program Name</b>	<b>Funding Amount</b>
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,** \$857.43  
**Assisted or Insured Amount:**

**Estimated Total Project Cost:****\$857.43****Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> 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)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> 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, is located 106,237 ft (20 miles [mi]) from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 309,729 ft (59 mi) from the project site. The project is in compliance with Airport Hazards requirements.
<b>Coastal Barrier Resources Act</b> 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 at 70,296 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.
<b>Flood Insurance</b> 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 72000C1065J, effective on 11/18/2009: Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		



<b>Air Quality</b> 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.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 55,386 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. At the time of this review, this section has not been updated in HEROS to include questions regarding radon. 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. See attached radon documents.
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.
<b>Explosive and Flammable Hazards</b> 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.
<b>Farmlands Protection</b> 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.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1065J, effective on 11/18/2009: This project does not occur in a floodplain. 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 Yauco; therefore, PFIRM information was not available for the area and therefore not considered in the review. At the time of this review, this section has not been updated in HEROS to include questions regarding FFRMS. This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(Owner's House: ca. 2010) 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.
<b>Noise Abatement and Control</b> 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.
<b>Sole Source Aquifers</b> 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.
<b>Wetlands Protection</b> 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.

<b>Wild and Scenic Rivers Act</b> 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 373,096 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> 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
Endangered Species Act	In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR Boa does	N/A		

	<p>not move off, the construction manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the PR Boa.</p> <p>We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican sharp-shinned hawk and Puerto Rican broadwinged hawk. Although there will be no tree removal, the Service recommends that PRDOH implement the following conservation measures for the bird species in case an encounter occurs:</p> <p>1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico</p>			
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	<p>Department of Natural and Environmental Resources (PRDNER)</p> <p>prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.</p> <p>* Breeding Seasons:</p> <p>* Puerto Rican parrot: February-June.</p> <p>* Puerto Rican sharp-shinned hawk: December-June.</p> <p>* Puerto Rican broad-winged hawk: December-June.</p> <p>2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.</p> <p>Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.</p> <p>3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be</p>			
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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. In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR Boa does not move off, the construction manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the PR Boa. We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican sharp-shinned hawk and Puerto Rican broadwinged hawk. Although there will be no tree removal, the Service recommends that PRDOH implement the following conservation measures for the bird species in case an encounter occurs: 1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. \* Breeding Seasons: \* Puerto Rican parrot: February-June. \* Puerto Rican sharp-shinned hawk: December-June. \* Puerto Rican broad-winged hawk: December-June. 2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own. 3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean\_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: jose\_cruz-burgos@fws.gov

**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, EugenioMaria De Hostos, is located 106,237 ft (20 miles [mi]) from the project site. The nearest military airport, Luis Munoz Marin International Airport, is located 309,729 ft (59 mi) from the project site. The project is in compliance with Airport Hazards requirements.

**Supporting documentation**

[PR-RGRW-01155-W-RE 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 at 70,296 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-01155-W-RE 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.

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 72000C1065J, effective on 11/18/2009: Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. 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**

[PR-RGRW-01155-W-RE FIRM.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Air Quality**

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

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

Yes

✓ No

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

**Screen Summary****Compliance Determination**

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

**Supporting documentation****Are formal compliance steps or mitigation required?**

Yes

✓ No

**Coastal Zone Management Act**

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

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

Yes

☒ No

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

**Screen Summary****Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is located 55,386 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

**Supporting documentation**

[PR-RGRW-01155-W-RE 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		
<a href="https://www.onecpd.info/environmental-review/site-contamination">https://www.onecpd.info/environmental-review/site-contamination</a>		

**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 found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

☒ No

Explain:

The environmental field observation did not note any items of concern. See the attached environmental field observation report. Based on NEPA data, there are no toxic sites within 3,000 feet of the applicant's location. A google earth review of the area shows no visible hazards. The past land use for the last 10-15 year is agricultural

Yes

### **Screen Summary**

#### **Compliance Determination**

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. At the time of this review, this section has not been updated in HEROS to include questions regarding radon. 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. See attached radon documents.

#### **Supporting documentation**

[Radon Attachments.pdf](#)

[PR-RGRW-01155-W-RE Toxics.pdf](#)

[PR-RGRW-01155-W-RE Radon Memo.docx](#)

[PR-RGRW-01155-W-RE EFOR\(1\).pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

## Endangered Species

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

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

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

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

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

**2. Are federally listed species or designated critical habitats present in the action area?**

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

**3. What effects, if any, will your project have on federally listed species or designated critical habitat?**



No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

- ✓ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

**4. Informal Consultation is required**

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

**Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?**

- ✓ Yes, the Service(s) concurred with the finding.

Based on the response, the review is in compliance with this section. Document and upload the following below:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

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

✓ Mitigation as follows will be implemented:

In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR Boa does not move off, the construction manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the PR Boa. We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican sharp-shinned hawk and Puerto Rican broadwinged hawk. Although there will be no tree removal, the Service recommends that PRDOH implement the following conservation measures for the bird species in case an encounter occurs: 1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. \* Breeding Seasons: \* Puerto Rican parrot: February-June. \* Puerto Rican sharp-shinned hawk: December-June. \* Puerto Rican broad-winged hawk: December-June. 2. Outside the breeding season no nest

surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own. 3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at Caribbean\_es@fws.gov. For questions, the Point of Contact (POC) is Jose Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: jose\_cruz-burgos@fws.gov

No mitigation is necessary.

#### **Screen Summary**

##### **Compliance Determination**

This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act.

##### **Supporting documentation**

[PR-RGRW-01155-W-RE USFWS Consultation Package.pdf](#)

[PR-RGRW-01155-W-RE USFWS Concurrence Letter.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.)	<a href="#">7 CFR Part 658</a>

**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:

The project includes the purchase and installation of a metal shed. The project site location is classified as productive agricultural land use (Agricola Productivo [A-P]). The proposed action is continued agricultural use of property, which is compatible with zoning and existing land use.

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-01155-W-RE Farmlands.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



## Floodplain Management

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

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

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)

☒ None of the above

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

[PR-RGRW-01155-W-RE FIRM\(1\).pdf](#)

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

**Does your project occur in a floodplain?**

☒ No

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

Yes

**Screen Summary****Compliance Determination**

Flood Map Number 72000C1065J, effective on 11/18/2009: This project does not occur in a floodplain. 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 Yauco; therefore, PFIRM information was not available for the area and therefore not considered in the review. At the time of this review, this section has not been updated in HEROS to include questions regarding FFRMS. This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690.

**Supporting documentation**

[PR-RGRW-01155-W-RE 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" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### 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**

(Owner's House: ca. 2010) 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-01155-W-RE SHPO 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
<b>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.</b>	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-01155-W-RE 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-01155-W-RE 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 373,096 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

**Supporting documentation**

[PR-RGRW-01155-W-RE 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





## 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/72153-Gen

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

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

Re: CDBG-DR PR-RGRW-01155 Félix Ramos  
Torres, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated June 28, 2024, requesting informal consultation on the above referenced project. As per your request, our comments are provided under the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The Puerto Rico Department of Housing (PRDOH) is proposing the construction of a new warehouse (10 feet (ft) x 12 feet). The proposed warehouse will be located on a 190-acre property on State Road PR-374 Km 5 Int., Santa Teresa Sector, Bo. Río Prieto (18°09'01.4"N 66°51'23.4"W) in the municipality of Yauco. Construction of the warehouse will not require vegetation removal or tree clearing.

Using the U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) system, the PRDOH has determined that the proposed project site is located within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), , Puerto Rican sharp-shinned hawk (*Accipiter striatus venator*), Puerto Rican parrot (*Amazona vittata*) and Puerto Rican harlequin butterfly (*Atlantea tulita*).

PRDOH used the Caribbean Determination Key (DKey) in the IPaC application to evaluate the potential impacts of the proposed project on federally listed species (Project code: 2024-0056963). Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa, which determined that the proposed actions for this project may affect, but is likely to adversely affect (MLAA) this species. As for the Puerto Rican sharp-shinned hawk and Puerto Rican broad-winged hawk a may affect, but is not likely to adversely affect (NLAA) determination was obtained.



However, based on the nature of the project, scope of work, information available, and analysis of the existing habitat (mowed lawn surrounded by forested areas), PRDOH has determined that the proposed project may affect, but is not likely to adversely affect (NLAA) the Puerto Rican boa instead of the MLAA obtained by using the DKey. Conservation measures developed by the Service for the Puerto Rican boa will be implemented in case an encounter with this species occur. As for the Puerto Rican parrot and Puerto Rican harlequin butterfly, PRDOH has determined that the proposed actions will have no effect (NE) on these species due to the lack of suitable habitat.

We acknowledge receipt of PRDOH's NE determination for the Puerto Rican parrot and Puerto Rican harlequin butterfly. Currently, we do not have information to refute that determination. Because the PRDOH made a NE determination, PRDOH is not required to conduct formal or informal section 7 consultation with the Service, and the Service is not required to concur with PRDOH's NE determination.

We have reviewed the information provided and our files, and concur with PRDOH's determination that the proposed project may affect, but is not likely to adversely affect the Puerto Rican boa with the implementation of the conservation measures. Also, the Service acknowledges receipt of the NLAA DKey consistency letter for the Puerto Rican sharp-shinned hawk and Puerto Rican broad-winged hawk. Although there will be no tree removal, the Service recommends that PRDOH implement the following conservation measures for the bird species in case an encounter occurs:

1. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973, as amended. During breeding seasons (see below), nest surveys shall be conducted if a project occurs within the range of any of the species listed above and if habitat for those species will be impacted by the proposed actions. Nest searches must be conducted by qualified personnel with the appropriate permits from the Puerto Rico Department of Natural and Environmental Resources (PRDNER) prior to start of work. If nesting activity is detected, all construction activities or human disturbance must be avoided within a 50-meter buffer around any nest(s) found within the project area. This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently.
  - Breeding Seasons:
    - Puerto Rican parrot: February-June.
    - Puerto Rican sharp-shinned hawk: December-June.
    - Puerto Rican broad-winged hawk: December-June.
2. Outside the breeding season no nest surveys are required, but if a nest is encountered, all construction activities or human disturbance must be avoided within a 50-meter buffer around that nest(s). This avoidance strategy must be kept until fledglings successfully leave the nest(s) permanently. Furthermore, if any of the species indicated above is observed (e.g., foraging, resting) within the project area, avoid any disturbance to the individual(s) and do not flush the bird until it leaves on its own.
3. For all nest sightings, the Applicant must record the time and date of the sighting and the specific location where it was found. All sightings and incidental lethal take reports should be sent to the USFWS Caribbean Ecological Services Field Office at [Caribbean\\_es@fws.gov](mailto:Caribbean_es@fws.gov). For

questions, the Point of Contact (POC) is José Cruz-Burgos, Endangered Species Program Coordinator, and can be contacted at:

- Mobile: 305-304-1386
- Office phone: 786-244-0081
- Office Direct Line: 939-320-3120
- Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)

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

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

Sincerely,

LOURDES  
MENA

Digitally signed by  
LOURDES MENA  
Date: 2024.08.04  
14:48:31 -04'00'

Lourdes Mena  
Field Supervisor

drr

cc:  
Susan Fischer, SWCA





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

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

February 5, 2024

**Lauren Bair Poche**

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

SHPO CF-02-02-24-05 PRDOH – DR RE-GROW PROGRAM – PR – RGRW – 01155 – FELIX RAMOS TORRES, CARRETERA 374, KM 5 INTERIOR, SECTOR SANTA TERESA BO. RIO PRIETO, YAUCO, PUERTO RICO

Dear Ms. Bair Poche,

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

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

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

Sincerely,

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



February 2, 2024

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-01155 – Felix Ramos Torres – Carretera 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, Puerto Rico – *No Historic Properties Affected***

Dear Architect Rubio Cancela,

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

On behalf of PRDOH and the subrecipient, the Puerto Rico Department of Agriculture, HORNE is submitting documentation for activities proposed by Felix Ramos Torres located at Carretera 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, in the municipality of Yauco. The undertaking for this project includes the purchase of an Arrow Newport metal shed for storage. The shed will be approximately 120 square feet (ft) in size (10 ft by 12 ft) with a total height of approximately 10 ft. The metal shed is prefabricated and will be assembled with screws. It will be built on a 12 ft by 14 ft concrete platform that will add two extra feet around the shed. The ground will be graded before the construction of the concrete base to aid with leveling and the thickness of the concrete base is expected to be between 6 to 10 inches. The shed will be anchored to the concrete base using floor and wall anchors, expansions, and screws. No electrical or water utilities are required.



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

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


Kindest regards,



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

Architectural Historian, Historic Preservation Senior Manager

Attachments

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		
<b>Applicant:</b> Felix Ramos Torres		
<b>Case ID:</b> PR-RGRW-01155	<b>City:</b> Yauco	

<b>Project Location:</b> Carretera 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, PR 00698	
<b>Project Coordinates:</b> 18.150394, -66.856438 (as provided by applicant during field visit)	
<b>TPID (Número de Catastro):</b> 288-000-002-01-901	
<b>Type of Undertaking:</b> <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction	
<b>Construction Date (AH est.):</b> Owner's House: ca. 2010	<b>Property Size (acres): 190.16 acres total</b> Shed: 0.005142 acre (224 sq. ft)

<b>SOI-Qualified Architect/Architectural Historian:</b> Erin Edwards
<b>Date Reviewed:</b> January 11, 2024
<b>SOI-Qualified Archaeologist:</b> Heath Anderson, Ph.D.
<b>Date Reviewed:</b> January 22, 2024

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 project includes the purchase of an Arrow Newport metal shed for storage. The shed will be approximately 120 square feet (ft) in size (10 ft by 12 ft) with a total height of approximately 10 ft. The metal shed is prefabricated and will be assembled with screws. It will be built on a 12 ft by 14 ft concrete platform that will add two extra ft around the shed. The ground will be graded before the construction of the concrete base to aid with leveling and the thickness of the concrete base is expected to be between 6 to 10 inches. The shed will be anchored to the concrete base using floor and wall anchors, expansions, and screws. The concrete base is not included in the IUGF. No electrical or water utilities are required. There is one location option evaluated for the shed in the northeast portion of the parcel; The location area is currently undeveloped.

No tree clearing or ground drilling is required for construction, and the project will have minimal ground disturbance. Due to grading before the construction of the concrete base, there is an estimated depth of ground disturbance of 1 ft. The applicant owns the property and currently uses it for agricultural use; therefore, no acquisition or conversion is required.

### 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

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Felix Ramos Torres</b>	
<b>Case ID: PR-RGRW-01155</b>	<b>City: Yauco</b>


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 shed plus a 15-meter horizontal buffer to allow for some variation in final placement during construction 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 archaeologist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) who searched the records at the SHPO and the Instituto de Cultura Puertorriqueña (ICP) which shows that there are three reported archaeological sites within a half-mile (mi) radius of the project location, Hacienda San Lorenzo (Deseada) (Código ICP ICP-CAT-MR-29); Hacienda Salvación (Pietri) (Código CIP ICP-CAT-YA-54); and Hacienda Santa Teresa (Código ICP ICP-CAT-YA-42), which was identified and evaluated by ICP during an inventory survey. One archaeological survey has been conducted within the 0.5 mi review radius with no cultural resources found with the closest survey, Código SHPO# 7-11-16-03, comprised of two different areas, with one being approximately 2,255 feet north-northwest of the project area and the other 2,451 feet southeast of the project area. The proposed project is located in a rural, mountainous area in the western portion of the island at an elevation of 740 ft (226 meters [m]) above mean sea level. Per the USGS/NRCS Web Soil Survey, the project area crosses two mapped soil series: HmF2 (Humatas clay, 40 to 60 percent slopes) and MrF2 (Maricao clay, 20 to 60 percent slopes). The project area APE is in the east portion of Municipio Maricao. The general project area is located on a steep, north-facing slope in a broad area of high-relief, highland topography with dense tropical forest. The closest freshwater source is an unnamed tributary to the Río Prieto located 0.26-mi (0.41 kilometer [km]) west of the project area. The southern coast is approximately 13.4 mi (21.6 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

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Felix Ramos Torres</b>	
<b>Case ID: PR-RGRW-01155</b>	<b>City: Yauco</b>

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. Historic properties in the area include Hacienda San Lorenzo (Deseada) (#ICP-CAT-MR-29, MR-73) 0.35-mi to the southwest of the project site; Hacienda Santa Teresa (#ICP-CAT-YA-42, YA-42) 0.40-mi to the southeast of the project site; and Hacienda Salvación (Pietri) (#ICP-CAT-YA-54) 0.43-mi to the northeast of the project site. None of these properties will be visible from the project site.

One Section 106 survey was within the 0.50-mi review area. Código SHPO 07-11-16-03, which was a survey for a housing rehabilitation program in 2016, had two sites recorded. Site A was 0.40-mi to the northwest, and Site B was 0.45-mi to the southeast of the project site. Both sites had a determination of No Historic Properties.


The project area is in a rural area of Yauco and stretches across the border to Maricao. The project site is located in Indiera Alta Barrio. The area is mountainous with dense tropical vegetation. The project site sits at the northern portion of the property, and there are no neighbors within the viewshed. The closest housing is to the north 0.38-mi, and to the southeast 0.39-mi. Google Earth (<https://www.googleearth.com>) aerials from 2006 do not show the owners house, but the 2012 aerials do. The date of construction should be ca. 2010. Housing and buildings in the area began to appear in the late 1970s. As the project site sits in an area that was not developed until the late 1970s, and there are no houses within eyesight, no historic properties will be affected by the project.

