



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

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

Project Information

Project Name: PR-RGRW-01423-W

HEROS Number: 900000010460415

Start Date: 03/21/2025

State / Local Identifier:

Project Location: , Orocovi, PR 00720

Additional Location Information:

The project is located at latitude 18.215009, longitude -66.495709 at the address given above. Tax ID Number: 244-000-001-08

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

This project (PR-RGRW-01423-W) entails the award of a grant to Wilfredo Ortiz Ramirez, an agricultural business, at Carr. 157 Km. 4.3, Bo. Cacao, Orocovi, PR 00720. Tax ID Number: 244-000-001-08. Coordinates (latitude 18.215009, longitude -66.495709). The proposed activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV Kawasaki. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant. Water for the cistern will come from an existing community water well intake located approximately 30 feet away, with all water pipes installed above ground without anchoring. The pump will be powered by a gasoline generator supplied by the applicant, so no new water or power connections will be required. Based on a review of historical aerial imagery, the land has been used for agriculture for over 20 years. The project Wilfredo Ortiz Ramirez, PR-RGRW-01423-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #10 - 10. 7 CFR 799.32(e) (2) (xxxvii): Watering tank or trough installation, if in areas not previously disturbed. HUD Level of Review: CEST. Potential application to HUD activities: Agricultural watering tank or trough installation that includes new ground disturbance have been classified as CEST under the waiver.

Level of Environment Review Determination:

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

58.34(a)(12)

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: \$49,990.50

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$49,990.50

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 | The USFWS NLAA concurrence is conditioned to the following: 1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (3) if a Puerto Rican Sharp-shinned Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (4) if a Puerto Rican Harlequin Butterfly is encountered on the site, the USFWS Caribbean Office will be notified immediately. Obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a | N/A | |

| | | | | |
|--|---|--|--|--|
| | <p>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.</p> <p>In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.</p> | | | |
|--|---|--|--|--|

Determination:

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

Preparer Signature:  Date: April.2.2025

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

Responsible Entity Agency Official Signature:  Date: 4/2/2025

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-01423-W

HEROS Number: 900000010460415

Start Date: 03/21/2025

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

State / Local Identifier:

RE Preparer: Ianmario Heredia

Certifying Office
r:

Grant Recipient (if different than Responsible Ent
ity):

Point of Contact:

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

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

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

Project Location: , Orocovis, PR 00720

Additional Location Information:

The project is located at latitude 18.215009, longitude -66.495709 at the address given above. Tax ID Number: 244-000-001-08

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-01423-W) entails the award of a grant to Wilfredo Ortiz Ramirez, an agricultural business, at Carr. 157 Km. 4.3, Bo. Cacao, Orocovis, PR 00720. Tax ID Number: 244-000-001-08. Coordinates (latitude 18.215009, longitude -66.495709). The proposed activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV Kawasaki. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant. Water for the cistern will come from an existing community water well intake located approximately 30 feet away, with all water pipes installed above ground without anchoring. The pump will be powered by a gasoline generator supplied by the applicant, so no new water or power connections will be required. Based on a review of historical aerial imagery, the land has been used for agriculture for over 20 years. The project Wilfredo Ortiz Ramirez, PR-RGRW-01423-W has been evaluated in accordance with FR-6492-N-01. The activities identified CE: #10 - 10. 7 CFR 799.32(e) (2) (xxxvii): Watering tank or trough installation, if in areas not previously disturbed. HUD Level of Review: CEST. Potential application to HUD activities: Agricultural watering tank or trough installation that includes new ground disturbance have been classified as CEST under the waiver.

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

[PR-RGRW-01423-W Site Map.pdf](#)

[PR-RGRW-01423-W IUGF.pdf](#)

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

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

[PR-RGRW-01423-W EFOR\(1\).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 EXEMPT per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; Funds may be committed and drawn down after certification of this part for this (now) EXEMPT project; OR |
| ✓ | This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, publish NOI/RROF and obtain "Authority to Use Grant Funds" (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR |
| | This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)). |

Approval Documents:
[01423-SIG-PAGE\(1\).pdf](#)
[01423-SIG-PAGE.pdf](#)

7015.15 certified by Certifying Officer
on:

7015.16 certified by Authorizing Officer
on:

Funding Information

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

**Estimated Total HUD Funded,
Assisted or Insured Amount:** \$49,990.50

Estimated Total Project Cost: \$49,990.50

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

| | | |
|---|---|---|
| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6 | Are formal compliance steps or mitigation required? | Compliance determination (See Appendix A for source determinations) |
| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6 | | |
| Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The site is located 78,529 feet from the nearest civil airport (Mercedita Airport in Ponce) and 185,101 feet from the nearest military airport, Luis Munoz Marin International Airport in San Juan. The project is in compliance with Airport Hazards requirements. |
| Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | This project is not located in a CBRS Unit. It is 81,441 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. |
| Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Flood Map Number 72000C1130H, effective on 4/19/2005: 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. This project grant is for a |

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| | | street legal vehicle, a UTV, and less than \$5,000 in equipment; therefore, it does not include insurable personal property. Nevertheless, the project site is not located in a Special Flood Hazard Area (see attached flood map). |
| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5 | | |
| Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. |
| Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 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 75,460 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act. |
| Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)] | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements. |
| Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402 | <input 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. |
| Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. |

| | | |
|--|---|---|
| Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. |
| Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Flood Map Number 72000C1130H, effective on 4/19/2005: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMS in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Orocovis; therefore, PFIRM information was not available for the area and therefore not considered in the review. |
| Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106. |
| Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. |
| Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | The project is not located on a sole source aquifer area. According to EPA, there are no sole source aquifers in Puerto Rico. The project is in compliance with Sole Source Aquifer requirements. |
| Wetlands Protection Executive Order 11990, particularly sections 2 and 5 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted. |

| | | |
|---|---|--|
| Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | This project is not within proximity of a NWSRS river. The project is located 246,761 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act. |
| HUD HOUSING ENVIRONMENTAL STANDARDS | | |
| ENVIRONMENTAL JUSTICE | | |
| Environmental Justice Executive Order 12898 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process. |

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

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

| Law, Authority, or Factor | Mitigation Measure or Condition | Comments on Completed Measures | Mitigation Plan | Complete |
|---------------------------|---|--------------------------------|-----------------|----------|
| Endangered Species Act | The USFWS NLAA concurrence is conditioned to the following: 1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto | N/A | | |

| | | | | |
|--|---|--|--|--|
| | <p>Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (3) if a Puerto Rican Sharp-shinned Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (4) if a Puerto Rican Harlequin Butterfly is encountered on the site, the USFWS Caribbean Office will be notified immediately.</p> <p>Obligations under section 7 of the Act must be reconsidered if:</p> <p>(1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered;</p> <p>(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.</p> <p>In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.</p> | | | |
|--|---|--|--|--|

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. The USFWS NLAA concurrence is conditioned to the following: 1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (3) if a Puerto Rican Sharp-shinned Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (4) if a Puerto Rican Harlequin Butterfly is encountered on the site, the USFWS Caribbean Office will be notified immediately. Obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat determined that may be affected by the identified action. In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.

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 site is located 78,529 feet from the nearest civil airport (Mercedita Airport in Ponce) and 185,101 feet from the nearest military airport, Luis Munoz Marin International Airport in San Juan. The project is in compliance with Airport Hazards requirements.

Supporting documentation

[PR-RGRW-01423-W Airports.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

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

1. Is the project located in a CBRS Unit?

✓ No

Document and upload map and documentation below.

Yes

Screen Summary**Compliance Determination**

This project is not located in a CBRS Unit. It is 81,441 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-01423-W CBRS.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

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

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

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

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 72000C1130H, effective on 4/19/2005: 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. This project grant is for a street legal vehicle, a UTV, and less than \$5,000 in equipment; therefore, it does not include insurable personal property. Nevertheless, the project site is not located in a Special Flood Hazard Area (see attached flood map).

Supporting documentation

[PR-RGRW-01423-W FIRM\(1\).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 75,460 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation[PR-RGRW-01423-W CZM.pdf](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

Contamination and Toxic Substances

| General Requirements | Legislation | Regulations |
|--|-------------|--|
| It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property. | | 24 CFR 58.5(i)(2) 24 CFR 50.3(i) |
| Reference | | |
| https://www.onecpd.info/environmental-review/site-contamination | | |

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

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

☒ None of the above

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

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

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

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

☒ No

Explain:

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

Yes

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

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

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

Yes

Explain:

✓ No

* Notes:

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

levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

Yes

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

✓ No

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

Yes

✓ No

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

Explain:

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

File Upload:

[Radon Attachments.pdf](#)
[PR-RGRW-01423-W Radon Memo.docx](#)

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

Non-radon contamination was found in a previous question.

Screen Summary**Compliance Determination**

Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. A review of science-based radon data offered a lack of data for the project site and radon testing was determined to be infeasible or impracticable. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

[PR-RGRW-01423-W Toxics.pdf](#)

[PR-RGRW-01423-W EFOR.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:

The USFWS NLAA concurrence is conditioned to the following: 1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (3) if a Puerto Rican Sharp-shinned Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (4) if a Puerto Rican Harlequin Butterfly is encountered on the site, the USFWS Caribbean Office will be notified immediately. Obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat determined that may be affected by the identified action. In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, the applicant must be informed about the conditions of the determination of concurrence and implement them as described.

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-01423-W USFWS Consultation Package.pdf](#)

[PR-RGRW-01423-W USFWS Conservation Measures.pdf](#)
[PR-RGRW-01423-W 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.) | 7 CFR Part 658 |

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

Yes

✓ No

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

The project consists of the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV Kawasaki and continued agricultural use of property which is compatible with a zoning code of A-P (Agricultural Productive) and existing land use of SREP-A (Specially Protected Rustic Land - Agricultural). There is no urban design associated with this rural, agricultural site.