## Determination


The following historic properties have been identified within the APE:

- Direct Effect:
  - None
- Indirect Effect:
  - None

Based on the results of our historic property identification efforts, the Program has determined that project actions will not affect historic properties that compose the Area of Potential Effect. 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 two 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-01155 is located. The closest freshwater body

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>	 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Felix Ramos Torres</b>	
<b>Case ID: PR-RGRW-01155</b>	<b>City: Yauco</b>

is approximately .26 mi (.41 km) west of the project area. The size of the proposed project activities are very small (0.005142 acre) and construction of agricultural infrastructure has impacted the surrounding terrain. The project area is located within mountainous terrain with a large degree of slope. Therefore, no historic properties will be affected by the proposed project activities.

<b>PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM</b> <b>ReGROW PUERTO RICO PROGRAM</b> <b>Section 106 NHPA Effect Determination</b>		 GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING
<b>Applicant: Felix Ramos Torres</b>		
<b>Case ID: PR-RGRW-01155</b>		<b>City: Yauco</b>

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

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

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

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

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



Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

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



REGROW PROGRAM

**Project Location  
Area of Potential  
Effects (APE) Map**

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

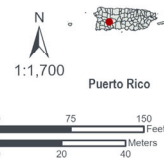
- Site
- Site Parcel
- Project Footprint (Option)
- APE (Buffer (15-meters))

Carr 374, km 5 Interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.856438°W 18.150394°N

Base Map: ESRI ArcGIS Online,  
accessed November 2023  
Updated: 11/28/2023

Layout: APE  
Aprx: 72428\_ReGrowTier2Maps



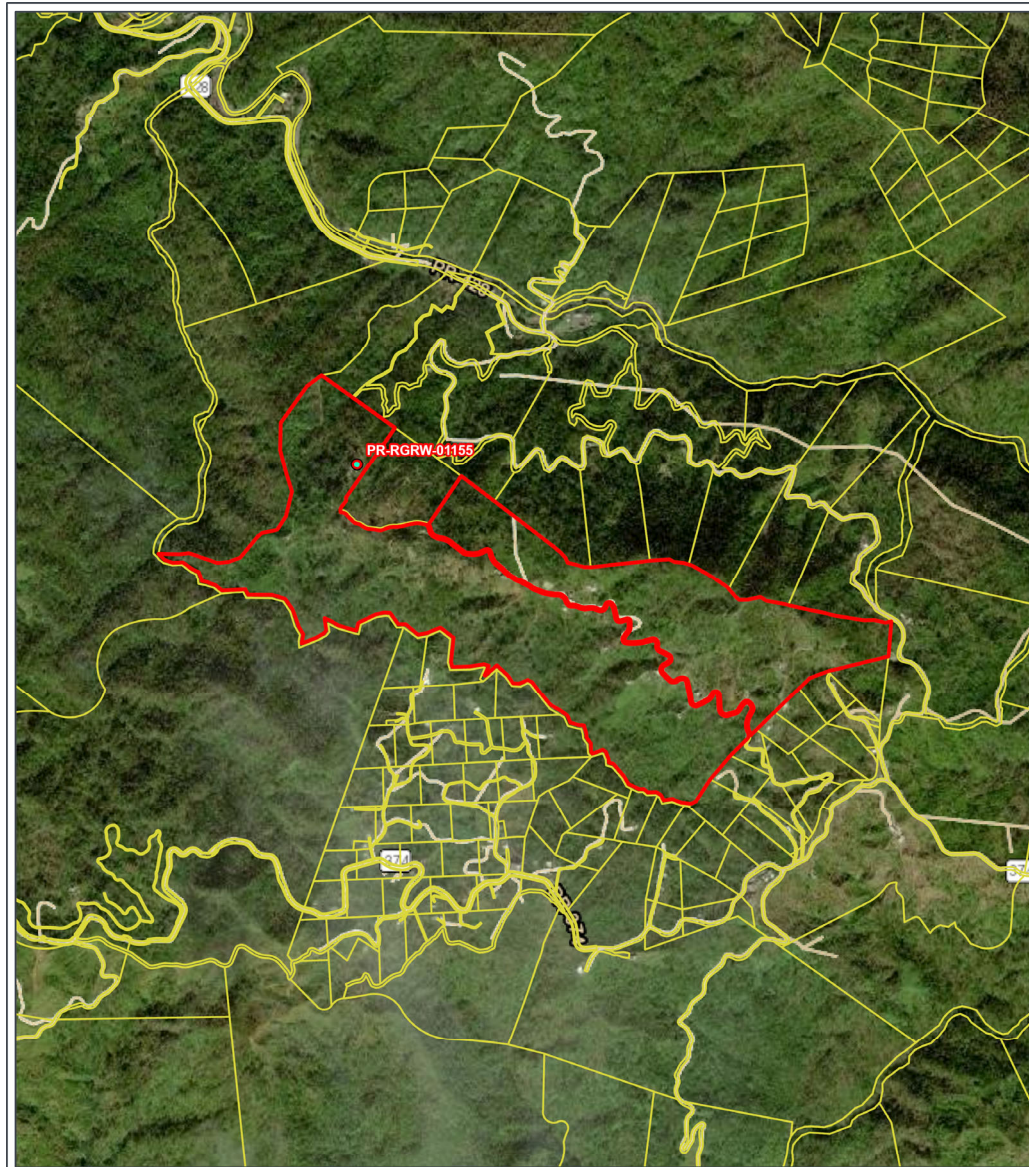


Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

### Project (Parcel) Location - Aerial Map



REGROW PROGRAM

**Figure A-2:  
Site Vicinity**

Applicant ID: PR-RGRW-01155

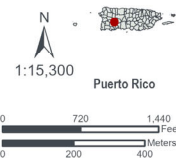
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel
- Project Footprint (Option)

Carr 374, km 5 Interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Base Map: ESRI ArcGIS Online,  
accessed November 2023  
Updated: 11/28/2023  
Layout: Site Vicinity  
Aprx: 72428\_ReGrowTier2Maps



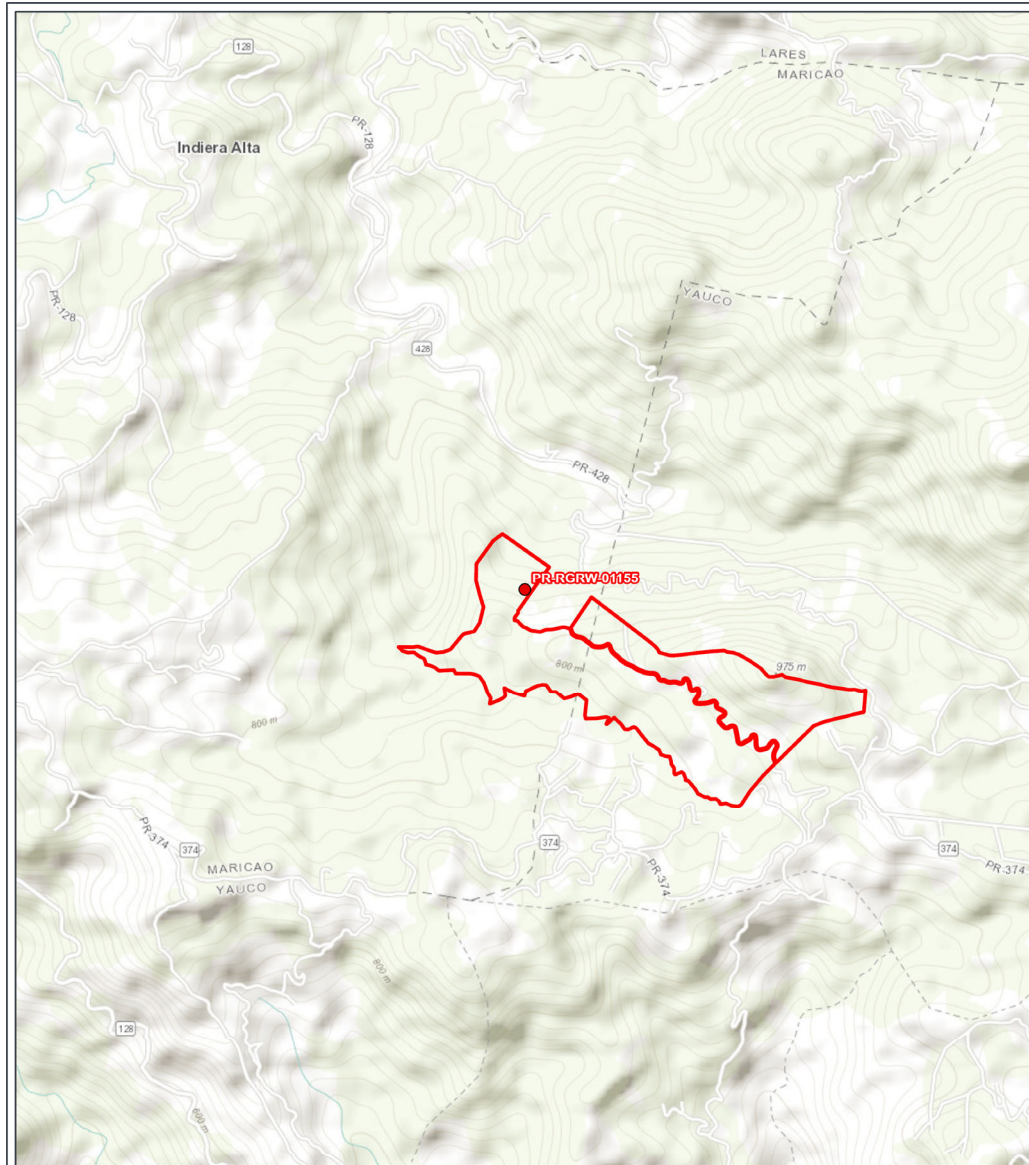


Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

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



REGROW PROGRAM

**Figure A-1:  
Site Location**

Applicant ID: PR-RGRW-01155

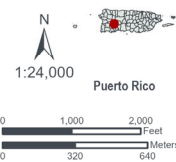
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel

Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901 Parcel Center:  
66.856438°W 18.150394°N

Base Map: ESRI ArcGIS Online, accessed September 2023  
Updated: 9/25/2023  
Layout: Site Location  
Aprx: 72428\_ReGrowTier2Maps

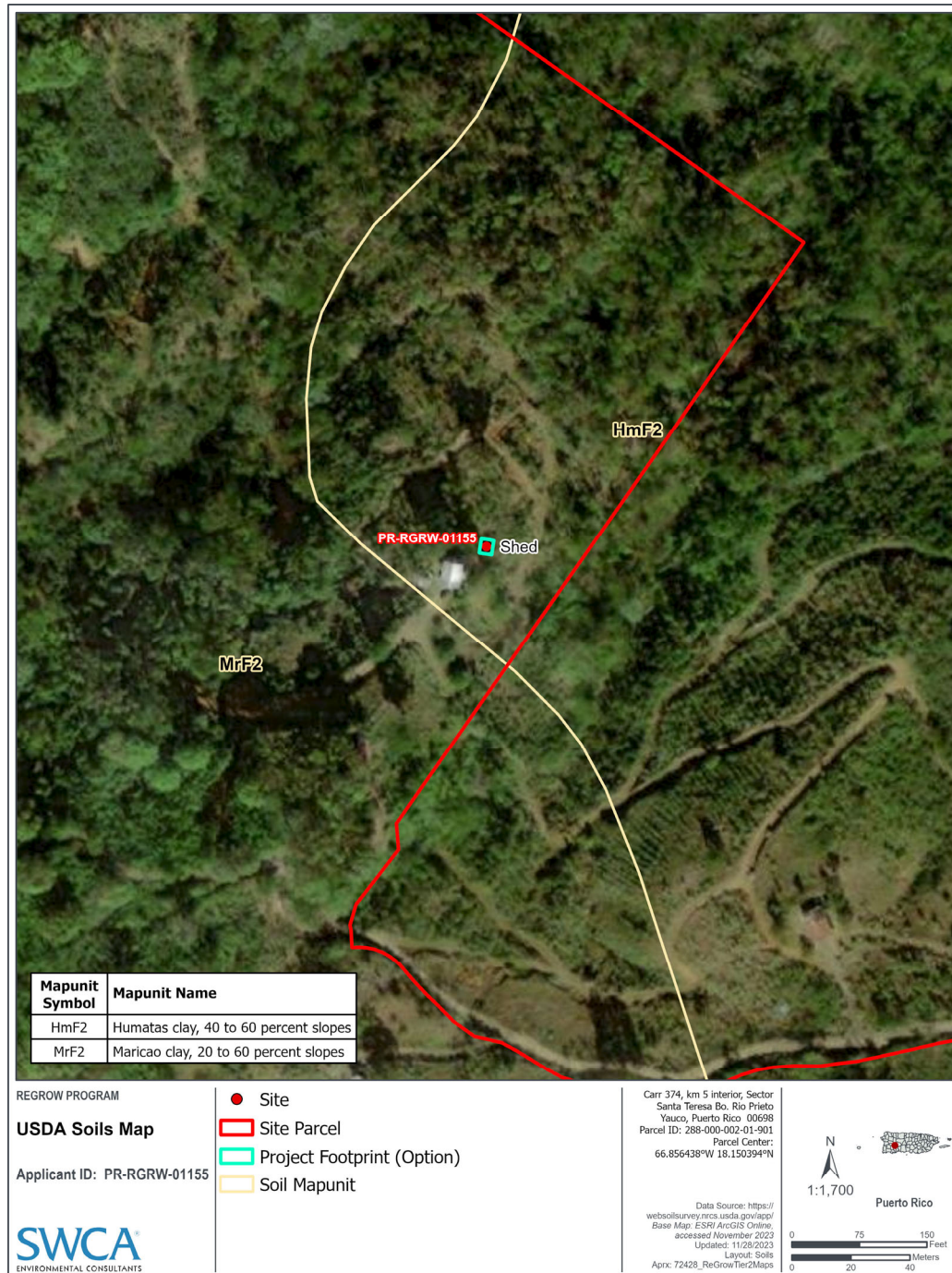


Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

Project (Parcel) Location – Soils Map (Only if Archaeology Review is Required)



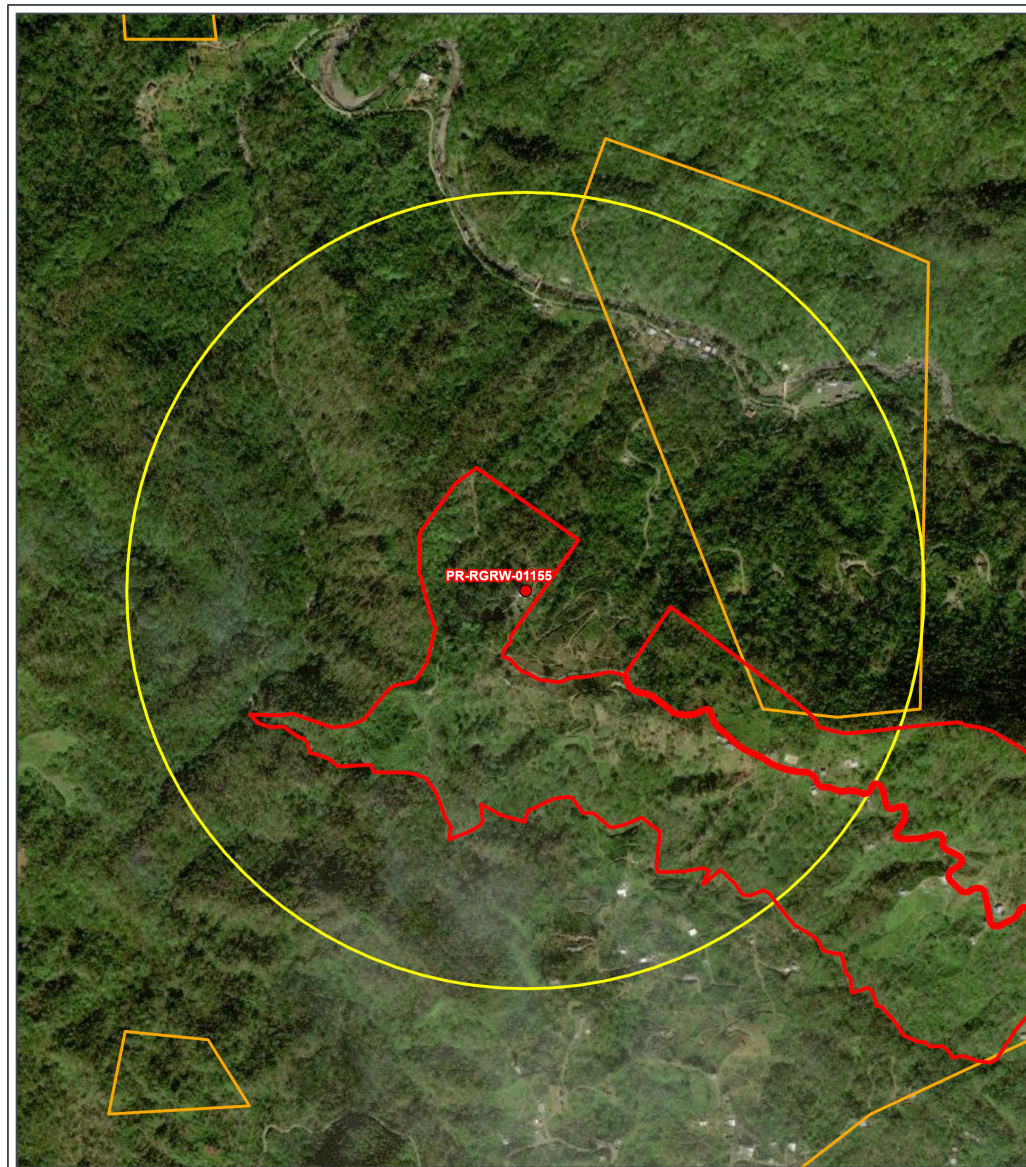


Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

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



REGROW PROGRAM

### Previous Investigation Map

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

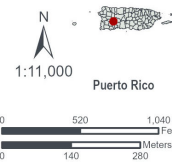
- Site
- Site Parcel
- Project Footprint (Option)
- Buffer (0.5-mile)
- Previously Recorded Survey
- MIPR Arqueologia
- Traditional Urban Centers

Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center: 66.856438°W 18.150394°N

Data Source: State Historic Preservation Office and Puerto Rico Institute of Culture

Base Map: ESRI ArcGIS Online, accessed September 2023  
Updated: 9/13/2023  
Layout: Previous Investigation  
Aprx: T2428\_ReGrowTier2Maps



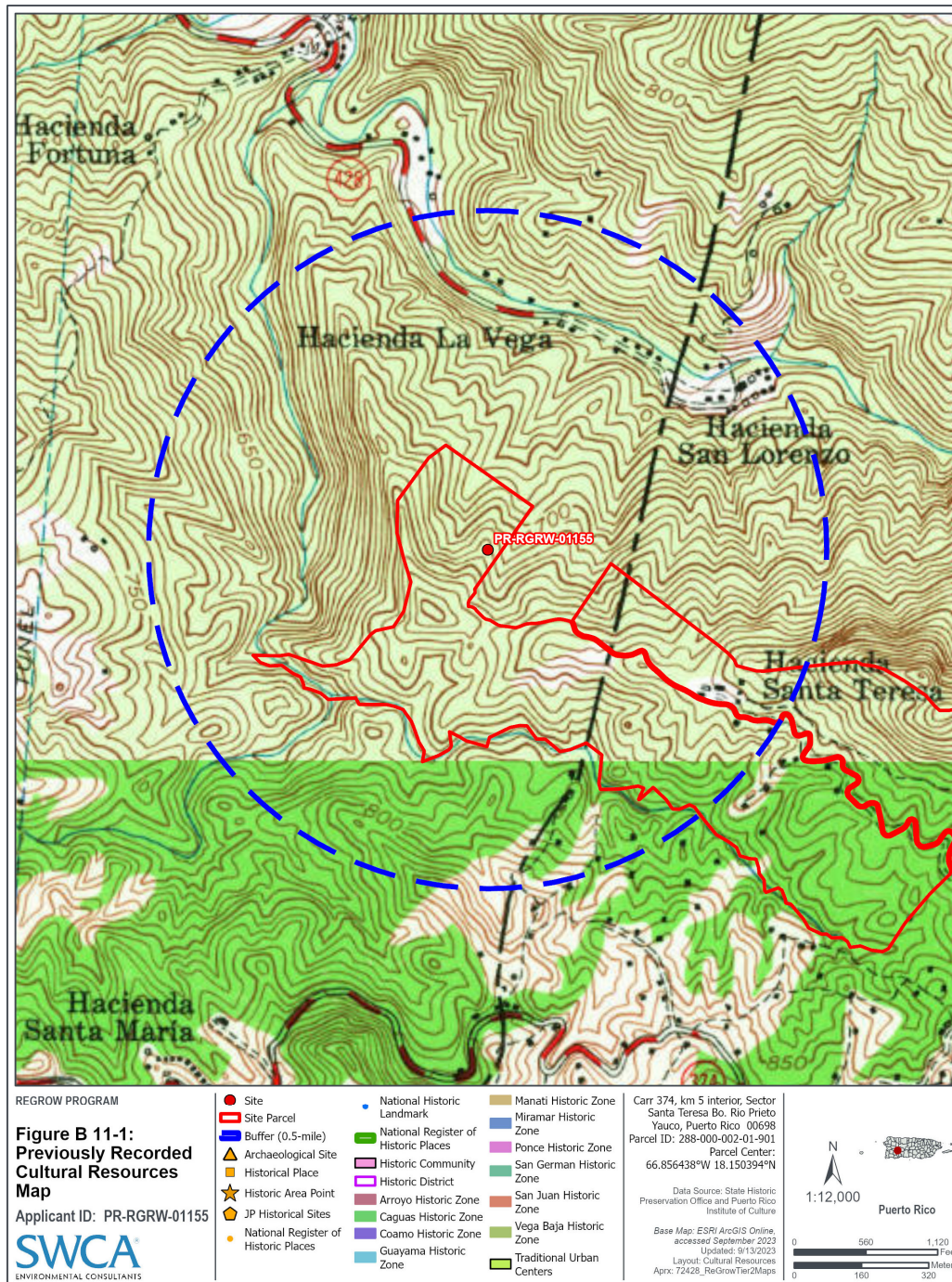


Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

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



Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

### Photograph Key





Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

**Photo #:**  
01

**Date:**  
09/08/ 2023

**Photo Direction:**  
Southeast

**Description:**  
Overview of site location for a shed 10x12x10 feet on a concrete platform 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation with a partial view of the applicant's country residence.



**Photo #:**  
02

**Date:**  
09/08/ 2023

**Photo Direction:**  
Southwest

**Description:**  
Overview of site location for a shed 10x12x10 feet (wood posts to give a better perspective of location) on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation, the landform, and a partial view of the applicant's country residence with the pipes for the wastewater.





Applicant: Felix Ramos Torres

Case ID: PR-RGRW-01155

City: Yauco

**Photo #:**  
03

**Date:**  
09/08/ 2023

**Photo Direction:**  
North

**Description:**  
Overview from the center of the project location for a shed 10x12x10 feet on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation and the landform.



**Photo #:**  
04

**Date:**  
09/08/ 2023

**Photo Direction:**  
Northeast

**Description:**  
This picture presents the applicant's country residence built approximately 2010.





October 20, 2022

**Arch. Carlos A. Rubio Cancela**

Executive Director

State Historic Preservation Officer

Cuartel de Ballajá Bldg.

San Juan, Puerto Rico

**Re: Authorization to Submit Documents**

Dear Arch. Rubio Cancela:

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

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

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

Cordially,

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





ENVIRONMENTAL CONSULTANTS

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www.swca.com

June 17, 2024

Robert Tawes  
Division Supervisor, Environmental Review  
U.S. Fish and Wildlife Service  
Southeast Regional Office  
1875 Century Boulevard  
Atlanta, GA 30345  
Email: [robert\\_tawes@fws.gov](mailto:robert_tawes@fws.gov)

**Re: Federally Listed Threatened and Endangered Species Evaluation for the Puerto Rico  
Department of Housing ReGrow PR-RGRW-01155 Project/ SWCA Project No. 72428**

Dear Mr. Tawes:

SWCA Environmental Consultants (SWCA), on behalf of the Puerto Rico Department of Housing, is requesting informal consultation under Section 7(a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 *et seq.*), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) for the proposed ReGrow PR-RGRW-01155 Project (project). The project is located on 190 acres at Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, PR 00698 (66.851962°W 18.147204°N).

The proposed project involves the construction of a new warehouse. No tree clearing or vegetation removal will be required.

Using the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system, we have determined that the proposed project lies within the range of the following federally listed species:

Species	Listing Status
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered
Puerto Rican Broad-winged Hawk ( <i>Buteo platypterus brunnescens</i> )	Endangered
Puerto Rican Parrot ( <i>Amazona vittata</i> )	Endangered
Puerto Rican Sharp-shinned Hawk ( <i>Accipiter striatus venator</i> )	Endangered
Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> )	Threatened

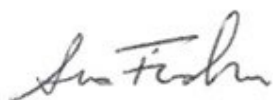
No designated or proposed critical habitat for any listed species was identified within the project area. Based on the nature of the project, scope of work, information available, and a careful analysis of the existing habitat, we have made the following effects determinations:

Species	Effect Determination	Conservation Measures to be Implemented
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Not likely to adversely affect (NLAA)	Puerto Rican Boa General Project Design Guidelines
Puerto Rican Broad-winged Hawk ( <i>Buteo platypterus brunnescens</i> )	Not likely to adversely affect (NLAA)	No Conservation Measures
Puerto Rican Parrot ( <i>Amazona vittata</i> )	No effect (NE)	No Conservation Measures
Puerto Rican Sharp-shinned Hawk ( <i>Accipiter striatus venator</i> )	Not likely to adversely affect (NLAA)	No Conservation Measures
Puerto Rican Harlequin Butterfly ( <i>Atlantea tulita</i> )	No effect (NE)	No Conservation Measures

In accordance with the 2024 Puerto Rican Boa General Project Design Guidelines, if a Puerto Rican Boa (PR Boa) is found in the project action site, work shall cease until the individual moves off on its own. If the PR Boa does not move off, the construction manager shall contact the Puerto Rico Department of Natural and Environmental Resources and ask for them to relocate the PR Boa.

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determinations included in this letter. Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. If you have any questions or require any additional information, please contact me at (346) 388-1157 or [susan.fischer@swca.com](mailto:susan.fischer@swca.com).

Sincerely,



Susan Fischer  
Wildlife Ecologist  
SWCA Environmental Consultants

Attachments: Threatened and Endangered Species Technical Memorandum



ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions.®

10245 West Little York Road, Suite 600  
Houston, Texas 77040  
Tel 281.617.3217 Fax 713.896.3189  
www.swca.com

## TECHNICAL MEMORANDUM

**To:** Caribbean Ecological Services Field Office  
U.S. Fish and Wildlife Service  
P.O. Box 491  
Boquerón, Puerto Rico 00622

**From:** Susan Fischer, Project Biologist on behalf of the Puerto Rico Department of Housing

**Date:** June 7, 2024

**Re:** **Threatened and Endangered Species Evaluation for the Puerto Rico Department of Housing ReGrow PR-RGRW-01155 Project/ SWCA Project No. 72428**

---

### Project Description

Felix Ramos Torres, the applicant, is proposing to construct a new warehouse on a 190-acre property in the Municipio of Yauco, Puerto Rico (project) (Appendix A, Figure 1). The project is located at Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, Puerto Rico 00698, in a rural area. The estimated dimensions of the warehouse will be approximately 10 feet by 12 feet (120 square feet) (Appendix A, Figure 2).

### Existing conditions

The existing habitat conditions at the proposed warehouse location consist of mowed lawn surrounded by forested areas. There are no wetlands or waterbodies mapped within the project area (Appendix A, Figure 3). No tree clearing or vegetation removal is required. Representative photographs of the proposed locations are provided in Appendix B.

### Federally Protected Species

SWCA obtained a federal threatened and endangered species list from the USFWS (2024) Information for Planning and Consultation (“IPaC”) website for a 100-foot buffer around the warehouse location (review area) (Appendix C). The IPaC automatically generates a list of species and other resources of concern, such as critical habitat, that are known or expected to be in the specified area and could potentially be directly or indirectly affected. According to the IPaC query for the project, five federally listed endangered species has the potential to occur in the review area; the Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican parrot (*Amazona vittata*), Puerto Rican Sharp-shinned Hawk (*Accipiter striatus venator*), Puerto Rican boa (*Chilabothrus inornatus*), and the Puerto Rican harlequin butterfly (*Atlantea tulita*). SWCA also evaluated the review area for potential habitat for bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) as they are protected by the Bald and Golden Eagle Protection Act of 1940 (“BGEPA”).

The bald and golden eagle's range do not extend into Puerto Rico (Cornell Lab of Ornithology 2024); therefore, these species were eliminated from further analysis for this project. Table 1 identifies the species carried forward for further evaluation and summarizes each species' habitat requirements, potential for occurrence in the project area, and determination of effects.

**Table 1. Federally Listed Species Range and/or Habitat Requirements**

Common Name (Scientific Name)	Status*	Range or Habitat Requirements	Potential for Occurrence in Project Area	Determination of Effects/Impacts
<b>Birds</b>				
Puerto Rican Broad-winged Hawk ( <i>Buteo platypterus brunnescens</i> )	FE	The Puerto Rican broad-winged hawk occurs in elfin woodland, sierra palm, caimitillo-granadillo, and tabonuco forest types of the Río Abajo Commonwealth Forest, Carite Commonwealth Forest, and El Yunque National Forest as well as within hardwood plantations, shade coffee plantations, and mature secondary forests (USFWS 2019a).	<i>Unlikely to occur.</i> Although there are forested areas located on the periphery of the review area, there are no forested areas present within the project area itself.	<i>May affect, but not likely to adversely affect.</i> See discussion below.
Puerto Rican Parrot ( <i>Amazona vittata</i> )	FE	The Puerto Rican parrot is a frugivorous cavity nester. It depends on mature forests with large cavity forming trees. (USFWS 2009). It is currently confined to the Maricao Forest, El Yunque National Forest, and the Río Abajo Forest (USDA Forest Service 2024).	<i>Unlikely to occur.</i> Although there are forested areas located on the periphery of the review area, there are no forested areas present within the project area.	<i>No effect.</i> There is no suitable habitat for Puerto Rican parrots in the project area.
Puerto Rican Sharp-shinned Hawk ( <i>Accipiter striatus venator</i> )	FE	The Puerto Rican sharp-shinned hawk occurs primarily in high elevation mature closed canopy forests (USFWS 2019a).	<i>Unlikely to occur.</i> Although there are forested areas located on the periphery of the project area, there are no forested areas present within the project area itself.	<i>May affect, but not likely to adversely affect.</i> See discussion below.
<b>Reptiles</b>				
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	FE	Considered to be a habitat generalist, the Puerto Rican boa tolerates a wide variety of terrestrial and arboreal habitats, including rocky areas, haystack hill, trees and branches, rotting stumps, caves, plantations, various types of forested areas such as karst and mangrove forests, forested urban and rural areas, and along streams and road edges (USFWS 2011).	<i>May occur.</i> The project area is located adjacent to forested areas.	<i>May affect, but not likely to adversely affect.</i> See discussion below.
<b>Insects</b>				
Puerto Rican Harlequin Butterfly	FT	This species inhabits areas with moderately dense to dense canopy cover and dense	<i>Unlikely to occur.</i> There are no	<i>No effect.</i> There is no suitable habitat

Common Name (Scientific Name)	Status*	Range or Habitat Requirements	Potential for Occurrence in Project Area	Determination of Effects/Impacts
( <i>Atlantea tulita</i> )		vegetation and a source of water within a kilometer. Eggs and larvae are found only on the prickly bush ( <i>Oplonia spinosa</i> ), while adult butterflies feed on the nectar of several tree species and drink water (USFWS 2019b).	prickly bush plants or forested areas within the project area.	for the Puerto Rican harlequin butterfly in the project area.

\*Status Definitions:

FE = Federally listed endangered; FT = Federally listed threatened

The Caribbean Determination Key (DKey) was completed for the project, which generated a *may affect* determination for the Puerto Rican boa and a *may affect, but is not likely to adversely affect* determination for the Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk (Appendix D). Due to the generalist nature of the Puerto Rican boa, forested habitat surrounding the project areas, and dense ground cover present throughout the review area, the Puerto Rican boa may occur within the project area. The applicant will employ the conservation measures outlined in the 2024 USFWS General Project Design Guidelines for the Puerto Rican boa (Appendix E), including but not limited to issuing a stop work if a Puerto Rican boa were to occur within the project area, and contacting the Puerto Rico Department of Natural and Environmental Resources for safe capture and relocation of the individual if such action is required. However, based on the site visit and habitat evaluations, the Puerto Rican broad-winged hawk, Puerto Rican sharp-shinned hawk, Puerto Rican parrot, and Puerto Rican harlequin butterfly are all considered unlikely to occur within the project area due to lack of suitable habitat. Therefore, it is anticipated that the project *may affect, but is not likely to adversely affect* the Puerto Rican boa, Puerto Rican broad-winged hawk, and the Puerto Rican sharp-shinned hawk, and will have *no effect* on the Puerto Rican parrot and Puerto Rican harlequin butterfly.

## Critical Habitat and National Wildlife Refuges

Potential effects to habitat(s) within the project area critical to endangered species must be analyzed along with the endangered species themselves, while any activity proposed on National Wildlife Refuge lands must undergo a compatibility determination conducted by the Refuge. No designated critical habitats are present within 100-feet of any of the proposed project location options (Appendix A, Figure 4) (USFWS 2023).

## LITERATURE CITED

- Cornell Lab of Ornithology. 2024. All About Birds. Available at: <https://www.allaboutbirds.org/guide/>. Accessed March 2024.
- U.S. Department of Agriculture (USDA) Forest Service. 2024. the Iguaca, Puerto Rican Parrot. Available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5338966.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5338966.pdf). Accessed March 2024.
- U. S. Fish and Wildlife Service (USFWS). 2011. *Puerto Rican Boa* (*Epicrates inornatus*) *5-Year Review: Summary and Evaluation*. U.S. Fish and Wildlife Service, Southeast Region. Boquerón, Puerto Rico.
- . 2019a. *Recovery Plan for Puerto Rican Broad-Winged Hawk* (*Buteo platypterus brunnescens*) and *Sharp-Shinned Hawk* (*Accipiter striatus venator*) Amendment. U.S. Fish and Wildlife Service, Southeast Region. Atlanta, Georgia.
- . 2019b. *Species Status Assessment Report for the Puerto Rican Harlequin Butterfly* (*Atlantea tulita*) *Version 1.5*. U.S. Fish and Wildlife Service, Southeast Region. Atlanta, Georgia.
- . 2024. Information for Planning and Consultation System (IPaC). Available at: <http://ecos.fws.gov/ipac/>. Accessed March 2024.
- . 2023. Critical Habitat for Threatened & Endangered Species [USFWS]. Available at: <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>. Accessed September 2023.