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-01423-W Farmlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Floodplain Management

| General Requirements | Legislation | Regulation |
|---|--|------------|
| Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable. | Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046 | 24 CFR 55 |

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

Yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Describe:

✓ No

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

Yes

Describe:

✓ No

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

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

Select one of the following three options:

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

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

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

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

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

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

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary**Compliance Determination**

Flood Map Number 72000C1130H, effective on 4/19/2005: This project does not occur in the FFRMS floodplain. The project is in compliance with Executive Orders 11988 and 13690. PFIRMs in Puerto Rico were only developed for certain sections of the municipalities of Carolina, Canovanas, Loiza, San Juan and Trujillo Alto. The proposed project is located in the municipality of Orocovis; therefore, PFIRM information was not available for the area and therefore not considered in the review.

Supporting documentation

[PR-RGRW-01423-W ABFE.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

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

Threshold

Is Section 106 review required for your project?

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

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

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

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed

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

Other Consulting Parties

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

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

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

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

Yes

No

Step 2 – Identify and Evaluate Historic Properties

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

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

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

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

Additional Notes:

No Historic Properties present within the APE

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

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

per guidance on direct and indirect effects.

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

☒ No Historic Properties Affected

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

Document reason for finding:

☒ No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

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

Supporting documentation

[PR-RGRW-01423-W 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 |
|--|--|-----------------|
| The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health. | Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349) | 40 CFR Part 149 |

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

Yes

✓ No

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

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

< No

✓

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

Yes

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

Yes

No

Screen Summary**Compliance Determination**

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

Supporting documentation

[PR-RGRW-01423-W Sole Source Aquifers.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

✓ No

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

Yes

Screen Summary**Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. This project does not involve new construction, so a visual wetlands survey was not conducted.

Supporting documentation

[PR-RGRW-01423-W Wetlands.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary**Compliance Determination**

This project is not within proximity of a NWSRS river. The project is located 246,761 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[PR-RGRW-01423-W Wild and Scenic.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Environmental Justice

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

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

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

Yes

✓ No

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

Screen Summary**Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. On January 21, 2025, President Donald Trump issued the Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity", which revoked Executive Order 12898 and eliminated federal mandates requiring agencies to assess environmental justice impacts. Consequently, there is no longer a federal requirement to address environmental justice concerns in the environmental compliance review process.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No



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/72107-Gen

Submitted Via Electronic Mail: 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-01423 Wilfredo Ortiz
Ramírez, Orocovis, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated October 18, 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 purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern and pump will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches. The project area is located on State Road PR-157, Km. 4.3, Bo. Cacao (18°12'54.0"N 66°29'44.6"W) in the municipality of Orocovis. According to PRDOH, the proposed project action will require removal of some vegetation, like grass, but no trees will be cut and ground leveling will occur.

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 (*Chilabothrus inornatus*), Puerto Rican broad-winged hawk (*Buteo platypterus brunnescens*), Puerto Rican sharp-shinned hawk (*Accipiter striatus venator*) and Puerto Rican parrot (*Amazona vittata*), Puerto Rican harlequin butterfly (*Atlantea tulita*) and the plant, nogal (*Juglans jamaicensis*).

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: 2025-0005143). Based on the answers provided, a consistency letter was obtained for Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk which determined that the proposed actions for this project may affect, but is not likely to adversely affect (NLAA) these species. As for the Puerto

Rican boa a may affect likely to adversely affect (MLAA) determination was obtained. A consultation is required for the Puerto Rican parrot, Puerto Rican harlequin butterfly and nogal.

Since the land has been used for agricultural purpose for over 20 years and the proposed project will not change the land use, PRDOH has determined that the proposed project actions may affect, but is not likely to adversely affect Puerto Rican harlequin butterfly and nogal. As for the Puerto Rican boa, PRDOH has determined that the proposed project is NLAA this species instead of the MLAA obtained by using the DKey. Conservation measures will be implemented in case an encounter with these species occur. For the Puerto Rican parrot, PRDOH has determined that the proposed project will have no effect (NE) on this species due to the lack of suitable habitat at project site.

We acknowledge receipt of PRDOH's NE determination for the Puerto Rican parrot. 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 nogal, Puerto Rican boa and Puerto Rican harlequin butterfly with the implementation of the conservation measures. Also, the Service acknowledges receipt and concur with the NLAA consistency letter for the Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk obtained by using the Dkey.

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 or by phone at (786) 244-0081.

Sincerely,

LOURDES
MENA

Lourdes Mena
Field Supervisor

Digitally signed by
LOURDES MENA
Date: 2024.12.11
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drr
cc:
SWCA
HORNE



December 20, 2024

TO: José M. Olmo Terrasa, Esq.

Deputy Director for Economic Recovery Grant Management Re-Grow PR
Urban Rural Agriculture Program

**RE: Endangered Species Concurrence - Conservation Measures Implementation
Wilfredo Ortiz Ramírez (PR-RGRW-01423)**

Dear Mr. Olmo:

This memorandum is to notify the Re-Grow PR Urban-Rural Agriculture Program (Re-Grow Program) that on October 15, 2024, for the case **PR-RGRW-01423**, the CDBG-DR/MIT Permits and Environmental Compliance Division submitted an informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project, which consists of the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV, for Wilfredo Ortiz Ramírez, an agricultural business, located PR-157 Km. 4.3, Cacao Ward, PR 00720; latitude 18.215009, longitude -66.495709.

Using the Information for Planning and Consultation (IPaC) system, the proponent has determined that the proposed project lies within the range of the following federally listed species:

| Name of Species | Status |
|--|------------|
| Puerto Rican Boa | Endangered |
| Puerto Rican Parrot | Endangered |
| Puerto Rican Broad-winged Hawk | Endangered |
| Puerto Rican Sharp-shinned Hawk | Endangered |
| West Indian Walnut | Endangered |
| Puerto Rican Harlequin Butterfly | Threatened |
| Critical Habitat | |
| There were no Critical Habitats noted within the project area. | |

The United States Fish and Wildlife Service (USFWS) Caribbean Ecological Services Field Office reviewed the information provided and their files, and on December 11, 2024, concurred with the determination that the proposed project actions will have **No Effect (NE)** on the Puerto Rican Parrot. Also, the PRDOH together with the USFWS have

determined that the proposed project **May Affect, but is Not Likely to Adversely Affect (NLAA)** the Puerto Rican Boa, Puerto Rican Broad-winged Hawk, Puerto Rican Sharp-shinned Hawk, Puerto Rican Harlequin Butterfly, and the West Indian Walnut.

The USFWS NLAA concurrence is conditioned to the following: (1) if a Boa is encountered, the Conservation Measures will be in accordance with the USFWS Puerto Rican Boa Conservation Measures 2024. (2) if a Puerto Rican Broad-winged Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (3) if a Puerto Rican Sharp-shinned Hawk is encountered on the site, the USFWS Caribbean Office will be notified immediately, (4) if a Puerto Rican Harlequin Butterfly is encountered on the site, the USFWS Caribbean Office will be notified immediately.

Obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner that was not previously considered; (2) this action is subsequently modified in a manner not previously considered in this assessment; or, (3) a new species is listed, or critical habitat determined that may be affected by the identified action.

In conclusion, the USFWS concurred with the CDBG-DR/MIT Permits and Environmental Compliance Division NLAA determination. However, **the applicant must be informed about the conditions of the determination of concurrence and implement them as described.**

In order to facilitate the species identification, please, find attached the Caribbean Endangered and Threatened Animals Fact Sheets for: the Puerto Rican Boa, Puerto Rican Broad-winged Hawk, Puerto Rican Sharp-shinned Hawk, Puerto Rican Harlequin Butterfly, and the West Indian Walnut.

USFWS Caribbean Ecological Services Field Office key contact information:

- José Cruz-Burgos, Endangered Species Coordinator
Office phone (786) 244-0081 or mobile (305) 304-1386
Email: jose_cruz-burgos@fws.gov

Sincerely,

Permits and Environmental Compliance Division
Disaster Recovery Office

Caribbean ES Puerto Rican Boa

Puerto Rican Boa

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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
 - Office phone (305) 304-1386
- Jan Zegarra, Fish and Wildlife Biologist
 - Email: jan_zegarra@fws.gov
 - Office phone (786) 933-1451



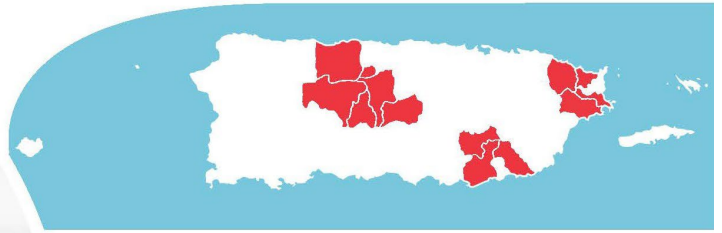
Puerto Rican Harlequin Conservation Measures