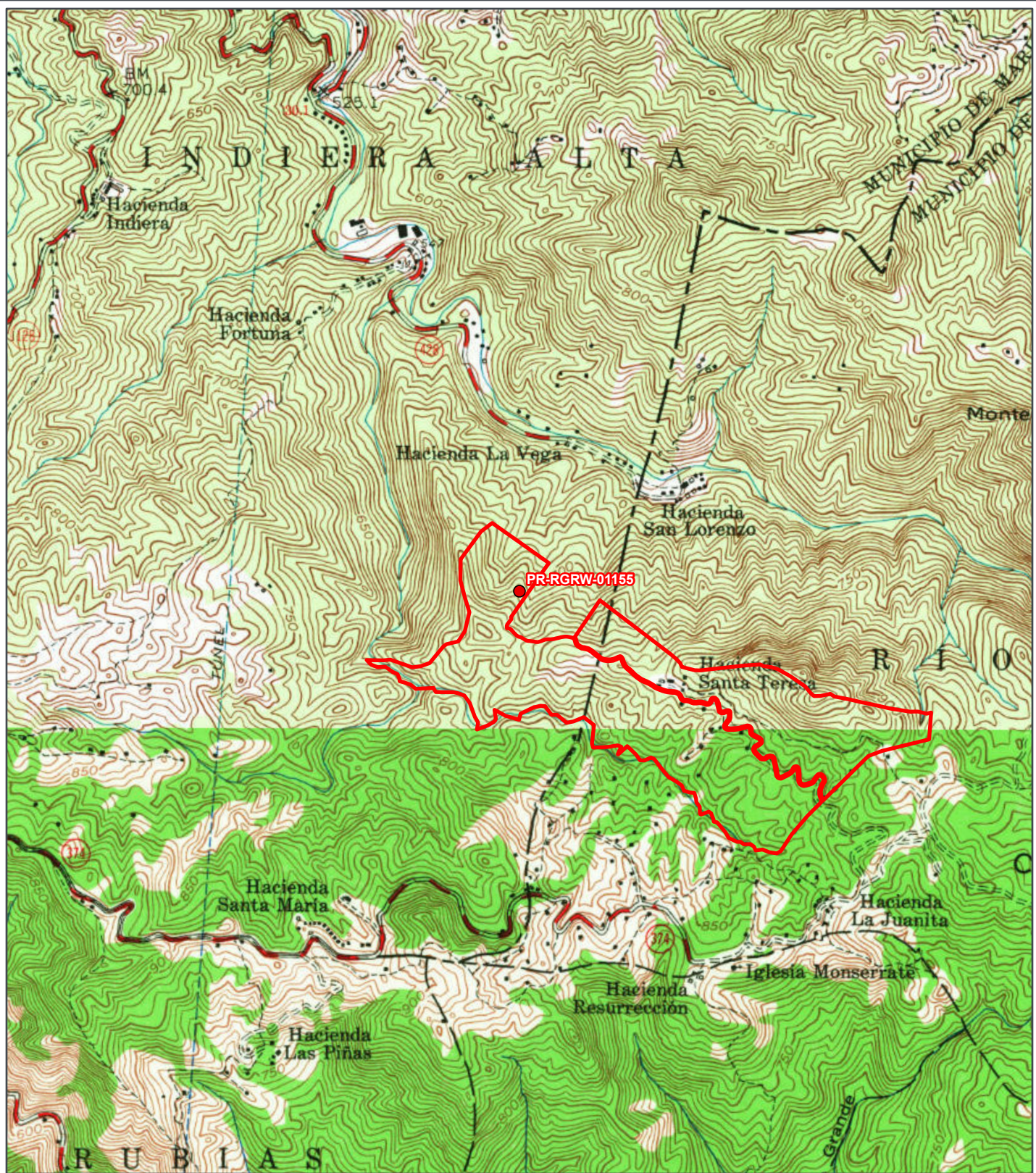
## **APPENDIX A**

### **Maps**

**Figure 1**

**USGS Topographic Map**





REGROW PROGRAM

## USGS Topographic Map

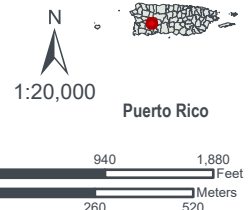
Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698  
Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.856438°W 18.150394°N

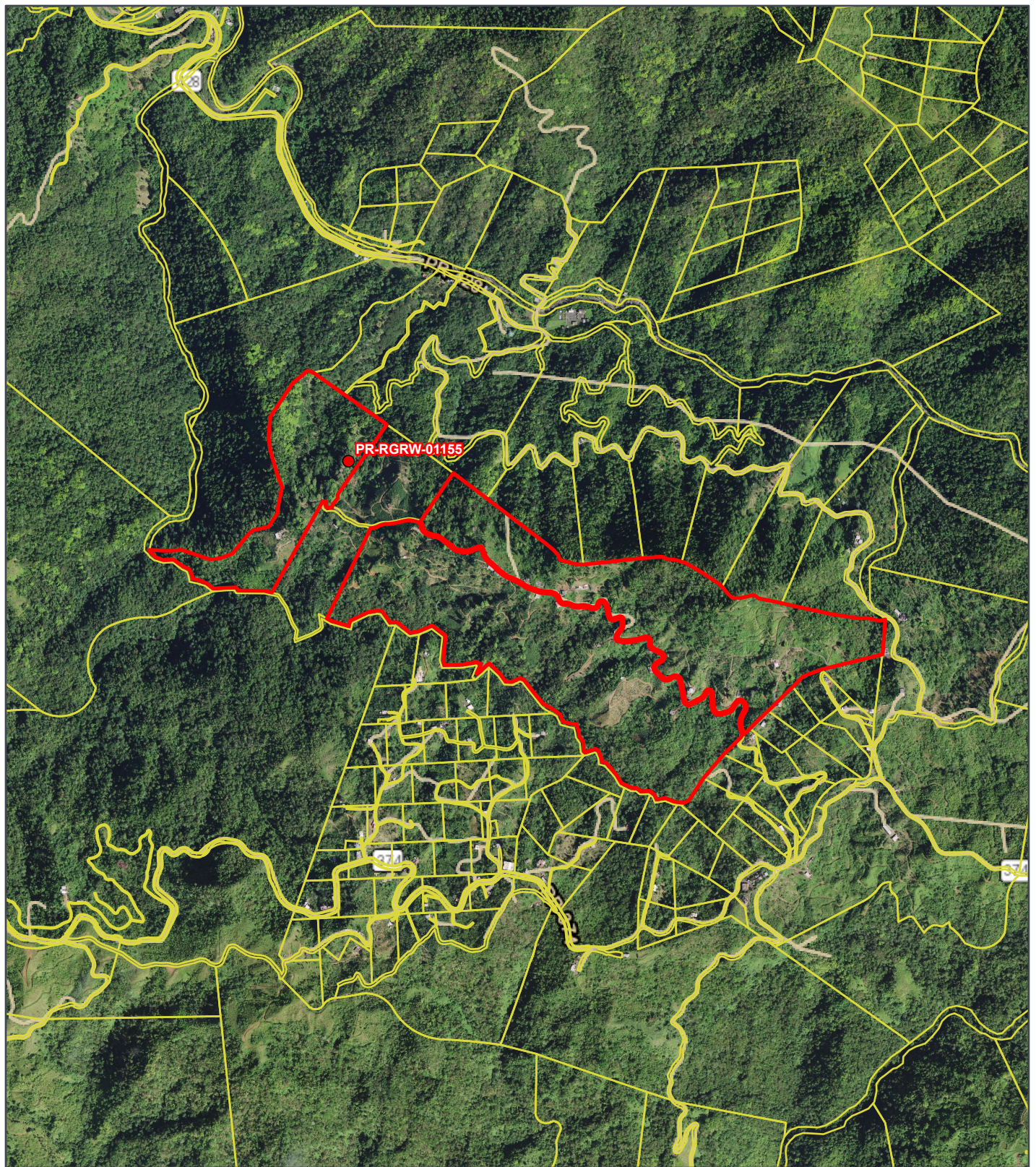
Base Map: ESRI ArcGIS Online,  
accessed April 2024  
Updated: 4/8/2024  
Layout: USGS Topographic Map  
Aprx: 72428\_ReGrowTier2Maps





**Figure 2**  
**Site Vicinity Map**





REGROW PROGRAM

## Figure A-2: Site Vicinity

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

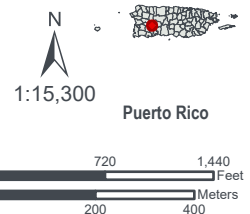
- Site
- Site Parcel
- Project Footprint (Option)

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147227°N

Base Map: USA NAI/P Imagery  
Imagery Year: 2022  
Updated: 6/14/2024

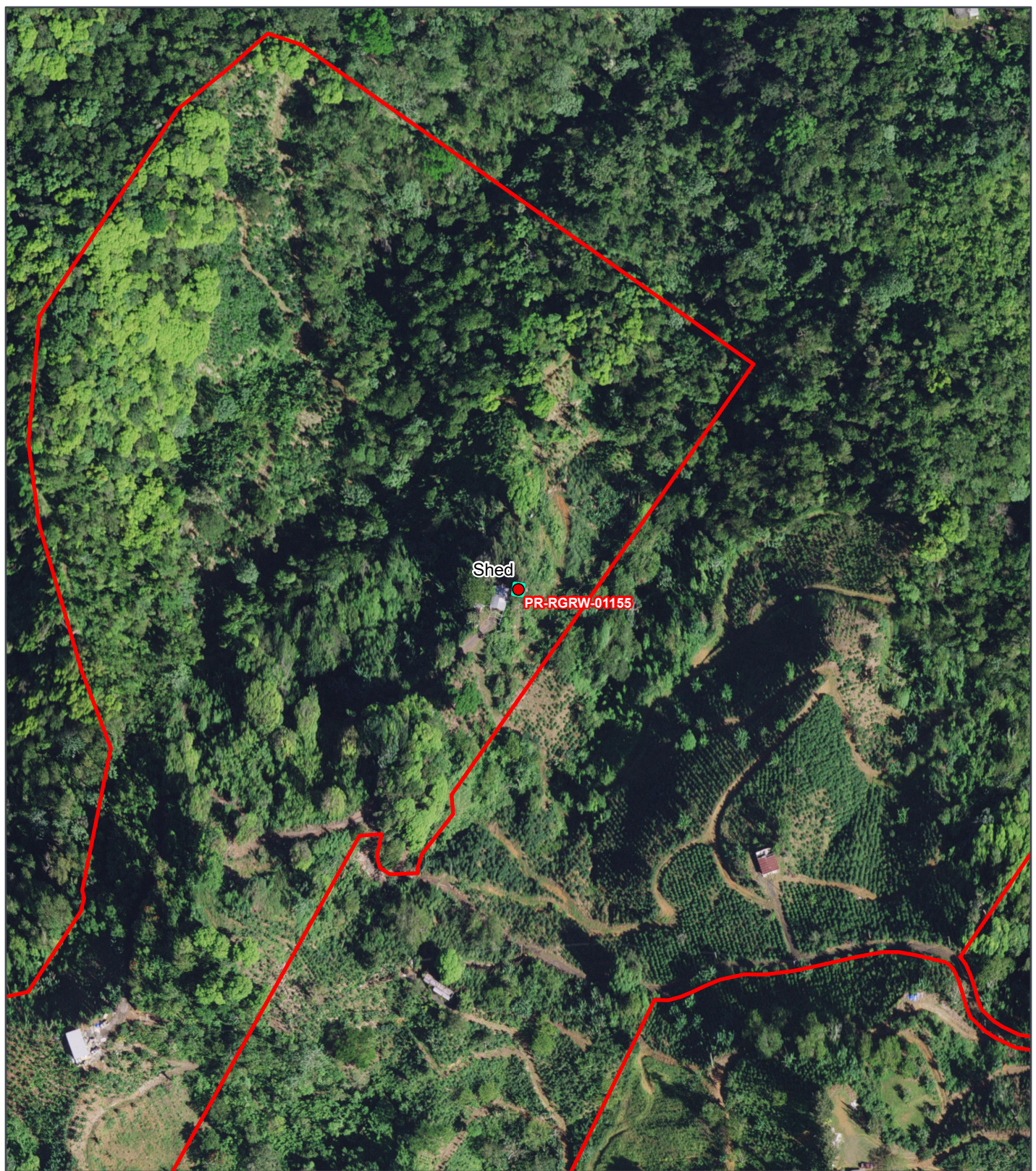
Layout: Site Vicinity  
Aprx: 72428\_ReGrowTier2Maps2





**Figure 3**  
**Wetlands Map**





REGROW PROGRAM

## Figure B 13-1: Wetlands Protection Map

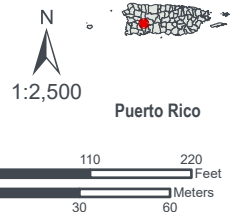
Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel
- Project Footprint (Option)
- NHD Stream
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

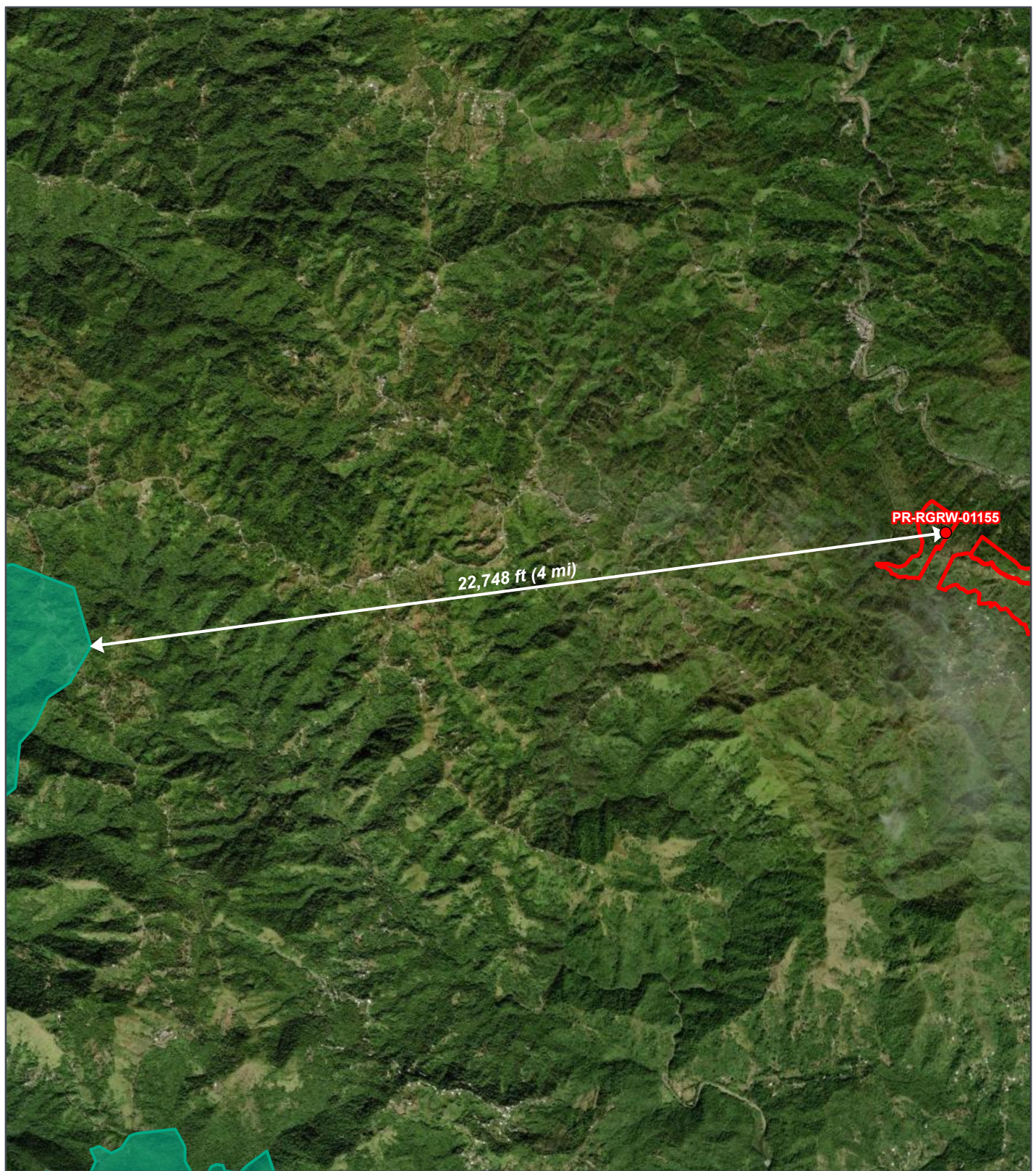
Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698  
Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.856438°W 18.150394°N

Data Source: <https://apps.nationalmap.gov/downloader/#/>  
<https://www.fws.gov/program/national-wetlands-inventory/data-download>  
Base Map: USA NAIP Imagery  
Imagery Year: 2022  
Updated: 6/14/2024  
Layout: Wetlands Protection





**Figure 4**  
**Critical Habitat Map**



REGROW PROGRAM

# **Figure B 7-1: Critical Habitat Map**

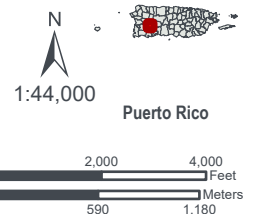
Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel
- Buffer (100-ft)
- Critical Habitat - Final
- National Wildlife Refuges

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698  
Parcel ID: 288-000-002-01-901  
Center of Map:  
66.888905°W 18.146195°N

Data Source: [https://services.arcgis.com/QVENGdaPbd4LUkLV/arcgis/rest/services/USFWS\\_Critical\\_Habitat/Base\\_Map/ESRI/ArcGIS/Online](https://services.arcgis.com/QVENGdaPbd4LUkLV/arcgis/rest/services/USFWS_Critical_Habitat/Base_Map/ESRI/ArcGIS/Online),  
accessed June 2024  
Updated: 6/17/2024  
Layout: Critical Habitat  
Aprx: 72428\_ReGrowTier2Maps




## **APPENDIX B**


### **Photographic Log**



Project #: PR-RGRW-01155	Photographer: Delise Torres-Ortiz
Location Address: Carretera 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, PR 00698	Coordinates: 18.150394, -66.856527

<b>Photo #:</b> 01	<b>Date:</b> 09/08/ 2023	
<b>Photo Direction:</b> Southeast		
<b>Description:</b> Overview of site location for a warehouse 10x12x10 feet on a concrete platform 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation with a partial view of the applicant's country residence.		

<b>Photo #:</b> 02	<b>Date:</b> 09/08/ 2023
<b>Photo Direction:</b> Southwest	
<b>Description:</b> Overview of site location for a warehouse 10x12x10 feet (wood posts to give a better perspective of location) on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation, the landform, and a partial view of the applicant's country residence with the pipes for the wastewater.	


A photograph showing a wooden structure, likely a warehouse, with a concrete base. The structure is surrounded by dense tropical vegetation and trees. A white pipe lies on the ground in the foreground. The scene is captured from a southwest perspective.



Project #: PR-RGRW-01155	Photographer: Delise Torres-Ortiz
Location Address: Carretera 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, PR 00698	Coordinates: 18.150394, -66.856527

<b>Photo #:</b> 03	<b>Date:</b> 09/08/ 2023	
<b>Photo Direction:</b> North		
<b>Description:</b> Overview from the center of the project location for a warehouse 10x12x10 feet on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation and the landform.		

<b>Photo #:</b> 04	<b>Date:</b> 09/08/ 2023
<b>Photo Direction:</b> East	
<b>Description:</b> Overview from the center of the project location for a warehouse 10x12x10 feet on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation and the landform towards the septic tank (plastic palette).	

A photograph showing a view from a clearing in a forest. In the foreground, there is a blue plastic pallet on the ground. In the background, there are rolling hills covered in dense green vegetation under a clear blue sky. The scene is framed by large trees with thick trunks and lush green foliage. The ground is covered in dry leaves and twigs, and the overall atmosphere is bright and sunny.



Project #: PR-RGRW-01155	Photographer: Delise Torres-Ortiz
Location Address: Carretera 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto, Yauco, PR 00698	Coordinates: 18.150394, -66.856527

<b>Photo #:</b> 05	<b>Date:</b> 09/08/ 2023
<b>Photo Direction:</b> South	
<b>Description:</b> Overview from the center of the project location for a warehouse 10x12x10 feet on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation and landform, and a partial view of the applicant's country residence on the back side with the pipes of the wastewater.	



<b>Photo #:</b> 06	<b>Date:</b> 09/08/ 2023
<b>Photo Direction:</b> West	
<b>Description:</b> Overview from the center of the project location for a warehouse 10x12x10 feet on a concrete base 12x14 feet, 6 to 10 inches thick due to the uneven terrain. The picture shows the area's vegetation and the landform towards an outdoor sitting area.	



## **APPENDIX C**

### **USFWS Information for Planning and Consultation Species List**



## United States Department of the Interior

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



In Reply Refer To:  
Project Code: 2024-0056963  
Project Name: PR-RGRW-01155

March 01, 2024

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

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)



(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](https://www.fws.gov/partner/council-conservation-migratory-birds).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## OFFICIAL SPECIES LIST

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

This species list is provided by:

**Caribbean Ecological Services Field Office**

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

## PROJECT SUMMARY

Project Code: 2024-0056963

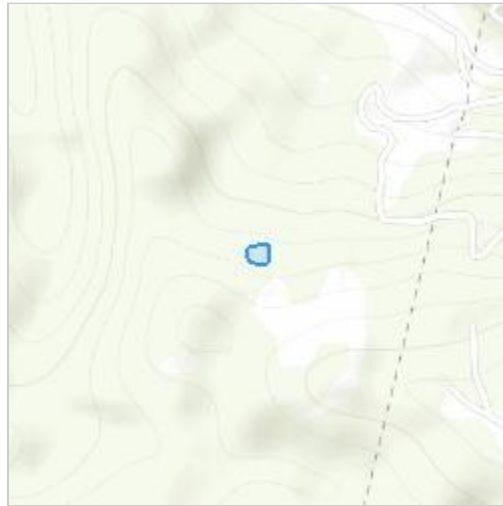
Project Name: PR-RGRW-01155

Project Type: Disaster-related Grants

Project Description: Construction of a new warehouse.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.1503886,-66.85650326994721,14z>



Counties: Maricao County, Puerto Rico



## ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

### BIRDS

NAME	STATUS
Puerto Rican Broad-winged Hawk <i>Buteo platypterus brunnescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5512">https://ecos.fws.gov/ecp/species/5512</a>	Endangered
Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3067">https://ecos.fws.gov/ecp/species/3067</a>	Endangered
Puerto Rican Sharp-shinned Hawk <i>Accipiter striatus venator</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/604">https://ecos.fws.gov/ecp/species/604</a>	Endangered

### REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/E2CARXS565G37ID3UL3CM6Y63U/documents/generated/7159.pdf">https://ipac.ecosphere.fws.gov/project/E2CARXS565G37ID3UL3CM6Y63U/documents/generated/7159.pdf</a>	Endangered

## INSECTS

NAME	STATUS
Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9005">https://ecos.fws.gov/ecp/species/9005</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/E2CARXS565G37ID3UL3CM6Y63U/documents/generated/7168.pdf">https://ipac.ecosphere.fws.gov/project/E2CARXS565G37ID3UL3CM6Y63U/documents/generated/7168.pdf</a>	Threatened

## CRITICAL HABITATS

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

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

## **IPAC USER CONTACT INFORMATION**

Agency: SWCA

Name: Kaitie Wilms

Address: 911 Hammond Drive

City: North Augusta

State: SC

Zip: 29841

Email: kaitie.wilms@swca.com

Phone: 8436930711

## **APPENDIX D**

### **USFWS Consistency Letter**



## United States Department of the Interior



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

In Reply Refer To:  
Project code: 2024-0056963  
Project Name: PR-RGRW-01155

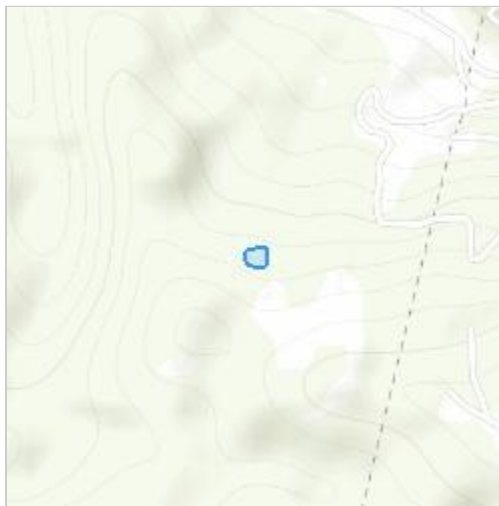
March 01, 2024

Subject: Consistency letter for the project named 'PR-RGRW-01155' for specified threatened and endangered species, that may occur in your proposed project location, pursuant to the IPaC determination key titled Caribbean Determination Key (DKey).

Dear Applicant:

Thank you for using the assisted evaluation keys in IPaC. This letter is provided pursuant to the Service's authority under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531et seq.). On March 01, 2024, Kaitie Wilms used the Caribbean DKey; dated January 19, 2024, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-01155'. The project is located in Maricao County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.1503886,-66.85650326994721,14z>



The following description was provided for the project 'PR-RGRW-01155':

Construction of a new warehouse.

Based on your answers and the assistance of the Service's Caribbean DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered	May affect
Puerto Rican Broad-winged Hawk ( <i>Buteo platypterus brunnescens</i> )	Endangered	NLAA
Puerto Rican Sharp-shinned Hawk ( <i>Accipiter striatus venator</i> )	Endangered	NLAA

**Consultation with the Service is not complete.** Further consultation with the Caribbean Ecological Services office is required for those species with a determination of "may affect" listed above. Please contact the Caribbean Ecological Services office to discuss methods to avoid or minimize potential adverse effects to those species.

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

**Action Description**

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

**1. Name**

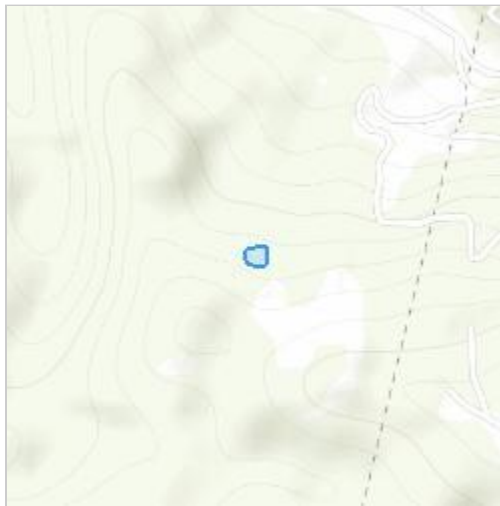
PR-RGRW-01155

**2. Description**

The following description was provided for the project 'PR-RGRW-01155':

Construction of a new warehouse.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.1503886,-66.85650326994721,14z>



## QUALIFICATION INTERVIEW

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

No

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

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

No

3. Does the proposed project consist of rehabilitation or demolition of existing single-family homes and buildings?

No

4. Does the proposed project consist of improvements to existing facilities?

**Note:** Examples of facilities are occupied single family homes, and buildings; existing recreational facilities, including the installation of roofs to existing basketball courts, etc.

No

5. Does the proposed project consist of repavement or repair of existing roads and installing transit signage or guardrails?

No

6. Does the proposed project consist of the construction of gutters and/or sidewalks along existing roads, and developments?

No

7. Does the proposed project consist of replacement or repair of existing bridges which include cutting vegetation or earth movement?

No

8. Does the proposed project consist of activities within existing Right of Ways (ROWs) along roads which include cutting vegetation or earth movement?

No

9. Is the proposed project located within a rural area covered by grassland (pasture lands "pastos")?

No



10. Is the proposed project adjacent or within a forested area?

**Note:** Examples of immediately adjacent to forested areas are 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 trees.

*No*

11. Is the proposed project an existing facility or the expansion of an existing facility within the footprint of the already developed area?

*No*

12. Is the proposed project a new facility which would require earth moving, vegetation clearing, or debris removal using heavy machinery, the use of staging areas, construction of temporary access roads?

*No*

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

**Automatically answered**

*Yes*

14. Will the proposed project be conducted during the Puerto Rican sharp-shinned hawk or Puerto Rican Broad-winged hawk breeding season between December and July?

*No*

15. If nests are detected within the project area, will the proposed project avoid any disturbance until fledging leaves the nest permanently?

*Yes*

16. Outside of the breeding season, in the event of a Sharp-shinned hawk nest encounter, would a buffer zone be implemented?

**Note:** The species or nests might be found out of the breeding season. A buffer zone is an area around the detected nests where no actions or activities can take place. The buffer zone should be clearly marked or delineated in the field and in the project plans.

*Yes*

17. Will the Fish and Wildlife Service and the Department of Natural Resources be notified immediately if a nest is detected?

*Yes*

18. Does the proposed project intersect the Puerto Rican sharp-shinned hawk area of influence?

**Automatically answered**

*Yes*

19. Does the proposed project intersect the Puerto Rican Broad-winged hawk area of influence?

**Automatically answered**

*Yes*

## **IPAC USER CONTACT INFORMATION**

Agency: SWCA

Name: Kaitie Wilms

Address: 911 Hammond Drive

City: North Augusta

State: SC

Zip: 29841

Email: kaitie.wilms@swca.com

Phone: 8436930711

## **LEAD AGENCY CONTACT INFORMATION**

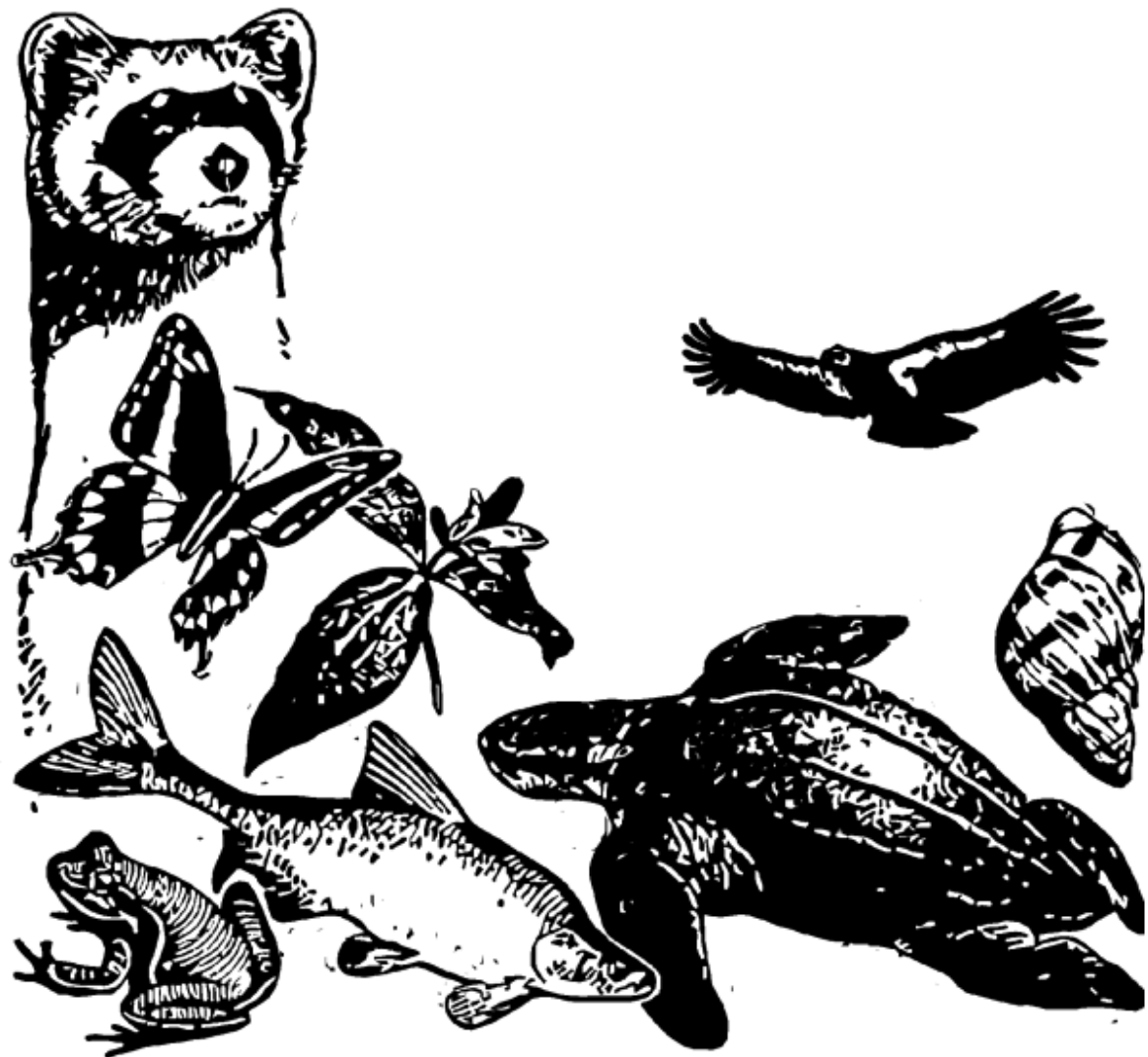
Lead Agency: Department of Housing and Urban Development

## **APPENDIX E**

### **Project Design Guidelines**

# *General Project Design Guidelines (2 Species)*

Generated March 01, 2024 08:39 PM UTC, IPaC v6.105.1-rc1



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Puerto Rican Boa - Caribbean Ecological Services Field Office . . . . .	<a href="#"><u>7</u></a>

# Species Document Availability

## Species with general design guidelines

Puerto Rican Boa *Chilabothrus inornatus*

Puerto Rican Harlequin Butterfly *Atlantea tulita*

## Species without general design guidelines available

Puerto Rican Broad-winged Hawk *Buteo platypterus brunnescens*

Puerto Rican Parrot *Amazona vittata*

Puerto Rican Sharp-shinned Hawk *Accipiter striatus venator*



# General Project Design Guidelines - Puerto Rican Sharp-shinned Hawk and 4 more species

Published by Caribbean Ecological Services Field Office for the following species included in your project

Puerto Rican Sharp-shinned Hawk *Accipiter striatus venator*

Puerto Rican Parrot *Amazona vittata*

Puerto Rican Harlequin Butterfly *Atlantea tulita*

Puerto Rican Boa *Chilabothrus inornatus*

Puerto Rican Broad-winged Hawk *Buteo platypterus brunnescens*



**U.S. FISH & WILDLIFE SERVICE**  
**CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE**

**Conservation Measures for the Puerto Rican harlequin butterfly (*Atlantea tulita*)**

Section 7 (a)(1) of the Endangered Species Act (ESA) mandates Federal agencies to aid in the conservation of federally listed species. Section 7 (a)(2) requires the Federal agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of federally listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect listed species, such as approval of private activities through the issuance of Federal funding, permits, licenses, or any other actions. Any person that injures, captures, or kills a Puerto Rican harlequin butterfly, or destroy its eggs or any other of its life stage (caterpillars, chrysalis) is subject to penalties under the ESA. Thus, Federal Actions agencies must initiate consultation with the Service under Section 7 of the ESA for any action that could affect the Puerto Rican harlequin butterfly. To initiate a consultation under the Section 7 of the ESA, the Federal Action agency must submit a project package to the Service with the established minimum requirements (see below). The conservation measures included below should be incorporated into the project plans to minimize possible impacts to the Puerto Rican harlequin butterfly. Download the [project evaluations fact sheet](#) to learn more about the requirements or visit our [project evaluations webpage](#).