1. The contractor must inform all personnel about the potential presence of the Puerto Rican harlequin butterfly or its occupied host plant "prickly bush" (*Op/onio spinoso*) in the project areas. A pre-work meeting should inform all project personnel about the need to avoid harming this butterfly and its occupied host plant. Educational material (e.g., posters, flyers or signs with photos or illustrations of all the life stages of the Puerto Rican harlequin butterfly (i.e., eggs, caterpillar, chrysalids and adult, and its host plant) should be prepared and available to all personnel for reference.
2. Before starting any project activity, including removal of vegetation and earth movement, the contractor must clearly delineate the boundaries of the working area in the field to avoid unnecessary habitat impacts. Once the project areas are clearly marked, and before any work activity, including site preparation, personnel with knowledge and ability to identify the Puerto Rican harlequin butterfly (all life stages) and the "prickly bush" must survey the areas where the work will be performed for the presence of the species and its host plant. It is important to note that the Puerto Rican harlequin butterfly can be observed year-round in all its life stages; thus, oviposition (egg-laying) may occur at any time during the year.
3. If the "prickly bush" is present on the project site, try to avoid cutting it off, even if no eggs, caterpillars, or chrysalids are present.
4. If there is no prickly bush within the project area, and the butterfly is observed flying within the project area, do not harass, harm, pursue, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, the species.
5. Adult butterflies are often observed flying near the host plant as part of their mating behavior and laying eggs. Project-related activities must stop if the prickly bush is found in the project area and the Puerto Rican harlequin butterfly is observed flying in that same area. A temporary 50-meter (164 feet) buffer zone of no activity or human disturbance should be established and clearly marked around that prickly bush until the butterfly moves out on its own.
6. Once the Puerto Rican harlequin butterfly has moved away, within a period of 24 to 36 hours, a search of the prickly bush that has been buffered should be conducted to determine the presence of any eggs, caterpillars, or chrysalids of the butterfly on the plant. The contractor or the Applicant should send a report of the observation and its findings to caribbean_es@fws.gov after the 36-hour search is concluded.
7. If, after the initial search or after the 24 to 36-hour search, any life stage of the Puerto Rican harlequin butterfly is found in the prickly bush, take the following actions:
 - Clearly mark the host plant with flagging tape.
 - Establish a 10-meter (32-foot) buffer zone around the bush to protect it.

- Eggs are typically found on the prickly bush's newly grown, tender branches. Once an egg hatches, the caterpillar moves and feeds throughout the bush. Therefore, avoid cutting off the prickly bush within the project site even if no eggs, caterpillars, or chrysalids are present.
 - Work within the 10-meter buffered area may resume when no signs of any live life stage of the butterfly are detected, which usually takes approximately 60 to 120 days.
8. For all Puerto Rican harlequin butterfly sightings (all life stages), the time and date of the sighting and the specific location where the butterfly was found must be recorded. Data should also include a photo of the butterfly (if possible) and the habitat where it was observed, site GPS coordinates, and comments on how the butterfly was detected and its behavior. All Puerto Rican harlequin butterfly sighting reports should be sent to the USFWS Caribbean Ecological Service Field Office at caribbean_es@fws.gov.
9. For questions regarding the Puerto Rican harlequin butterfly, the Point of Contacts are:
Jose Cruz-Burgos, Endangered Species Coordinator:
- Mobile: 305-304-1386
 - Office phone: 786-244-0081
 - Office Direct Line: 939-320-3120
 - Email: jose_cruz-burgos@fws.gov

Guaraguao de bosque

Buteo platypterus brunnescens



Distribución

Información biológica

Reproducción

Esta especie anida en bosques secundarios maduros y plantaciones antiguas. En el Bosque Estatal de Río Abajo (RACF, por sus siglas en inglés), los sitios de anidación están caracterizados por la presencia de árboles tales como el palo Marfa (*Calophyllum antillanum*), la teca (*Tectona grandis*), la caoba hondureña (*Swietenia macrophylla*) y la majagua (*Hibiscus elatus*). Los guaraguao de bosque colocan sus nidos en la parte superior de árboles grandes que sobrepasan la cubierta forestal. Información recientemente recopilada sobre la abundancia y características demográficas del guaraguao de bosque en RACF indica un alto nivel de fidelidad entre parejas; una tasa de sobrevivencia en nidos de 0.67 a través de la temporada de reproducción; y una productividad de 1.1 crías por nido. Entre los años 2001 a 2003, se marcaron con radio transmisores y se colocaron bandas en las patas a varias crías de guaraguao de bosque en el RACF. En 2013, al visitar el área donde se marcaron, se documentó que seguían vivas (Llerandi-Roman and Rios-Cruz pers. comm.). Por ejemplo, una hembra joven que fue marcada entre el 2001 al 2003 en el RACF fue documentada anidando exitosamente entre los años 2007 al 2009. (Rios-Cruz pers. comm.)

Habitat

Esta especie habita en bosques enanos, bosques de palmas de sierra, de caimitillo-granadillo y de tabonuco. Estos bosques se encuentran en las reservas forestales del Bosque Estatal de Carite, Bosque Estatal Toro Negro, Bosque Los Tres Picachos y el Bosque Nacional El Yunque. También habita en

Familia: Accipitridae
Orden: Falconiformes

Descripción

El guaraguao de bosque de Puerto Rico o guaraguaito es de color marrón oscuro con barras blancas y rojizas en la parte ventral. Es una subespecie endémica de Puerto Rico de tamaño mediano, que mide aproximadamente 39 centímetros (15.5 pulgadas). Es más pequeño que el *Buteo platypterus platypterus* pero más grande que la subespecie que ocurre en las Antillas Menores. El guaraguao de bosque es la subespecie de halcón de ala ancha más oscura. En los adultos, la cola es de un color negro claro con bandas blancas horizontales en la base, medio y extremo de la cola, y esto, junto con el pecho rojizo, caracteriza a la especie. Los machos y las hembras son muy similares en apariencia, pero las hembras son un poco más grandes. Las aves juveniles tienen barras oscuras en el pecho y no tienen las bandas distintivas en la cola. La población del guaraguao de bosque de Puerto Rico oscila cerca de los 125 individuos.

plantaciones madereros maduros, en cafetales bajo sombra y en bosques secundarios maduros del área de carso al norte-central de Puerto Rico dentro y cerca del Bosque Estatal de Rfo Abajo y el área de Rfo Encantado entre los pueblos de Aorida y Ciales. La topografía húmeda de los bosques del carso le provee al guaraguao de bosque otra alternativa como área para anidar. En estudios recientes, se han documentado miembros de una especie similar de guaraguao (guaraguao de cola roja; *Buteo jamaicensis jamaicensis*) anidando en las laderas del carso adyacentes al RACF.

Distribución

El guaraguao de bosque es un ave de rapía poco común y extremadamente localizado, que se encuentra en los bosques montañosos de tierra alta de Puerto Rico. Las poblaciones existentes se hallan primariamente dentro de cinco bosques: el RACF, el Bosque Estatal Carite, el Bosque Estatal Toro Negro, el Bosque Los Tres Picachos y el Bosque Nacional El Yunque. Llerandi-Roman (2006) halló trece territorios de guaraguao de bosque justo fuera de los límites de RACF, en seis sitios diferentes con hábitat apropiado para los guaraguas de bosque. Los territorios se encuentran a lo largo del valle del Rfo Tanama, al noroeste del RACF.

Amenazas

La abundancia y la distribución del guaraguao de bosque es limitada. Cualquier amenaza que atente contra su población y su hábitat puede resultar en detrimento para esta especie. De forma natural, los huracanes constituyen una amenaza ya que destruyen su hábitat debido a las intensas lluvias y a los fuertes vientos. No obstante, existe una gran variedad de actividades humanas que también amenazan las poblaciones de esta especie. La construcción de instalaciones recreativas, de estructuras para energía y comunicaciones y de carreteras contribuye a la destrucción y fragmentación de su hábitat. De igual manera, la caza ilegal, las malas prácticas de manejo y la carencia de planes de manejo para los bosques públicos también afectan las poblaciones del guaraguao de bosque. Los bajos números poblacionales de esta especie pueden, por sí mismos, estar afectando la población ya que se pierde la variación genética de esta.

Medidas de conservación

El guaraguao de bosque está incluido en la lista de especies amenazadas desde el 1994. La Ley Federal de Especies en Peligro de Extinción de 1973, según enmendada, prohíbe matar, dañar, molestar, atrapar, comprar o vender una especie, así como partes o productos derivados de ellas. El tener la especie en la lista federal fomenta y ayuda a crear acciones de conservación por las agencias federales, estatales, privadas, y por grupos e individuos particulares. La Ley de Especies En Peligro fomenta la compra de terrenos y la cooperación con el Estado, y requiere que se ejecuten acciones de recuperación en relación a todas las especies listadas. Entre las medidas esenciales para proteger el hábitat y fomentar el crecimiento de las poblaciones existentes están: la protección de los sitios de anidamiento y alimento en las áreas públicas y privadas, el mejoramiento de los hábitats, la reforestación en áreas abiertas, la actualización de la información acerca de la distribución y la identificación o creación de corredores biológicos entre poblaciones cercanas (tales como RACF, Los Tres Picachos y Toro Negro) con tal de facilitar el movimiento de los guaraguas de bosque entre los bosques.

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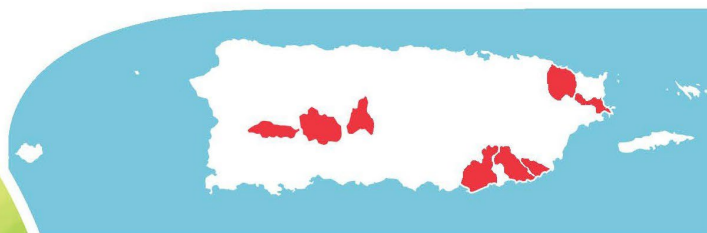
Informaci6n adicional

Oficina de Servicios Ecol6gicos del Caribe
Direcci6n: PO Box 491, Boquer6n, PR 00622
Telefono: 787-851-7297 / Fax: 787-851-7440
Internet: www.fws.gov/caribbean



AMENAZADA

Falcon de sierra *striatus*



Distribución

Habitat

El falcon de sierra es una subespecie endemica en Puerto Rico que se encuentra en areas boscosas asociadas a las zonas de vida conocidas como bosque humedo subtropical montano bajo y bosque humedo subtropical (ej. bosque enano, palma de sierra, caimitillo-granadillo y tabonuco).

Dieta

Se alimenta primordialmente de aves pequefias tales como: el comefiame (*Loxigilla portoricensis*), la reinita comun (*Coereba fiaveola*) y la llorosa (*Nesospingus speculiferus*).

Distribuci6n

Las unicas cinco poblaciones existentes de falcon de sierra se encuentran en los bosques montañosos del Bosque Nacional El Yunque y los Bosques Estatales de: Maricao, Toro Negro, Guilarte y Carite. En el año 1992, se estimó una población general de 150 individuos para estos bosques. En censos hechos entre 2012 y 2013 se nota una disminucion significativa de individuos en varios de los bosques.

Amenazas

La destruccion y la modificacion del habitat en Puerto Rico es uno de los factores mas importantes que ha afectado el numero y la distribucion del falcon de sierra. La distribucion tan limitada de esta especie puede haber sido resultado de la fragmentacion de areas forestadas que ha ocurrido durante este siglo. Esta ave ha experimentado una merma poblacional de un 60% en el Bosque de Carite y de un 93% en el Bosque Nacional El Yunque. La causa de esta merma es desconocida para los investigadores.

Familia: Accipitridae
Orden: Falconiformes

Descripci6n

El falcon de sierra de Puerto Rico es un ave de rapia que tiene un tamaño de aproximadamente 11 a 13 pulgadas (28 a 33 centímetros). Los adultos tienen la region dorsal del cuerpo de color gris pizarra y la region ventral con barras densas de color rubio-rojizo. Los juveniles son de color marron claro por encima y densamente listados por debajo. Al vuelo, esta ave muestra las alas cortas, de forma redondeada y la cola estrecha. El falcon de sierra vuela alternando el batir de las alas con el planeo.

Informaci6n biol6gica

Reproducci6n

Esta ave construye sus nidos de varitas en lo alto de los arboles y pone en ellos tres huevos blancos con manchas pequefias. La temporada de anidamiento del falcon de sierra comienza en marzo y continua hasta julio.

Entre las amenazas que se han identificado para esta especie se encuentran: practicas de manejo y cultivo de madera en los bosques, construccion de veredas y carreteras en los bosques, construccion de facilidades recreativas, aumento en el uso de los bosques para fines recreativos y la posibilidad de cacerfa furtiva. Se ha identificado el parasitismo por la mosca parasftica del genero *Philornis* como un factor de mortandad para pichones del falcon de sierra en Maricao. El falcon de sierra tambien es susceptible a disturbios naturales tales como las tormentas tropicales fuertes y los huracanes ya que le modifican su habitat. Sin embargo, el problema principal del falcon de sierra es su baja densidad y lo limitado de su distribucion. Esto hace a esta subespecie extremadamente vulnerable a la perdida de un individuo.

Medidas de conservaci6n

El falcon de sierra fue incluido en la lista federal de especies en peligro de extincion en 1994 y el plan de recuperacion se escribio en 1997. La medida principal que se debe tomar para la conservacion del falcon de sierra es la proteccion de los individuos restantes y de su habitaculo. Debido a que se encuentra en areas publicas, es imprescindible la implementacion de planes de manejo adecuados para asegurar la supervivencia de esta subespecie en los bosques.

La Ley Federal de Especies en Peligro de Extincion de 1973, segun enmendada, prohfb e matar, dafiar, molestar, atrapar, comprar o vender una especie, asf como partes o productos derivados de ellas.

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U.S. Fish and Wildlife Service. 1997. Puerto Rican broad-winged hawk and Puerto Rican sharp-shinned hawk (*Buteo platypterus brunescens* and *Accipiter striatus venator*) Recovery Plan. U.S. Fish and Wildlife Service, Atlanta, Georgia. 23pp.

Informaci6n adicional

Oficina de Servicios Ecologicos del Caribe
Direccion: PO Box 491, Boqueron, PR 00622
Telefono: 787-851-7297 / Fax: 787-851-7440
Internet: www.fws.gov/caribbean



seaGiint
Puerto Rico

EN PELIGRO

October 15, 2024

Lourdes Mena
Field Supervisor
Caribbean Ecological Services Field Office
U.S. Fish and Wildlife Service
Office Park I, Suite 303
State Road #2 Km 156.5
Mayagüez, Puerto Rico 00680
Email: Caribbean_es@fws.gov;
Lourdes_Mena@fws.gov

RE: Informal Consultation for Case PR-RGRW-01423 located at Carr. 157 Km. 4.3, Bo. Cacao, Orocovis, PR 00720.

Dear Ms. Mena:

The Puerto Rico Department of Housing is requiring informal consultation under Section 7 (a)(2) of the Endangered Species Act (Act) (87 Stat. 884, as amended; 16 United States Code 1531 et seq.), and in accordance with the Fish and Wildlife Coordination Act (47 Stat. 401, as amended; 16 U.S.C. 661 et seq.) for the proposed project PR-RGRW-01423, located at coordinates for the water cistern and pump: latitude 18.215009, longitude -66.495709 on Carr. 157 Km. 4.3, Bo. Cacao, Orocovis, PR 00720, see Figure 1: Location Map and Figure 2: Topographic Map. The project is part of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (RGRW) that aims to increase agricultural capacity while promoting and increasing food security inland wide. This Program will enhance and expand agricultural production related to economic revitalization and sustainable development activities.

The proposed activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern and pump will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant. Water for the cistern will come from an existing community water intake located approximately 30 feet away, with all water pipes installed above ground without anchoring. The pump will be powered by a gasoline generator supplied by the applicant, so no new water or power connections will be required. The project site is located at PR-157 km. 4.3 in the Municipality of Orocovis, where the land has been used for agriculture for over 20 years, according to aerial images. The Area of Potential Effect (APE) has been defined as the area potentially impacted by ground disturbing activities related to the construction of the cement slab for the cistern and pump, see Figure 3: Area of Potential Effect.

Existing Conditions and Trends:

The proposed project parcel 244-000-001-08 is designated as Not Prime Farmland, See Figure 4: Farmland Protection Map. The project area is located in a rural area of Orocovis. The area where the water well will be placed has a semi- flat topography, refer to Photo 1 and Photo 2. The area designated for the cement floor is currently covered with grass. The ground in the area will need to be leveled slightly, which will require the removal of some vegetation, like grass, but no trees will be cut. Surrounding the area where the cistern and water pump will be installed, there are several plantain trees,

which will remain in place and will not be removed for the project. The soil in the area has been classified as Los Guineos clay, 40 to 60 percent slopes (LsF). The land has been used for agricultural uses for over 20 years and the proposed project will not change the land use associated with these placements. The closer Final Critical Habitat is located 37,341 feet from the project location, see Figure 5: Critical Habitats Map. According to the map, Quebrada de Cacaos is located near the project area but not within the parcel and more than 100 feet away, see Figure 6: Wetlands Map.

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

| Name of species | Threatened/Endangered/Candidate |
|---|---------------------------------|
| Reptiles | |
| Puerto Rican boa (<i>Chilabothrus inornatus</i>) | Endangered |
| Birds | |
| 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 |
| Insects | |
| Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>) | Threatened |
| Flowering Plants | |
| West Indian Walnut (=nogal) (<i>Juglans jamaicensis</i>) | Endangered |
| Critical Habitat | |
| There are no critical habitats within the project area. | |

The nature of the project, scope of work, information available, a careful analysis of the IPaC, the Puerto Rico Boa conservation measures, the Caribbean Dkey dated October 13, 2024, in the US Fish and Wildlife Service's online IPaC application, and the observations during the field visit, were used to evaluate the potential impacts to federally listed species from this project. Based on that information and the answer inputted into the Dkey, it was determined that the proposed action will have "May Affect" determination on the Puerto Rican Boa and a "May affect, but not likely to adversely affect" for the Puerto Rican Broad-winged Hawk and Puerto Rican Sharp-shinned Hawk, see Exhibit B. However, given the observations made in the project area and the fact that no trees will be cut, or vegetation removed, with only ground disturbance occurring due to the construction of the cement slab, the determination of MA to an NLAA for the Puerto Rican boa can be reconsidered.

For the Puerto Rican Harlequin Butterfly and West Indian Walnut since vegetation removal will occur it is determined that will be a May Affect but is Not Likely to Adversely Affect (NLAA) for these species. For the Puerto Rican Parrot it has been determined that the project will have No Effect, due to the absence of suitable habitat and the fact that no vegetation will be removed.

| Name of the species | Effect Determination | Conservation Measures that will be implemented |
|---|--|---|
| Puerto Rican boa (<i>Chilabothrus inornatus</i>) | May Affect, but is Not Likely to Adversely Affect (NLAA) | USFWS Puerto Rican Boa Conservation Measures 2024 |
| Puerto Rican Broad-winged Hawk (<i>Buteo platypterus brunnescens</i>) | May Affect, but is Not Likely to Adversely Affect (NLAA) | Puerto Rican Broad-winged Hawk Conservation Measures |
| Puerto Rican Sharp-shinned Hawk (<i>Accipiter striatus venator</i>) | May Affect, but is Not Likely to Adversely Affect (NLAA) | Puerto Rican Sharp-shinned Hawk Conservation Measures |
| Puerto Rican Parrot (<i>Amazona vittata</i>) | No Effect | No conservation measures |
| Puerto Rican Harlequin Butterfly (<i>Atlantea tulita</i>) | May Affect, but is Not Likely to Adversely Affect (NLAA) | Puerto Rican Harlequin Butterfly Conservation Measures 2024 |
| West Indian Walnut (=nogal) (<i>Juglans jamaicensis</i>) | May Affect, but is Not Likely to Adversely Affect (NLAA) | No conservation measures |
| Critical Habitats | | |
| There are no critical habitats within the project area. | | |

In order to complete the informal consultation process, we are requesting your concurrence for the NLAA determination for the Puerto Rican Boa, Puerto Rican Broad-winged Hawk, Puerto Rican Sharp-shinned Hawk, Puerto Rican Harlequin Butterfly and West Indian Walnut (=nogal). Attached to this letter, we are including the documents used to reach our effect determinations for the listed species. See Exhibit D for conservation measures for the NLAA species. Should you require any additional information, please contact Paige Pilkinton at paige.pilkinton@horne.com.