The Puerto Rican (PR) harlequin butterfly (*Atlantea tulita*), is a threatened species endemic to Puerto Rico, whose currently known range is limited to the Northern Karst

February 2024

physiographic region and the West-central Volcanic-serpentine physiographic region of the Island. Through this range, we have identified six areas occupied by the PR harlequin butterfly that we refer to as a populations: (1) along the coastal cliff in the municipalities of Isabela, Quebradillas, and Camuy; (2) Guajataca in the municipality of Isabela; (3) Río Abajo Commonwealth Forest between the municipalities of Arecibo and Utuado; (4) Río Encantado area along the municipalities of Arecibo, Florida and Ciales; (5) Maricao Commonwealth Forest in the municipality of Maricao; and (6) Susúa Commonwealth Forest between the municipalities of Sabana Grande and Yauco. In addition, adult PR harlequin butterflies have been anecdotally reported in other areas of Puerto Rico, including the municipalities of Aguadilla, Barceloneta, Ciales, Florida, Luquillo, Ceiba, Guánica, San Germán, Las Marias and Lares.

The PR harlequin butterfly is a medium sized butterfly with a life cycle includes four distinct anatomical stages: imago (adult), egg, larva (caterpillar, with several size phases called instars), and chrysalis. The species has a wingspan of about 5.1 to 6 centimeters (cm) (2 to 2.5 inches (in)) wide and is characterized by its orange, brownish-black and beige coloration patterns. The caterpillar (larva) is dark orange with a brownish black to black, thin sub-lateral line, over a thin line of white intermittent dots crossing the body from the head to the anal plate, and has spines with hairs on each body segment. The caterpillar is less than .476 centimeters (cm) (0.19 in) in the first instar (growth stage between molts) and about 3.3 cm (1.29 in) in the fifth instar. Both eggs and caterpillars have been found almost exclusively on the host plant prickly bush (*Oplonia spinosa*). The chrysalis (pupa from which the butterfly (adult, or imago) emerges) of the PR harlequin butterfly is black, with orange and white dashes, and yellow pimples. The size of chrysalis is around 3 cm (1.2 in). In the wild, the chrysalis is more often found attached to branches of plants located close to the host plant, but it has been observed attached to dried twigs of the host plant.

The PR harlequin butterfly is difficult to detect, and the species is easily misidentified with other common butterflies such as the monarch butterfly (*Danaus plexippus portoricensis*), Antillean crescent (*Antillea pelops*), and Gulf fritillary (*Agraulis vanilla insularis*). The PR harlequin butterfly adults seem to be more active in the morning, from 9:00 am to 12:00 pm, when they are often observed flying searching for food or patrolling their territory for mating or laying eggs. The species flies slowly and is weak and fragile; thus, it is considered a poor disperser. There is information that this butterfly can disperse up to 1,026 meters (m) (3366.1 feet (ft)), approximately 1 kilometer (km) (0.6 mile (mi)) from one breeding site to another. The species seems to have specific ecological requirements for reproduction and its dispersion.

The PR harlequin butterfly was federally listed as threatened on January 3, 2023 (87 FR 73655), due to threats related to habitat modification and loss, its small populations size, and because of analyses of projected effects on the species resulting from relevant factors like increment of urban development rate and climate changes, which may negatively influence the continued existence of the species in the foreseeable future.

The Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PR harlequin butterfly and its

habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional recommendations can be made besides the ones presented in this document.

1. All project construction personnel must be informed about the potential presence of the PR harlequin butterfly or its occupied host plant, prickly bush (*Oplonia spinosa*), in the project areas and the need to avoid harming the species and its occupied host plant. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act. Educational material (e.g., posters, flyers, or signs with photos or illustrations of all the life stages of the PR harlequin butterfly (i.e., eggs, caterpillar, chrysalis, and adult) as well as its host plant, should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the boundaries of the work area in the field clearly delineate to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the PR harlequin butterfly (all life stages) and the prickly bush must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the PR harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the prickly bush is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalis are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the PR harlequin butterfly is observed flying in that same area where the plan is located. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the PR harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov) after the 36-hour search is concluded.
7. If, after the initial search or after the 24 to 36-hour search, any life stage of the PR harlequin butterfly is found in the prickly bush, take the following actions:
  - Clearly mark the host plant with flagging tape.

- Establish a 10-meter (32-foot) buffer zone around the bush to protect it.
- Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the plant. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
- Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.

8. For all PR harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All PR harlequin butterfly sighting reports should be sent to the U.S. Fish and Wildlife Service, Caribbean Ecological Service Field Office at [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov).

9. For questions regarding the PR harlequin butterfly, the Point of Contact is:

- José Cruz-Burgos, Threatened and Endangered Species Program Coordinator:
  - Mobile: 305-304-1386
  - Office phone: 786-244-0081
  - Office Direct Line: 939-320-3120
  - Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)

# General Project Design Guidelines - Puerto Rican Sharp-shinned Hawk and 4 more species

Published by Caribbean Ecological Services Field Office for the following species included in your project

Puerto Rican Sharp-shinned Hawk *Accipiter striatus venator*

Puerto Rican Parrot *Amazona vittata*

Puerto Rican Harlequin Butterfly *Atlantea tulita*

Puerto Rican Boa *Chilabothrus inornatus*

Puerto Rican Broad-winged Hawk *Buteo platypterus brunnescens*



## U.S. FISH AND WILDLIFE SERVICE CARIBBEAN ECOLOGICAL SERVICES FIELD OFFICE

### Conservation Measures for the Puerto Rican boa (*Chilabothrus inornatus*)

Section 7 (a)(1) of the Endangered Species Act (ESA) charges Federal agencies to aid in the conservation of listed species, and section 7 (a)(2) requires the agencies, through consultation with the U.S. Fish and Wildlife Service (Service), to ensure their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 applies to the management of Federal lands as well as Federal actions that may affect federally listed species, such as Federal approval of private activities through the issuance of Federal funding, permits, licenses, or other actions. Any person that injures, captures, or kills a Puerto Rico boa is subject to penalties under the ESA. If Federal funds or permits are needed, the funding or permitting agency should initiate Section 7 consultation with the Service. To initiate a consultation under the Section 7 of the ESA, you must submit a project package with the established minimum requirements. These conservation measures should be incorporated into the project plans to minimize possible impacts to the species.

The endangered Puerto Rican (PR) boa (*Chilabothrus inornatus*, formerly *Epicrates inornatus*) is the largest endemic snake species that inhabits Puerto Rico. The PR boa is non-venomous and does not pose any life threatening danger to humans, but some individuals may try to bite if disturbed or during capture or handling. Its body color ranges from tan to dark brown with irregular diffuse marking on the dorsum, but some individuals lack marking and are uniformly dark. Juveniles may have a reddish color with more pronounced markings. In general, as they mature, their body color tends to darken.





The PR boa was federally listed in 1970. Currently, the species has an island-wide distribution and occurs in a wide variety of habitat types, ranging from wet montane to subtropical dry forest and can be found from mature forest to areas with different degrees of human disturbance such as roadsides or houses, especially if near their habitat in rural areas. The PR boa is considered mostly nocturnal, remaining less active, concealed or basking under the sun during the day.

The Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the PR boa and its habitat. These recommendations may be incorporated into new project plans and under certain circumstances into existing projects. Depending on the project, additional conservation measures can be implemented besides the ones presented in this document.

#### Conservation Measures:

1. Inform all project personnel about the potential presence of the PR boa in areas where the proposed work will be conducted. A pre-construction meeting should be conducted to inform all project personnel about the need to avoid harming the species as well as penalties for harassing or harming PR boas. An educational poster or sign with photo or illustration of the species should be displayed at the project site.
2. Prior to any construction activity, including removal of vegetation and earth movements, the boundaries of the project and areas to be excluded and protected should be clearly marked in the project plan and in the field in order to avoid further habitat degradation into forested and conservation areas.
3. Once areas are clearly marked, and prior to the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), a biologist or project personnel with experience on this species should survey the areas to be cleared to verify the presence of any PR boa within the work area.
4. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #5). **Do not capture the boa.** If boas need to be moved out of harm's way, designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for safe capture and relocation of the animal (PRDNER phone #s: (787) 724-5700, (787) 230-5550, (787) 771-1124). **If immediate relocation is not an option, project-related activities at that area must stop until the boa moves out of harm's way on its own.** Activities at other work sites, where no boas have been found after surveying the area, may continue.
5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. PR boa data should also include a photo of the animal (dead or alive), site GPS coordinates, the time and date, and comments on how the animal was detected and its behavior.

6. If a PR boa is captured by PRDNER personnel, record the name of that person and information on where the PR boa will be taken. This information should be reported to the Service.
7. Measures should be taken to avoid and minimize PR boa casualties by heavy machinery or motor vehicles being used on site. Any heavy machinery left on site (staging) or near potential PR boa habitat (within 50 meters of potential boa habitat), needs to be thoroughly inspected each morning before work starts to ensure that no boas have sheltered within engine compartments or other areas of the equipment. If PR boas are found within vehicles or equipment, do not capture the animal, and let it move on its own or call PRDNER Rangers for safe capture and relocation of the animal (see #4). If not possible, the animal should be left alone until it leaves the vehicle on its own.
8. PR boas may seek shelter in debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in debris piles as a result of project activities. Debris piles should be placed far away from forested areas. Prior to moving, disposing or shredding, debris piles should be carefully inspected for the presence of boas. If debris piles will be left on site, we recommend they be placed in areas that will not be disturbed in the future.
9. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #5). If the PR boa was accidentally killed as part of the project actions, please include information on what conservation measures had been implemented and what actions will be taken to avoid further killings. A dead boa report should be sent by email (see contacts below) to the Service within 48 hours of the event.
10. Projects must comply with all state laws and regulations. Please contact the PRDNER for further guidance.

If you have any questions regarding the above conservation measures, please contact the Service:

- José Cruz-Burgos, Endangered Species Program Coordinator
  - Email: [jose\\_cruz-burgos@fws.gov](mailto:jose_cruz-burgos@fws.gov)
  - Office phone (305) 304-1386
- Jan Zegarra, Fish and Wildlife Biologist
  - Email: [jan\\_zegarra@fws.gov](mailto:jan_zegarra@fws.gov)
  - Office phone (786) 933-1451

# **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](mailto: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](http://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](mailto:silvina.cancelos@upr.edu)

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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](http://www.usenda.pr.gov)

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

Policies and guidelines – Information or any policy, guideline, or protocol your agency follows concerning radon testing, exposure limits, or mitigation.

Historical data – If available, historical data or trends in radon levels within the regions you monitor that may impact HUD-assisted housing.

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](mailto:Pavetko.Oleg@epa.gov)  
Mr. Matthew Laitila, [laitila.matthew@epa.gov](mailto:laitila.matthew@epa.gov)

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

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Sincerely,

William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc:

Dr. Carlos Marín, [carlos.marin3@upr.edu](mailto: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](mailto: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.

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.

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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](http://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](mailto:anais.rodriguez@dma.pr.gov)

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

  
William O. Rodríguez Rodríguez, Esq.  
Secretary

Cc: Mr. Luis Márquez, [secretariogaire@dma.pr.gov](mailto:secretariogaire@dma.pr.gov)  
Eng. Amarilis Rosario, [aire@dma.pr.gov](mailto:aire@dma.pr.gov)  
Mrs. Elid Ortega, [ortega@dma.pr.gov](mailto: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](mailto: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.cdhm.pr.gov](http://www.cdhm.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](mailto:hweyers@usgs.gov)

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

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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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:silvina.cancelos@upr.edu)>  
**Sent:** Friday, September 6, 2024 15:04  
**To:** Melanie Medina Smaine <[mmedina@vivienda.pr.gov](mailto:mmedina@vivienda.pr.gov)>  
**Cc:** Elaine Dume Mejia <[Edume@vivienda.pr.gov](mailto:Edume@vivienda.pr.gov)>; Luz S Colon Ortiz <[Lcolon@vivienda.pr.gov](mailto:Lcolon@vivienda.pr.gov)>; Aldo A. Rivera-Vazquez <[aarivera@vivienda.pr.gov](mailto:aarivera@vivienda.pr.gov)>; Maritza Rosa Olivares <[maritzarosaolivares@drna.pr.gov](mailto:maritzarosaolivares@drna.pr.gov)>; Reyes, Brenda <[Reyes.Brenda@epa.gov](mailto:Reyes.Brenda@epa.gov)>; Povetko, Oleg <[Povetko.Oleg@epa.gov](mailto: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](mailto: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.<sup>1</sup> 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.

<sup>1</sup> 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](mailto:guerrero.carmen@epa.gov) or have your staff contact Reyes, Brenda at [reyes.brenda@epa.gov](mailto:reyes.brenda@epa.gov) or (787) 977-5869.

Sincerely,

CARMEN  
GUERRERO  
PEREZ

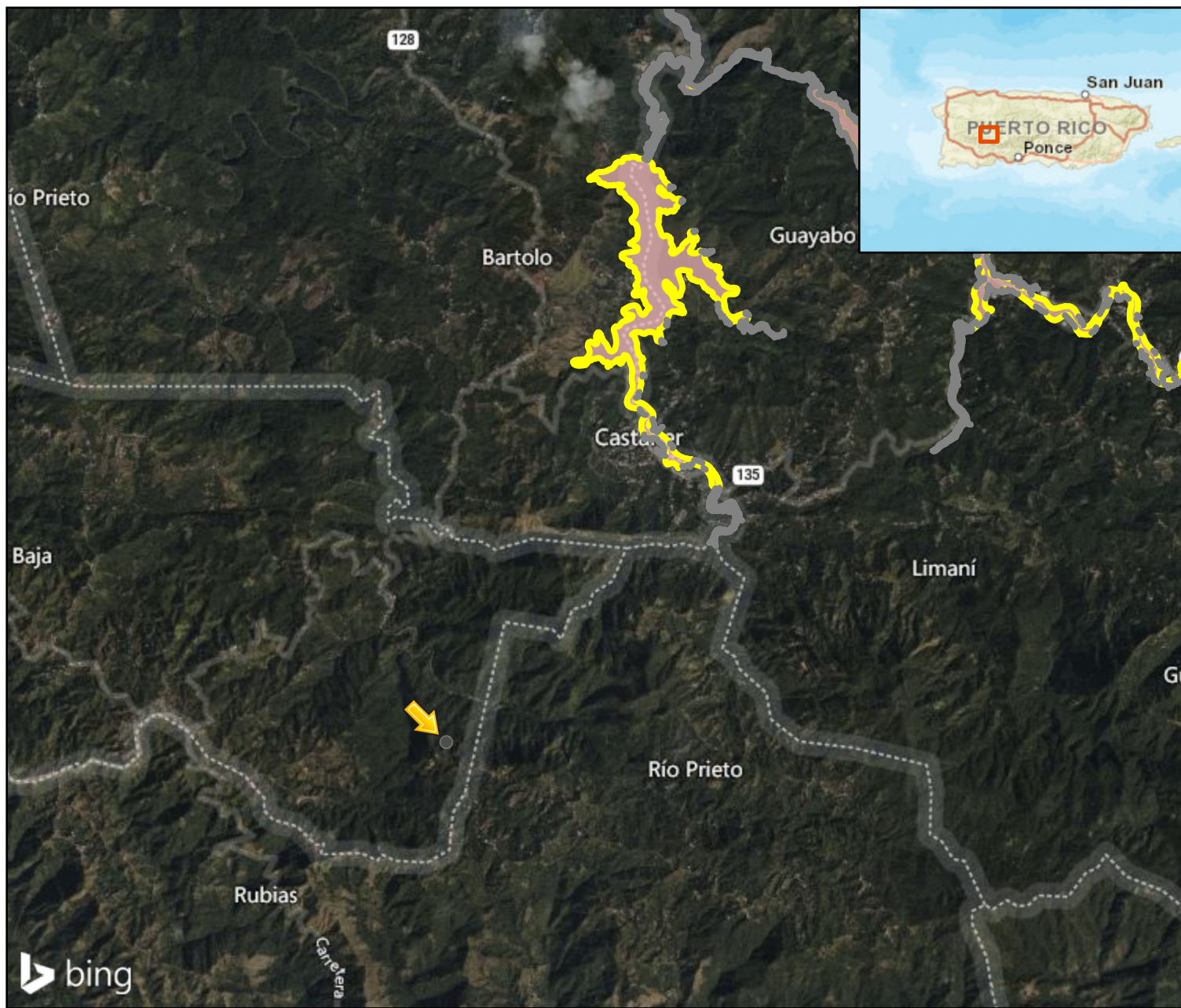
Carmen R. Guerrero Pérez  
Director

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](mailto:mmedina@vivienda.pr.gov)  
Elaine Dume Mejia: [Edume@vivienda.pr.gov](mailto:Edume@vivienda.pr.gov)  
Luz S Colon Ortiz: [Lcolon@vivienda.pr.gov](mailto:Lcolon@vivienda.pr.gov)  
Aldo A. Rivera-Vazquez: [arivera@vivienda.pr.gov](mailto:arivera@vivienda.pr.gov)  
Cesar O. Rodriguez: [cesarrodriiguez@drna.pr.gov](mailto:cesarrodriiguez@drna.pr.gov)  
Marita Rosa Olivares: [maritazarosaolivares@drna.pr.gov](mailto:maritazarosaolivares@drna.pr.gov)



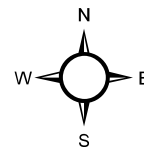
# PR-RGRW-01155-W-RE ABFE



## Legend

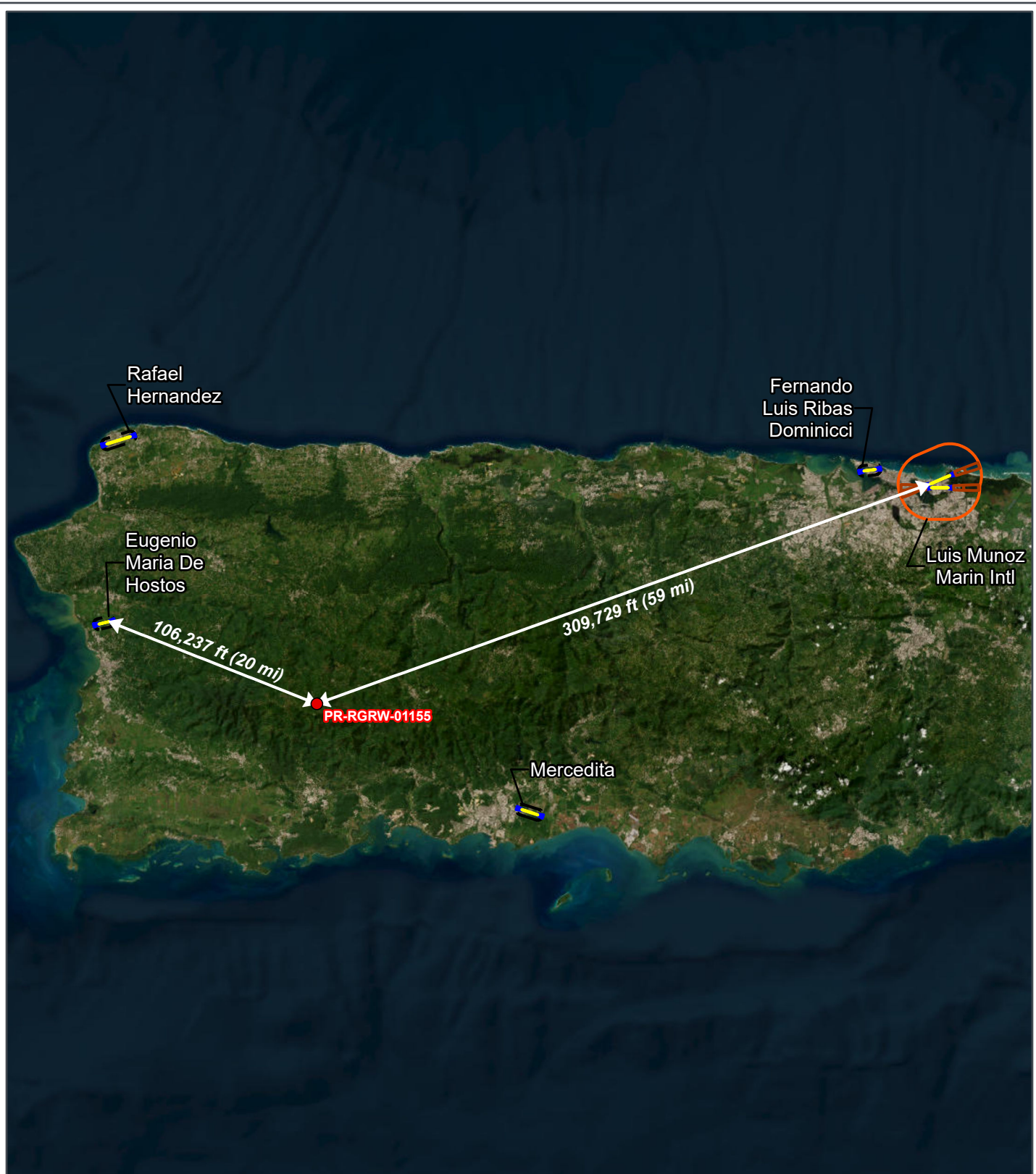
- A
- 0.2% Annual Chance Flood Zone
- Zone/BFE Boundary
- 1% Annual Chance Flood
- 0.2% Annual Chance Flood

0 0.5 1 2 mi



FEMA Map Service

ABFE 1PCT



REGROW PROGRAM

# **Figure B 1-1: Airport Hazards Map**

Applicant ID: PR-RGRW-01155

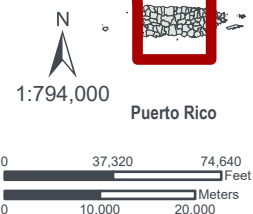


- Site
- ▭ Airport Runway
- ▭ Accident Potential Zones (APZ)
- ▭ Runway Protection Zones (RPZ)
- ▭ 2,500-FT Civil Airport Buffer
- ▭ 15,000-FT Military Airport Buffer

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: <https://geodata.bts.gov/>  
Base Map: ESRI ArcGIS Online,  
accessed September 2023  
Updated: 9/13/2023  
Layout: Airport Hazards  
Aprx: 72428\_ReGrowTier2Maps







REGROW PROGRAM

## Figure B 2-1: Coastal Barrier Resources Map

Applicant ID: PR-RGRW-01155

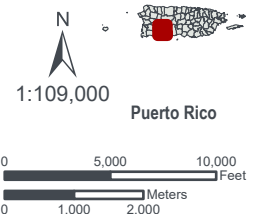
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Otherwise Protected Area
- System Unit

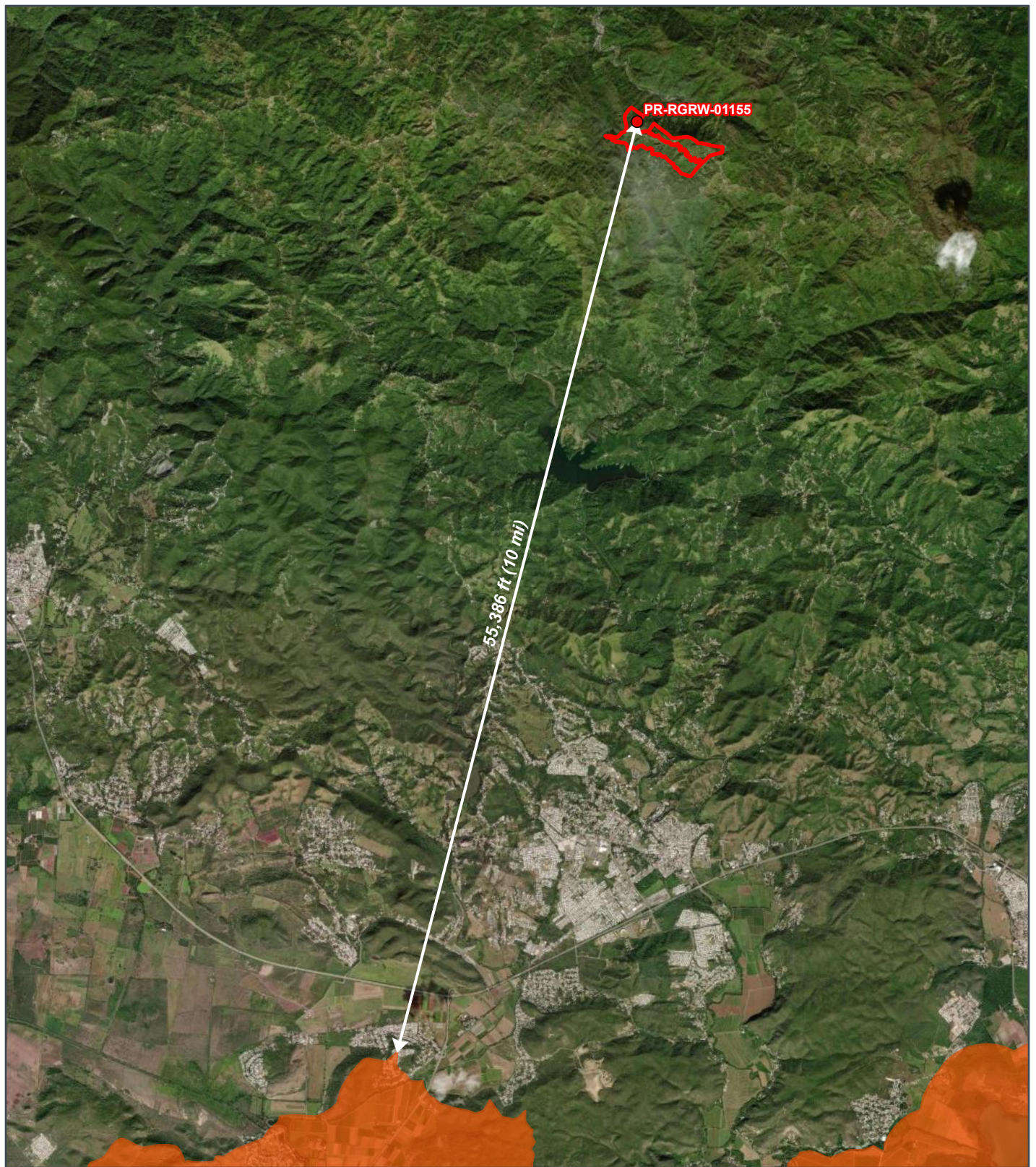
Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: <https://cbrsgis.wim.usgs.gov/arcgis/rest/services/CoastalBarrierResourcesSystem/MapServer>  
Base Map: ESRI ArcGIS Online,  
accessed September 2023  
Updated: 9/13/2023  
Layout: Coastal Barrier Resources  
System







REGROW PROGRAM

# **Figure B 5-1: Coastal Zone Management Map**

Applicant ID: PR-RGRW-01155

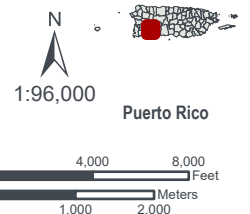
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Coastal Management Zone

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: <https://coast.noaa.gov/arcgis/rest/services/Hosted/CoastalZoneManagementAct/BaseMap:ESRI/ArcGIS/Online>  
accessed September 2023  
Updated: 9/13/2023  
Layout: Coastal Zone Management  
Aprx: 72428\_ReGrowTier2Maps







REGROW PROGRAM

# **Figure B 9-1: Prime Farmland Map**

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

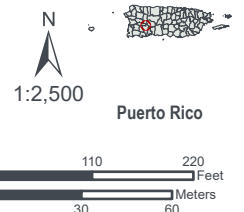
- Site
- Site Parcel
- Project Footprint (Option)
- All areas are prime farmland
- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Prime farmland if drained

- Prime farmland if irrigated
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- /// Not prime farmland
- Not Public Information

Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center: 66.851962°W 18.147204°N

Data Source: <https://websoilsurvey.nrcs.usda.gov/app/>  
Base Map: ESRI ArcGIS Online, accessed September 2023  
Updated: 9/13/2023  
Layout: Prime Farmland  
Aprx: 72428\_ReGrowTier2Maps







REGROW PROGRAM

# **Figure B 3-1: Flood Insurance Rate Map (FIRM)**

Applicant ID: PR-RGRW-01155

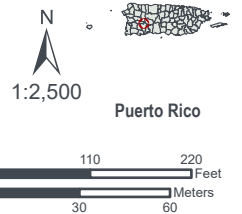
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel
- Project Footprint (Option)
- ~ Base Flood Elevations
- Zone A
- Zone AE
- Zone AH
- Zone AO
- Zone VE
- Floodway
- Zone X - Shaded (500-year floodplain)
- Zone X - Unshaded
- Area Not Included
- Open Water

Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center: 66.851962°W 18.147204°N

Data Source: <https://hazards.fema.gov/gis/nfhl/rest/services/public/NFHL/MapServer>  
Base Map: ESRI ArcGIS Online, accessed September 2023  
Updated: 9/25/2023  
Layout: Effective Floodplain  
Aprx: 72428\_ReGrowTier2Maps







REGROW PROGRAM

# **Figure B 3-1: Flood Insurance Rate Map (FIRM)**

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

- |   |   |
|---|---|
| <span style="color: red;">●</span> Site   | <span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone AO                               |
| <span style="border: 2px solid red; display: inline-block; width: 15px; height: 10px;"></span> Site Parcel                          | <span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone VE                               |
| <span style="border: 2px solid cyan; display: inline-block; width: 15px; height: 10px;"></span> Project Footprint (Option)          | <span style="background-color: #ffcc99; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Floodway                              |
| Base Flood Elevations   | <span style="background-color: #ffcc99; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone X - Shaded (500-year floodplain) |
| <span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone A  | <span style="background-color: #ffffff; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone X - Unshaded                     |
| <span style="background-color: #00bfff; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone AE | <span style="background-color: #808080; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Area Not Included                     |
| <span style="background-color: #6495ed; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Zone AH | <span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Open Water                            |

Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center: 66.851962°W 18.147204°N

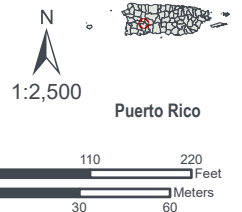
Data Source: <https://hazards.fema.gov/gis/nfhl/rest/services/public/NFHL/MapServer>

Base Map: ESRI ArcGIS Online, accessed September 2023

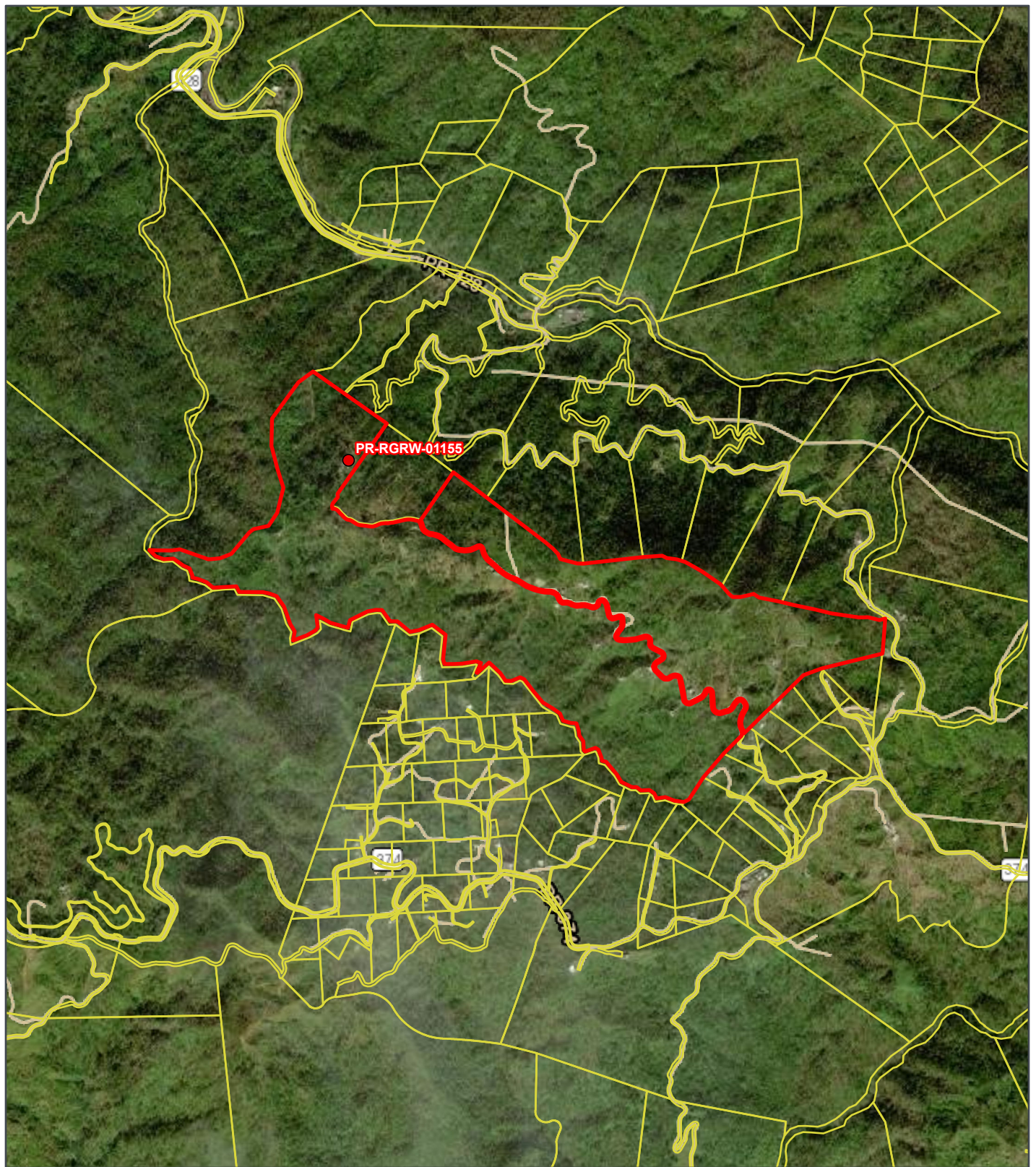
Updated: 9/25/2023

Layout: Effective Floodplain

Aprx: 72428\_ReGrowTier2Maps







REGROW PROGRAM

## Figure A-2: Site Vicinity

Applicant ID: PR-RGRW-01155

**SWCA**<sup>®</sup>  
ENVIRONMENTAL CONSULTANTS

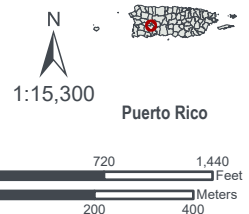
- Site
- Site Parcel
- Project Footprint (Option)