References:

Puerto Rican boa (*Chilabothrus inornatus*)

Species Profile: <https://ecos.fws.gov/ecp/species/6628>

USFWS Puerto Rican boa Conservation Measures

Puerto Rican Broad-winged Hawk (*Buteo platypterus brunnescens*)

Species profile: <https://ecos.fws.gov/ecp/species/5512>

Puerto Rican Sharp-shinned Hawk *Accipiter striatus venator*

Species profile: <https://ecos.fws.gov/ecp/species/604>

Puerto Rican Parrot (*Amazona vittate*)

Species profile: <https://ecos.fws.gov/ecp/species/3067>

Puerto Rican Harlequin Butterfly *Atlantea tulita*

Species profile: <https://ecos.fws.gov/ecp/species/9005>

West Indian Walnut (=nogal) *Juglans jamaicensis*

Species profile: <https://ecos.fws.gov/ecp/species/745>

Exhibit A: Figures

Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- Water Cistern and pump
- Parcel-01423
- CRIM Parcels



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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



1:5,000

Figure 1: PR-RGRW-01423 Location Map

Location USGS Topographic Map

Puerto Rico Department of Housing ReGrow

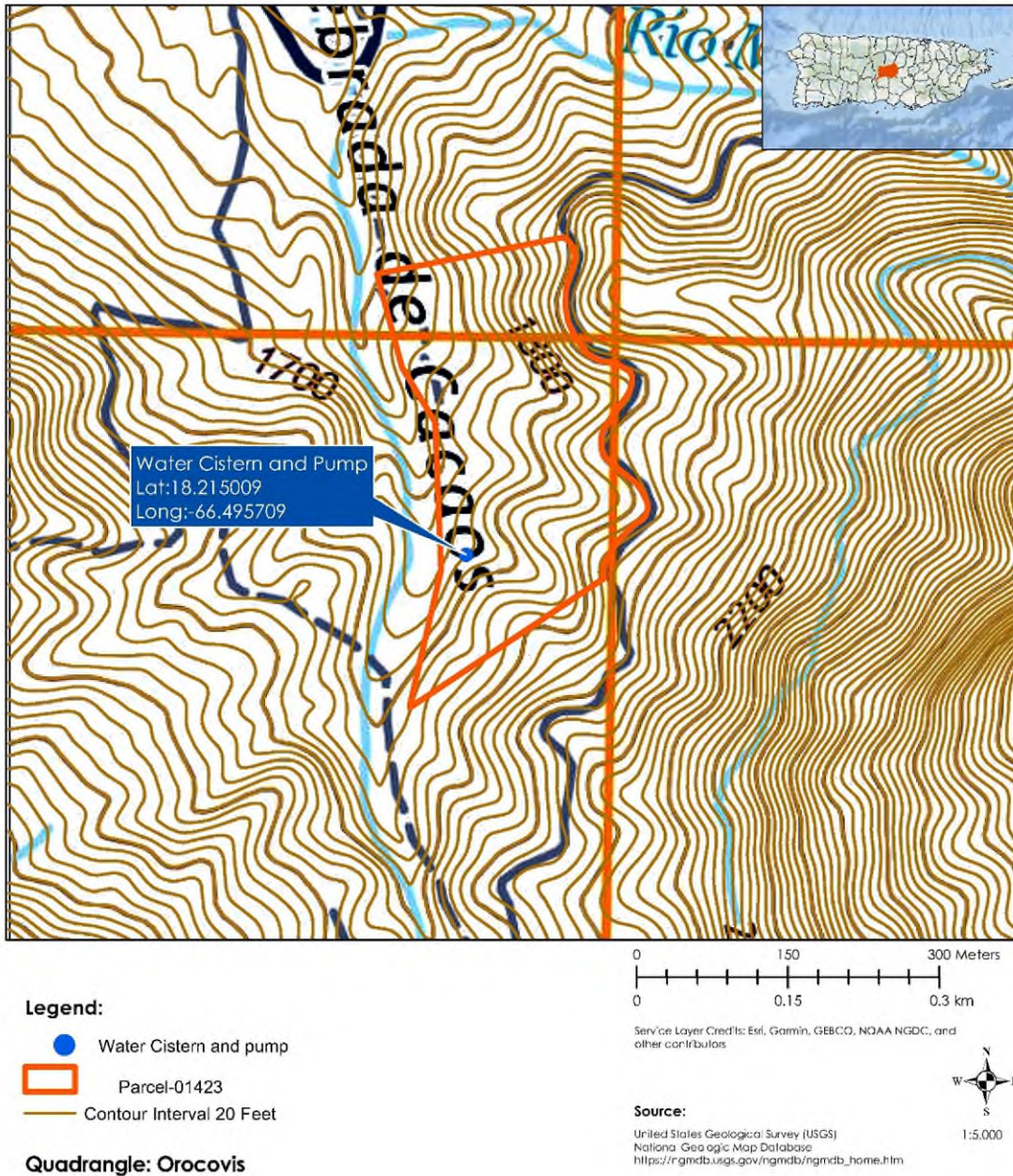
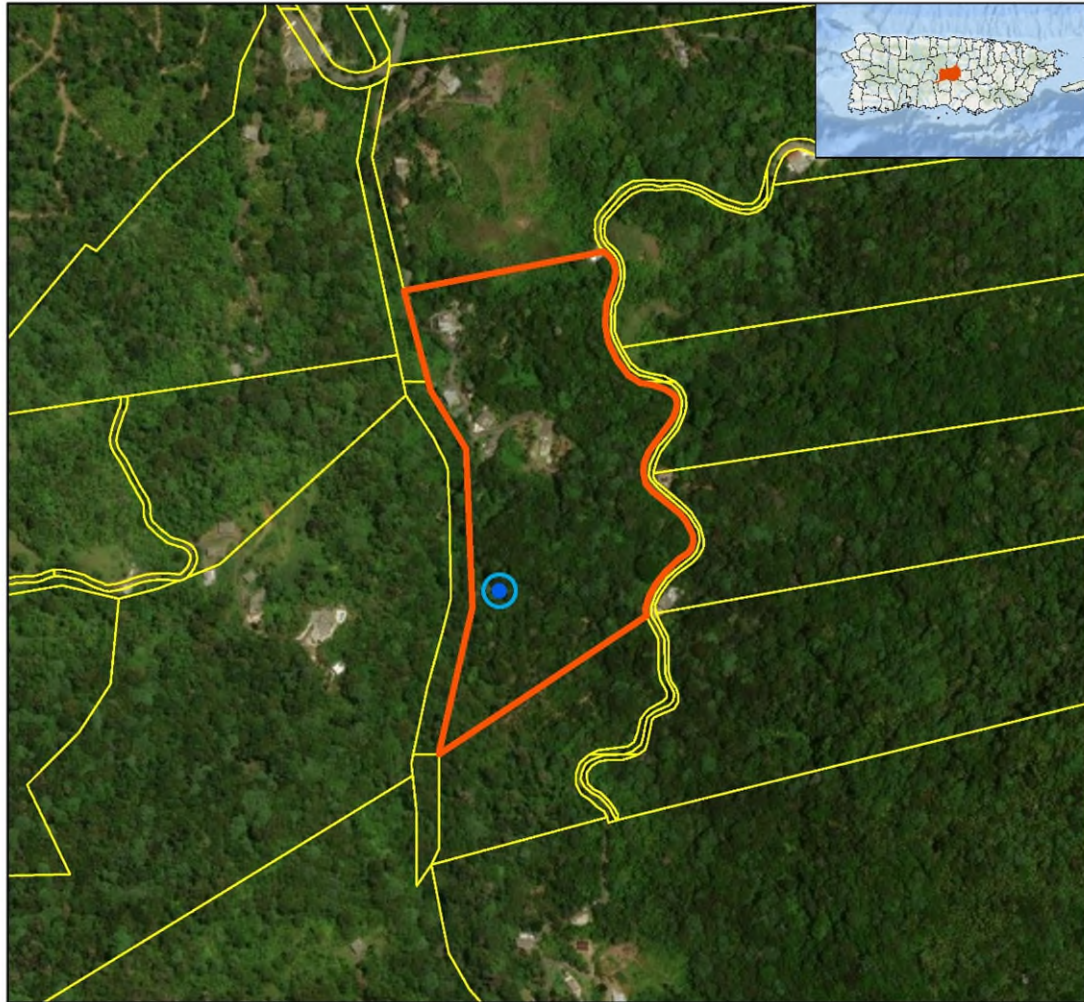


Figure 2: PR-RGRW-01423 Topographic Map

Area of Potential Effect

Puerto Rico Department of Housing ReGrow



Legend:

-  Applicant Structure
-  Parcel-01423
-  CRIM Parcels
-  Area of Potential Effect (15 Mts.)

0 150 300 Meters
0 0.15 0.3 km

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics,
and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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



Figure 3: PR-RGRW-01423 Area of Potential Effect Map

Application ID: PR-RGRW-01423

Wilfredo Ortiz Ramirez

Car: 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Farmland Protection

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-01423

Farm Class

■ All areas are prime farmland

■ Farmland of statewide importance

■ Not prime farmland

0 620 1,240 Meters
0 0.7 1.4 km

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

National Resources Conservation Service (NRCS)
Gridded Soil Survey Geographic Database (gSSURGO)
<https://data.nrc.usda.gov/dataset/soil-survey-geographic-database-gsrgo>

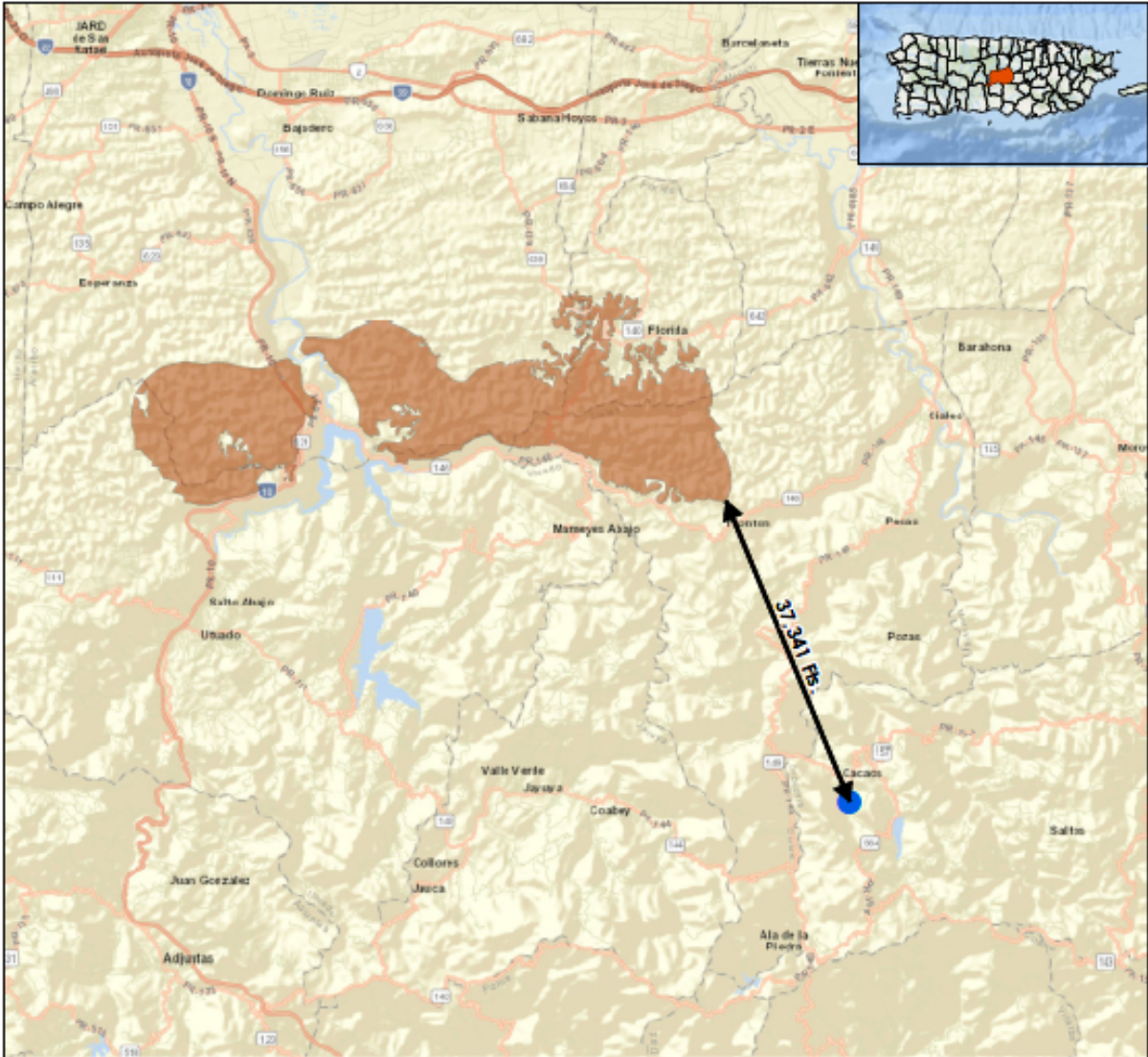


1:20,000

Figure 4: PR-RGRW-01423 Farmland Protection Map

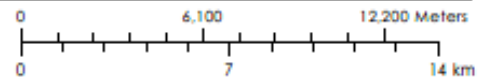
Threatened & Endangered Species

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01423
- Critical Habitat



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

Source:

NOAA Office of Response and Restoration
<https://response.restoration.noaa.gov/>

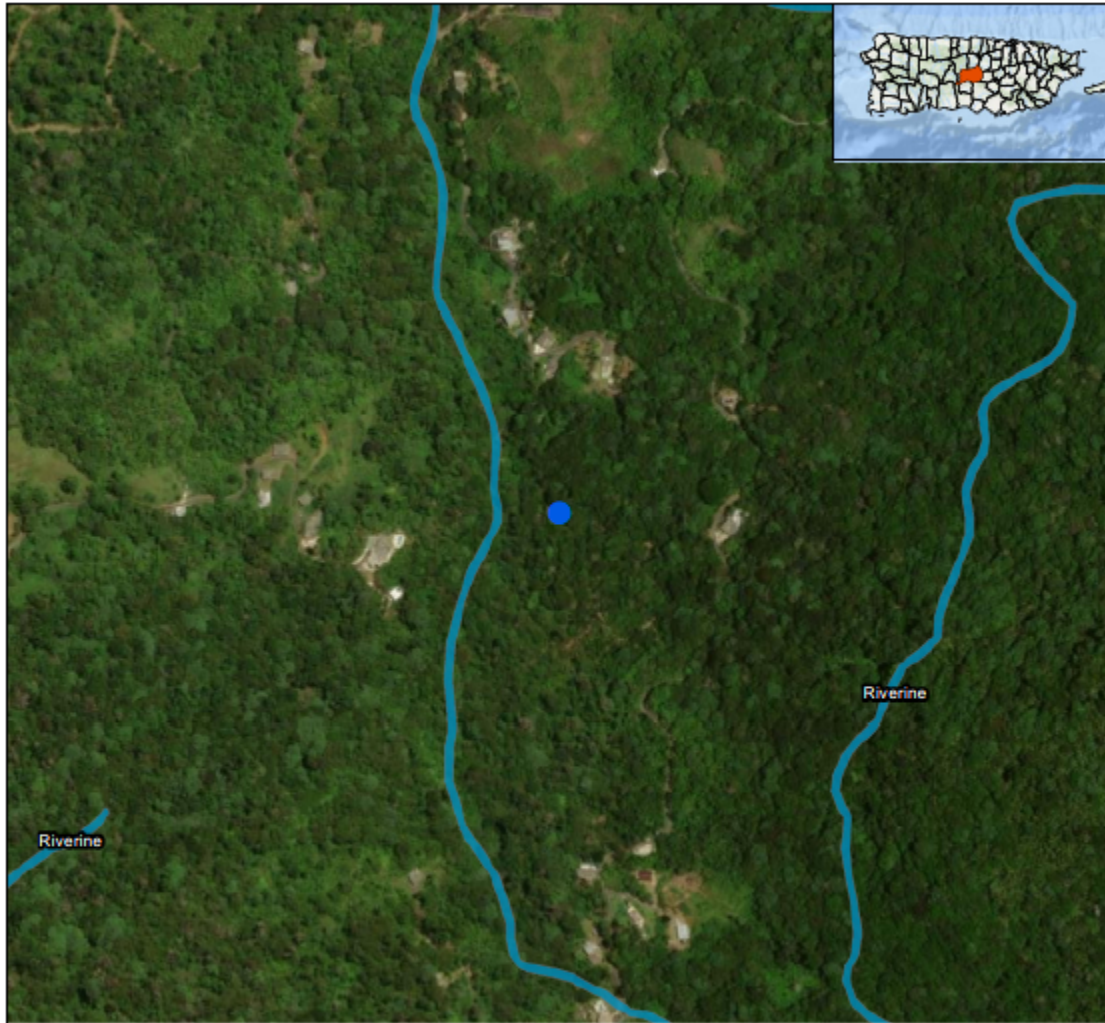


1:200,000

Figure 5: PR-RGRW-01423 Critical Habitats Map

Wetlands Map

Puerto Rico Department of Housing ReGrow

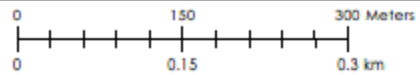


Legend:

● PR-RGRW-01423

National Wetlands Inventory

■ Riverine



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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



1:5,000

Figure 6: PR-RGRW-01423 Wetlands Map

Exhibit B: Information for Planning and Consultation (IPaC)



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

In Reply Refer To:
Project Code: 2025-0005143
Project Name: PR-RGRW-01423

10/14/2024 00:44:18 UTC

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

To Whom It May Concern:

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

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

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

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

to caribbean_es@fws.gov. To obtain guidance for completing this process and the minimum requirements for project packages, please visit:

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

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

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

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

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

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

This species list is provided by:

Caribbean Ecological Services Field Office

caribbean_es@fws.gov

Post Office Box 491

Boqueron, PR 00622-0491

(786) 244-0081

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Caribbean Ecological Services Field Office