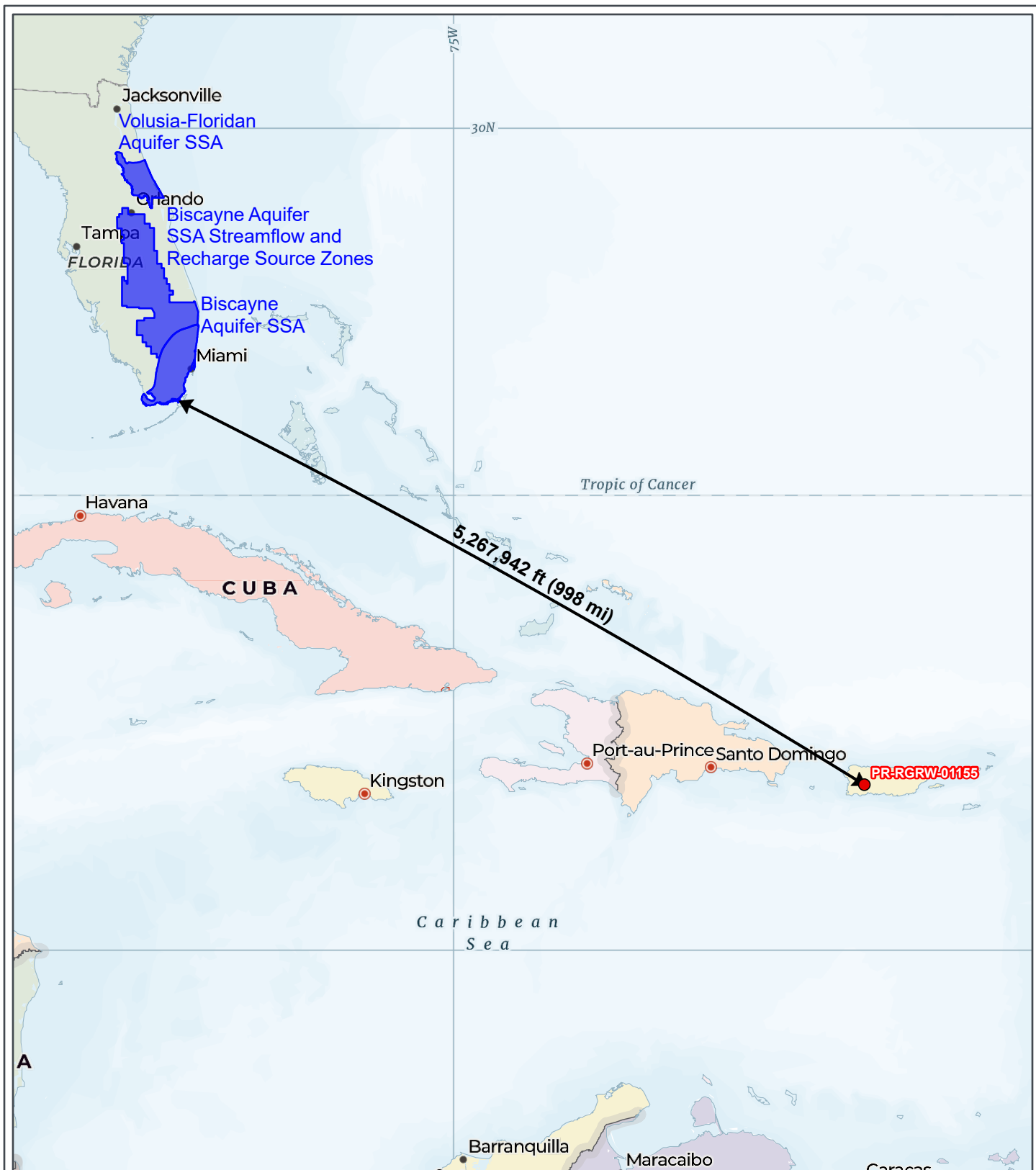
Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Río Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Base Map: ESRI ArcGIS Online,  
accessed September 2023  
Updated: 9/13/2023

Layout: Site Vicinity  
Aprx: 72428\_ReGrowTier2Maps





REGROW PROGRAM

## Figure 15-1: Sole Source Aquifers Map

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

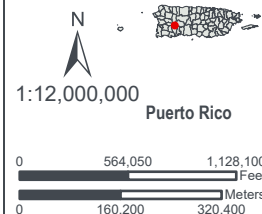
● Site

■ Sole Source Aquifers

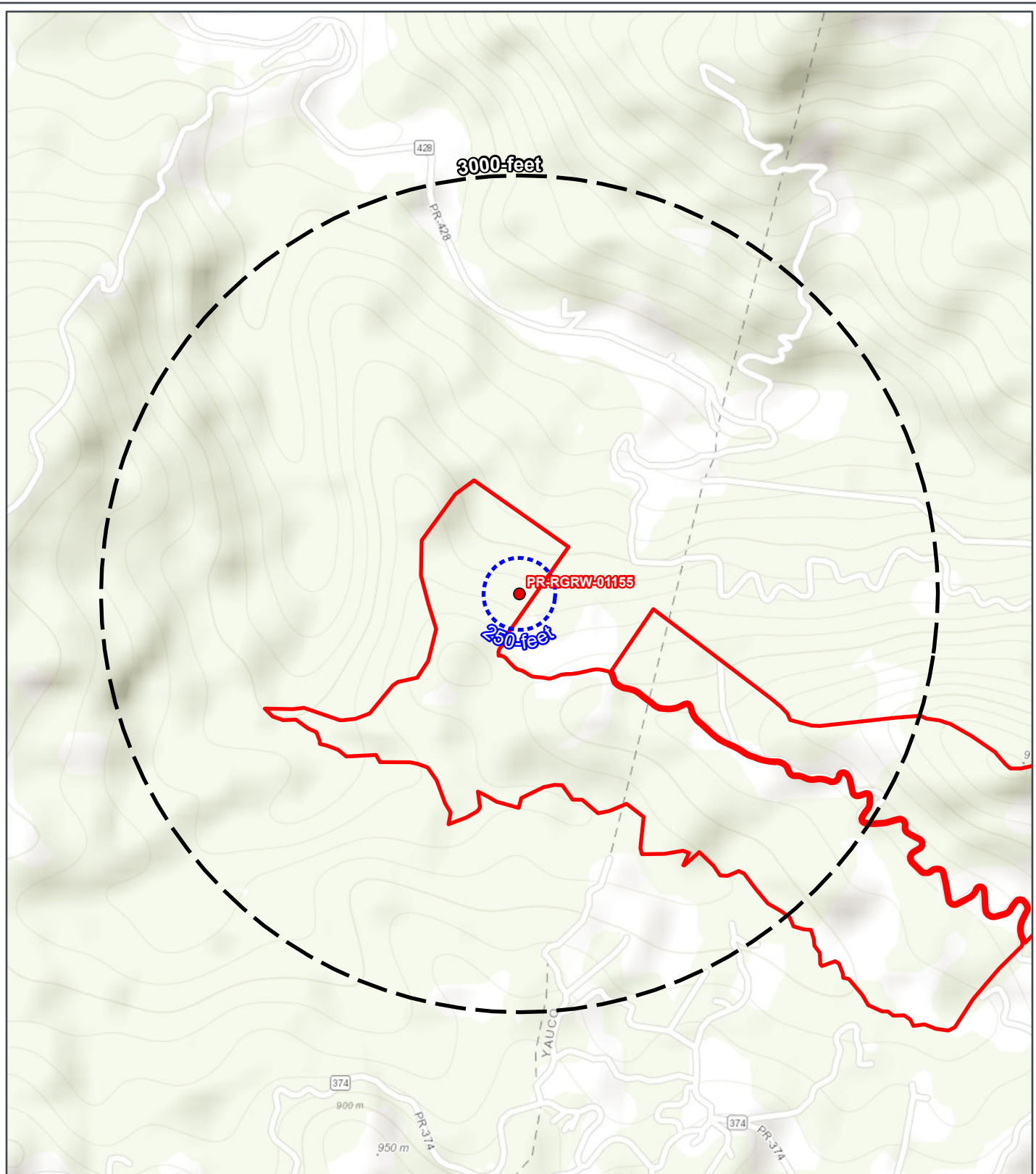
\*There are no Sole Source Aquifers in Puerto Rico.

Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698  
Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: <https://services.arcgis.com/cJ9YHowT8TU7DUyn/arcgis/rest/services/SoleSourceAquifers/FeatureServer>  
Base Map: ESRI ArcGIS Online, accessed February 2024  
Updated: 2/23/2024  
Layout: Sole Source Aquifers  
Aprx: 72428\_ReGrowTier2Maps







REGROW PROGRAM

# **Figure B 6-1: Contamination and Toxic Substances Map**

Applicant ID: PR-RGRW-01155

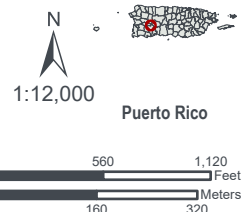
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- |                              |                                |
|------------------------------|--------------------------------|
| ● Site                       | ■ Toxic Substances Control Act |
| □ Site Parcel                | ■ Toxic releases               |
| □ Project Footprint (Option) | ■ Superfund                    |
| □ Buffer (250-feet)          | ■ Hazardous waste              |
| □ Buffer (3000-feet)         | ■ Brownfields                  |
| □ Water dischargers          | ■ Air pollution                |

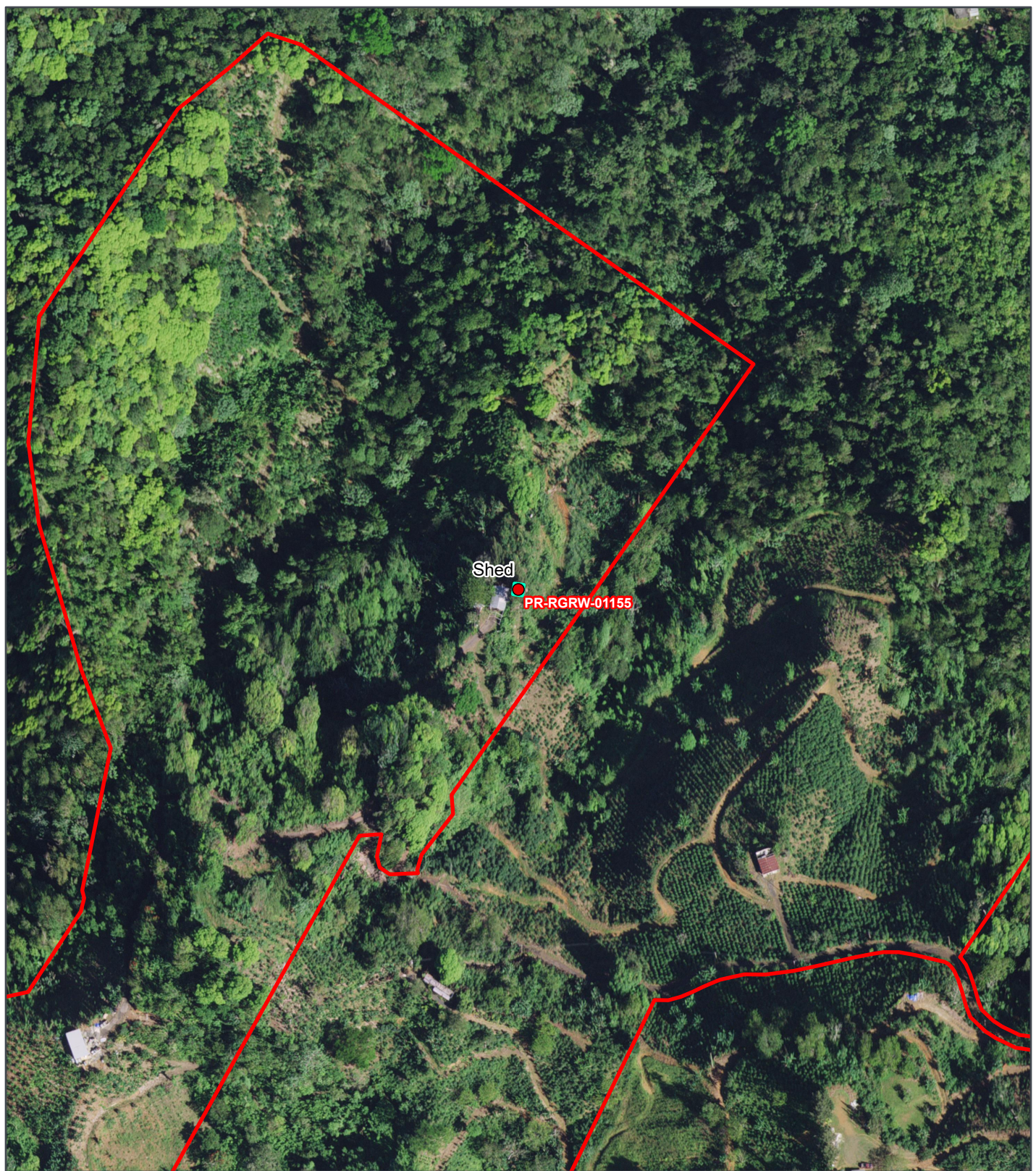
Carr 374, km 5 interior, Sector Santa Teresa Bo. Rio Prieto Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: <https://geopub.epa.gov/arcgis/rest/services/EMEF/efpoints/MapServer>  
Base Map: ESRI ArcGIS Online, accessed September 2023  
Updated: 9/13/2023  
Layout: Contamination and Toxic Substances







REGROW PROGRAM

## Figure B 13-1: Wetlands Protection Map

Applicant ID: PR-RGRW-01155

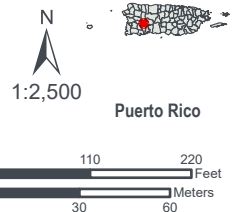
**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- Site Parcel
- Project Footprint (Option)
- - - NHD Stream
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

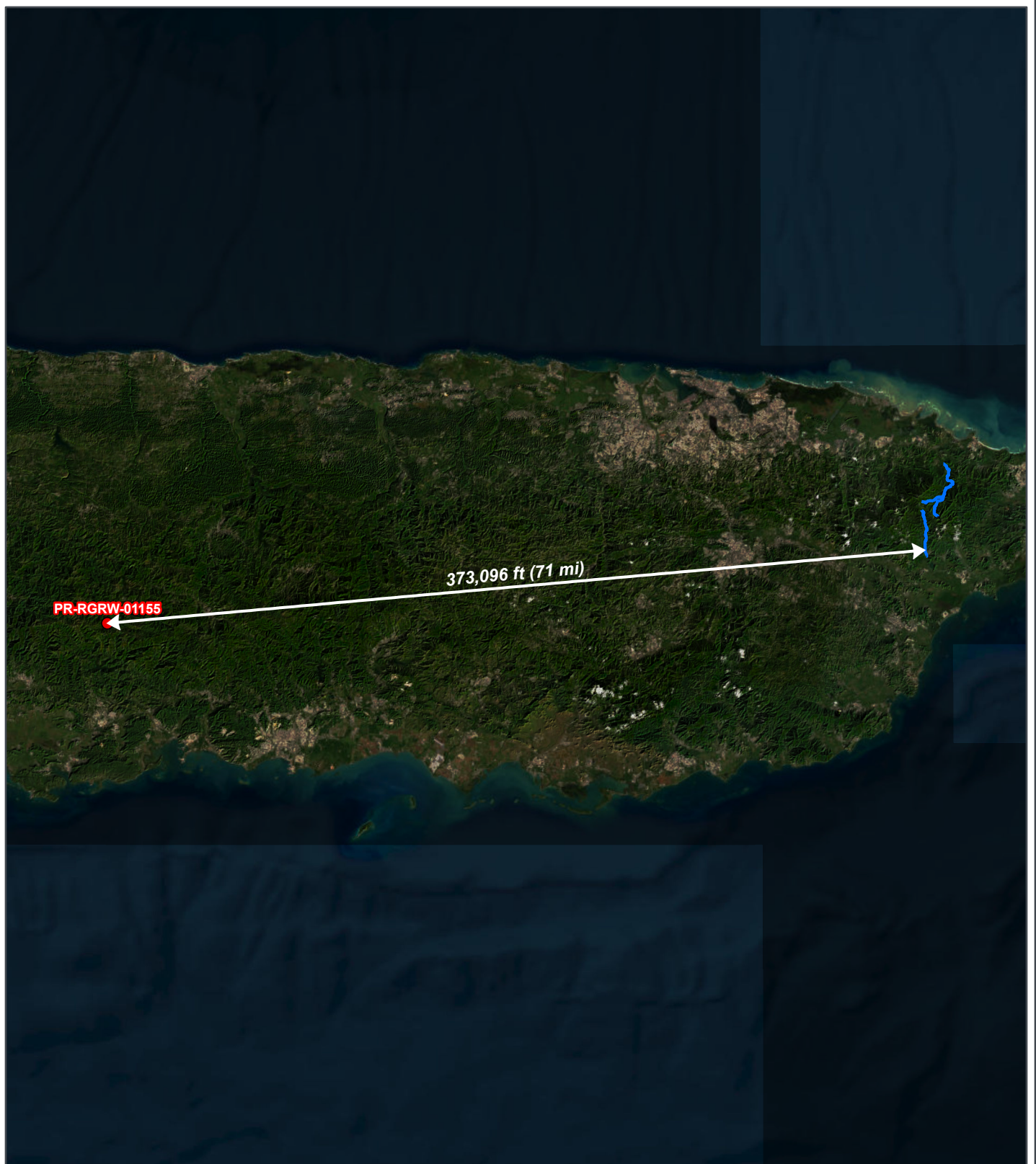
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698  
Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: <https://apps.nationalmap.gov/downloader/#/>  
<https://www.fws.gov/program/national-wetlands-inventory/data-download>  
Base Map: USA NAIP Imagery  
Imagery Year: 2022  
Updated: 6/14/2024  
Layout: Wetlands Protection







REGROW PROGRAM

# **Figure B 13-1: National Wild and Scenic River Map**

Applicant ID: PR-RGRW-01155

**SWCA**  
ENVIRONMENTAL CONSULTANTS

- Site
- National Wild and Scenic River

Carr 374, km 5 interior, Sector  
Santa Teresa Bo. Rio Prieto  
Yauco, Puerto Rico 00698

Parcel ID: 288-000-002-01-901  
Parcel Center:  
66.851962°W 18.147204°N

Data Source: [https://apps.fs.usda.gov/arcx/rest/services/EDW/EDW\\_WildScenicRiverSegments\\_01/MapServer](https://apps.fs.usda.gov/arcx/rest/services/EDW/EDW_WildScenicRiverSegments_01/MapServer)

Base Map: ESRI ArcGIS Online,  
accessed September 2023  
Updated: 9/13/2023

Layout: Wild and Scenic Rivers