Post Office Box 491

Boqueron, PR 00622-0491

(939) 320-3135

PROJECT SUMMARY

Project Code: 2025-0005143

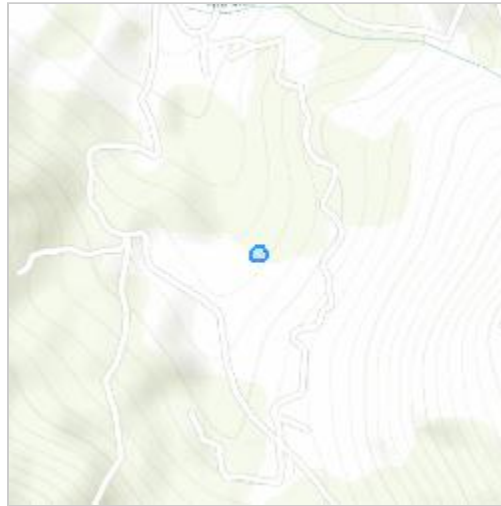
Project Name: PR-RGRW-01423

Project Type: Disaster-related Grants

Project Description: The proposed activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.215032,-66.49570141398773,14z>



Counties: Orocovis County, Puerto Rico

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

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

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

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

-
1. [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: https://ecos.fws.gov/ecp/species/5512 | Endangered |
| Puerto Rican Parrot <i>Amazona vittata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3067 | Endangered |
| Puerto Rican Sharp-shinned Hawk <i>Accipiter striatus venator</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/604 | Endangered |

REPTILES

| NAME | STATUS |
|--|------------|
| Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6628 General project design guidelines: https://ipac.ecosphere.fws.gov/project/RHL2NFM4DZBWRALP2PSHE3FKZE/documents/generated/7159.pdf | Endangered |

INSECTS

| NAME | STATUS |
|---|------------|
| Puerto Rican Harlequin Butterfly <i>Atlantea tulita</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9005 General project design guidelines: https://ipac.ecosphere.fws.gov/project/RHL2NFM4DZBWRALP2PSHE3FKZE/documents/generated/7168.pdf | Threatened |

FLOWERING PLANTS

| NAME | STATUS |
|---|------------|
| West Indian Walnut (=nogal) <i>Juglans jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/745 | Endangered |

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

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

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

MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

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

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

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

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

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Patricia Carmenatty
Address: Perseo St. 554 Cond. Iberia Suite J-3
City: San Juan
State: PR
Zip: 00920
Email: patricia.carmenatty@byaea.com
Phone: 7877830290



United States Department of the Interior



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

In Reply Refer To:
Project code: 2025-0005143
Project Name: PR-RGRW-01423

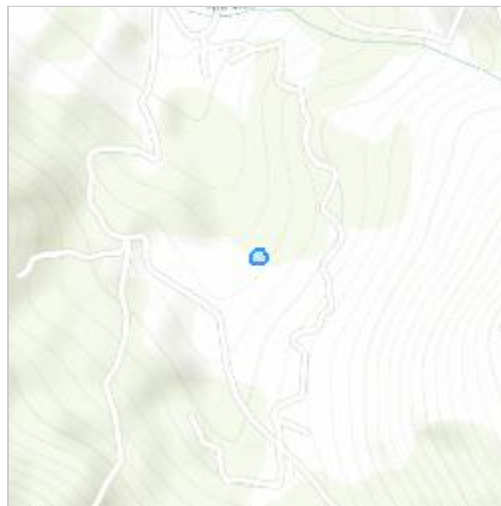
10/14/2024 00:48:43 UTC

Subject: Consistency letter for the project named 'PR-RGRW-01423' 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 October 14, 2024, Patricia Carmenatty used the Caribbean DKey; dated April 03, 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-01423'. The project is located in Orocovis County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.215032,-66.49570141398773,14z>



The following description was provided for the project 'PR-RGRW-01423':

The proposed activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant.

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

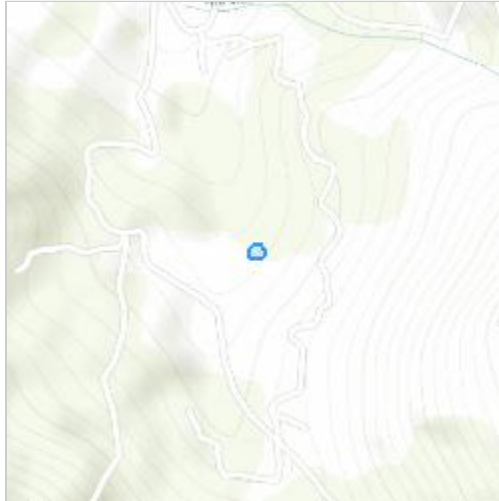
PR-RGRW-01423

2. Description

The following description was provided for the project 'PR-RGRW-01423':

The proposed activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.215032,-66.49570141398773,14z>



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.

Yes

11. Is the project area more than 1 acre?

No

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

No

13. 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

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

Automatically answered

Yes

15. 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

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

Yes

17. 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

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

Yes

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

Automatically answered

Yes

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

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Private Entity

Name: Patricia Carmenatty

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

City: San Juan

State: PR

Zip: 00920

Email: patricia.carmenatty@byaea.com

Phone: 7877830290

Exhibit C: Field Visit Photos



Photo #: 1

Description (include direction): Area where the water cistern and pump cistern will be installed, looking southeast.

Date: August 23, 2024



Photo #: 2

Description (include direction): General area where the water cistern and pump will be installed, looking east.

Date: August 23, 2024

Exhibit D: Conservation Measures



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.

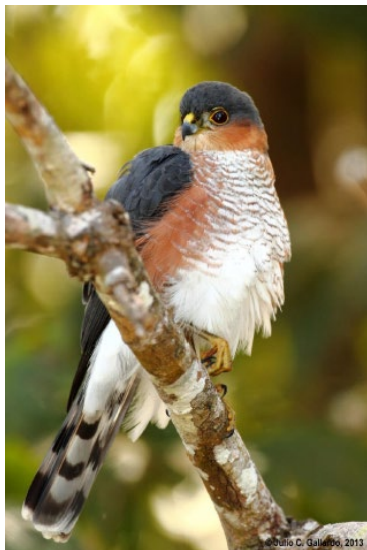
If you have any questions regarding the above conservation measures, please contact the Service:

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

Conservation Measures for the sharp-shinned hawk (*Accipiter striatus venator*)

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 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 sharp-shinned hawk 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 Puerto Rican sharp-shinned hawk is a small hawk measuring approximately 28 to 33 centimeters (11 to 13 inches). The dark slate gray upper parts and heavily barred rufous underparts of the adults are distinctive. Immatures are brown above and heavily streaked below. It has short, squared tail, often appearing notched when folded, and small head and neck. In flight, the short, rounded wings and long, narrow tail is characteristic. Adult males and females are similar in appearance, but the female is larger. The SSHA in Puerto Rico exhibits insular population traits, including small clutches, low productivity, and extended breeding periods. Historic information described this species as rare, uncommon, and occurring in restricted habitats in small numbers.



The sharp-shinned hawk was federally listed as endangered in 1994. The results of comprehensive population surveys suggest a decline of the island-wide population from 150 individuals in 1992 to about 100 individuals in 2016. In addition, a significant decline of this species have been reported in the Toro Negro Commonwealth Forest (TNCF) and Maricao Commonwealth Forest (MCF), which were previously considered the center of distribution of this species in Puerto Rico. Studies estimated the population of MCF as just 8 individuals and the population in TNCF as 26 individuals indicating a population decline of 53% and 86% in TNCF and MCF, respectively.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk 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 here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.
2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this hawk (March and April), if the hawk is determined to be present.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the USFWS and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a sharp-shinned hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.
7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable

environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.

8. Projects must comply with all state laws and regulations. Please contact PRDNER for further guidance.

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

- Marelisa Rivera, Deputy Field Supervisor
Email: marelisa_rivera@fws.gov
Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator
Email: jose_cruz-burgos@fws.gov
Office phone (786) 244-0081 or mobile (305) 304-1386

Conservation Measures for the Broad-winged hawk (*Buteo platypterus brunnescens*)

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 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 broad-winged hawk 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 Puerto Rican broad-winged hawk is a small hawk with dark chocolate-brown upperparts, heavily streaked rufous breast, and a broadly banded black and white tail. Adult male and female are similar in appearance, but the female is slightly larger. This species 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. The Puerto Rican broad-winged hawk population is estimated at about 125 individuals island-wide.



The broad-winged hawk was federally listed in 1994. The broad-wing prefers to hunt from a perch under the forest canopy for a better view of potential prey in a forest clearing, trail or river below. Each hunting pair requires a range of 40 hectares (98 acres). The Broad-wing builds a nest of sticks in February and March, laying 2 to 4 white/brown-spotted eggs. The female incubates the eggs for almost a month while the male searches for food. The young fledge around April or May about 1 month after hatching and can fly about 6 weeks after hatching. The parents feed the young for a few weeks after they leave the nest. The voice is a high-pitched whistle.

The hawk is an uncommon and local resident in the El Yunque National Forest, the Río Abajo State Forest, and the Toro Negro State Forest.

The US Fish and Wildlife Service has developed the following conservation measures with the purpose of assisting others to avoid or minimize adverse effects to the hawk 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 here.

1. For any project activity that involves construction or tree-disturbing activities, all construction workers will be required to participate in environmental awareness training. The training will educate workers on: (a) special-status species that may occur in the work area, (b) procedures

to follow in the event a species is observed, and (c) other environmental BMPs and emergency spill response protocols.

2. All non-emergency work activities will be confined to daylight hours (i.e., sunrise to sunset), unless necessary for assessing or protecting biological resources.
3. Whenever possible, impacts to native nesting birds will be avoided by not conducting Project activities that involve clearing of vegetation, generation of mechanical noise, or tree disturbance during the typical breeding season for this hawk (February and March), if the hawk is determined to be present.
4. If Project activities must be conducted during the nesting bird season, the Contractor will conduct surveys for nesting birds within a 1,000-ft radius of the construction area. If nests are detected, the Contractor will notify the USFWS and establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. Buffers around active nests will be a minimum of 250 feet, unless a qualified biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged or the nests become inactive.
5. If a broad-winged hawk is found within any of the working or construction areas, activities should stop at that area and information recorded. Designated personnel shall immediately contact the Puerto Rico Department of Natural and Environmental Resources (PRDNER) Rangers for additional directions (PRDNER phone #s: ((787) 724-5700, (787) 230-5550, (787) 771-1124).
6. Designated critical habitat within the vicinity of project activities will be identified. All Proposed Project actions will be designed to avoid direct and indirect adverse modifications to these areas. Minimization measures, such as establishing and maintaining buffers around areas of designated critical habitat will be implemented in the event that avoidance is not feasible.
7. If critical habitat may be adversely modified by the implementation of Proposed Project actions, the area to be modified will be evaluated by a qualified biologist to determine the potential magnitude of the project effects (e.g., description of primary constituent elements present and quantification of those affected) at a level of detail necessary to satisfy applicable environmental compliance and permitting requirements. This information shall be submitted to the PRDNER as shown in Number 5 above.
8. Projects must comply with all state laws and regulations. Please contact PRDNER for further guidance.

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

- Marelisa Rivera, Deputy Field Supervisor
Email: marelisa_rivera@fws.gov
Office phone (786) 244-0081 or mobile (305) 304-1814
- José Cruz-Burgos, Endangered Species Coordinator
Email: jose_cruz-burgos@fws.gov
Office phone (786) 244-0081 or mobile (305) 304-1386



**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

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 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.

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



DEPARTMENT OF

HOUSING

GOVERNMENT OF PUERTO RICO



Memorandum to File

Date: 3/21/2025

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

Application Number: PR-RGRW-01423-W

Project: Wilfredo Ortiz Ramírez

Re: Justification for the Infeasibility and Impracticability of Radon Testing

After reviewing Application Number PR-RGRW-01423-W under the Regrow Puerto Rico Program, administered by the Puerto Rico Department of Housing (**PRDOH**), to complete the property's contamination analysis in accordance with 24 C.F.R. § 50.3(i) and 24 C.F.R. § 58.5(i), we have determined that testing the property's radon levels is infeasible and impracticable.

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

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

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

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

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

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

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



GOVERNMENT OF PUERTO RICO

STATE HISTORIC PRESERVATION OFFICE

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

Thursday, October 3, 2024

Lauren B Poche

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

SHPO-CF-09-12-24-06 PR-RGRW-01423 (Orocovis), Wilfredo Ortiz Ramirez

Dear Ms. Poche,

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

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

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

Sincerely,

Carlos A. Rubio Cancela

State Historic Preservation Officer

CARC/GMO/MB



Cuartel de Ballajá (Tercer Piso), Calle Norzagaray, Esq. Beneficencia, Viejo San Juan, PR 00901 | PO Box 9023935, San Juan, PR 00902-3935



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

April 30, 2024

Arch. Carlos A. Rubio Cancela

Executive Director

Puerto Rico State Historic Preservation Office

Cuartel de Ballajá, Third Floor

San Juan, Puerto Rico 00901

Re: Authorization to Submit Documents for Consultation

Dear Arch. Rubio Cancela,

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

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

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

Cordially,

Aldo A. Rivera Vázquez, PE

Director

Division of Environmental Permitting and Compliance

Office of Disaster Recovery

September 12, 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-01423 – Wilfredo Ortíz Ramírez – Carr. 157 Km. 4.3, Bo. Cacao, Orocovi, 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 Wilfredo Ortíz Ramírez located at Carr. 157 Km. 4.3, Bo. Cacao, in the municipality of Orocovi. The undertaking for this project includes the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant. Water for the cistern will come from an existing community water intake located approximately 30 feet away, with all water pipes installed above ground without anchoring. The pump will be powered by a gasoline generator supplied by the applicant, so no new water or power connections will be 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 or phone at 225-405-7676 with any questions or concerns.

Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager
LBP/JLE

Attachments

September 12, 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-01423 – Wilfredo Ortíz Ramírez – Carr. 157 Km. 4.3, Bo. Cacao, Orocovis, 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.

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

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


Kindest regards,



Lauren Bair Poche, M.A.

Architectural Historian, EHP Senior Manager
LBP/JLE

Attachments

| | | |
|---|-----------------------|---|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination | |  <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small> |
| Applicant: Wilfredo Ortiz Ramírez | | |
| Case ID: PR-RGRW-01423 | City: Orocovis | |

| | |
|---|-------------------------------------|
| Project Location: Carr. 157 Km. 4.3, Bo. Cacao, Orocovis, PR 00720 | |
| Project Coordinates: 18.215009, -66.495709 | |
| TPID (Número de Catastro): 244-000-001-08-000 | |
| Type of Undertaking: <input type="checkbox"/> Substantial Repair/Improvements <input checked="" type="checkbox"/> New Construction | |
| Construction Date (AH est.): n/a | Property Size (acres): 16.22 |
| | |

| |
|--|
| SOI-Qualified Archaeologist: Jaqueline López Meléndez |
| Date Reviewed: August 28, 2023 |
| Date Revised: August 27, 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 activities for PR-RGRW-01423 include the purchase and installation of a 500-gallon water cistern, a water pump, a Ford Transit Connect van, and a UTV. The cistern will be placed on a new 7' x 7' concrete slab with a thickness of 5 inches, which will be provided by the applicant. Water for the cistern will come from an existing community water intake located approximately 30 feet away, with all water pipes installed above ground without anchoring. The pump will be powered by a gasoline generator supplied by the applicant, so no new water or power connections will be required. The project site is located at PR-157 km. 4.3 in the Municipality of Orocovis, where the land has been used for agriculture for over 20 years, according to aerial images.

Area of Potential Effects

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

| | | |
|---|-----------------------|--|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination | |  GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING |
| Applicant: Wilfredo Ortíz Ramírez | | |
| Case ID: PR-RGRW-01423 | City: Orocovis | |

Identification of Historic Properties - Archaeology


Existing information on previously identified historic properties has been reviewed to determine if any such properties are located within the APE of this undertaking. The review of this existing information by a Program contracted Historic Preservation Specialist meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61), shows that there are no reported archaeological sites, archaeological materials of significant cultural properties within a half-mile (0.50 miles) radius of the project location. The closest reported archaeological site to the PR-RGRW-01423 project area is OR-21 (SHPO: OR0100022) located 1.18 miles southeast. The proposed project is located in Orocovis, at an elevation of 1,870 feet above sea level. Per the USGS/NRCS Web Soil Survey, the project area is within mapped soil series: Guineas. The project area APE is in LsF. The nearest bodies of water are Quebrada de Cacaos located 0.03 miles west and two unnamed streams, one 0.16 miles north and the other 0.28 miles east. The coast is approximately 15.70 miles southeast from the project area.

Within 0.50 miles radius of the project area no archaeological surveys have been conducted.

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On August 18, 2023, we visually inspected the project area and on August 23, 2024, it was reviewed again due to a change in the location of the cistern and the area remains practically the same. This property is located in a mountainous area with steep slopes. The vegetation in the area is dense. It is composed of trees, shrubs, grasses and vines. The soil in the area has been classified as Los Guineos clay, 40 to 60 percent slopes (LsF). This is a very steep, moderately well drained soil on side slopes of strongly dissected uplands. Permeability is moderately slow, and the available water capacity is high, Runoff is very rapid, and erosion is a hazard. This soil is very difficult to work in because it is very steep and because of the stickiness and plasticity of the clay. Natural fertility is medium.


There are no cultural resource studies within a half-mile radius of the property.

The project area does not have cultural resources that are listed either on the National Register of Historic Places (NRHP) or in a Traditional Urban Center or Historic District. On August 18, 2023, we visually inspected the project area and on August 23, 2024, it was reviewed again due to a change in the location of the cistern and the area remains practically the same. The surface visibility of the area is medium due to the vegetation.

| | |
|---|--|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination |  GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING |
| Applicant: Wilfredo Ortiz Ramírez | |
| Case ID: PR-RGRW-01423 | City: Orocovis |

Determination

The project area is not within or adjacent to the boundaries of a National Register of Historic Places (NRHP)-eligible or listed historic district or Traditional Urban Center. There are no reported archaeological materials or significant cultural properties within a half-mile radius of the proposed project location. There are no known archaeological sites or NRHP listed/eligible historic properties are within or adjacent to the property or the parcel in which the Area of Potential Effect of case PR-RGRW-01423 is located. The closest freshwater body is approximately 0.03 miles west of the project area. The construction of public roads and agricultural infrastructure has minimally impacted the surrounding terrain. Therefore, no historic properties will be affected by the proposed project activities.

| | | |
|---|--|---|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination | |  <small>GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING</small> |
| Applicant: Wilfredo Ortiz Ramírez | | |
| Case ID: PR-RGRW-01423 | | City: Orocovis |

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

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

☒ No Historic Properties Affected

☐ No Adverse Effect

Condition (if applicable):

☐ Adverse Effect

Proposed Resolution (if applicable)

This Section is to be Completed by SHPO Staff Only

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

Applicant: Wilfredo Ortiz Ramírez

Case ID: PR-RGRW-01423

City: Orocovis

Project (PR-RGRW-01423) Location – Area of Potential Effect Map (Aerial)

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corred. Iberia 1 Suite J-2, Calle Persico 554, Arterriba, San Juan, P.R. 00920 Tel: (787) 753-0290

Application ID: PR-RGRW-01423

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

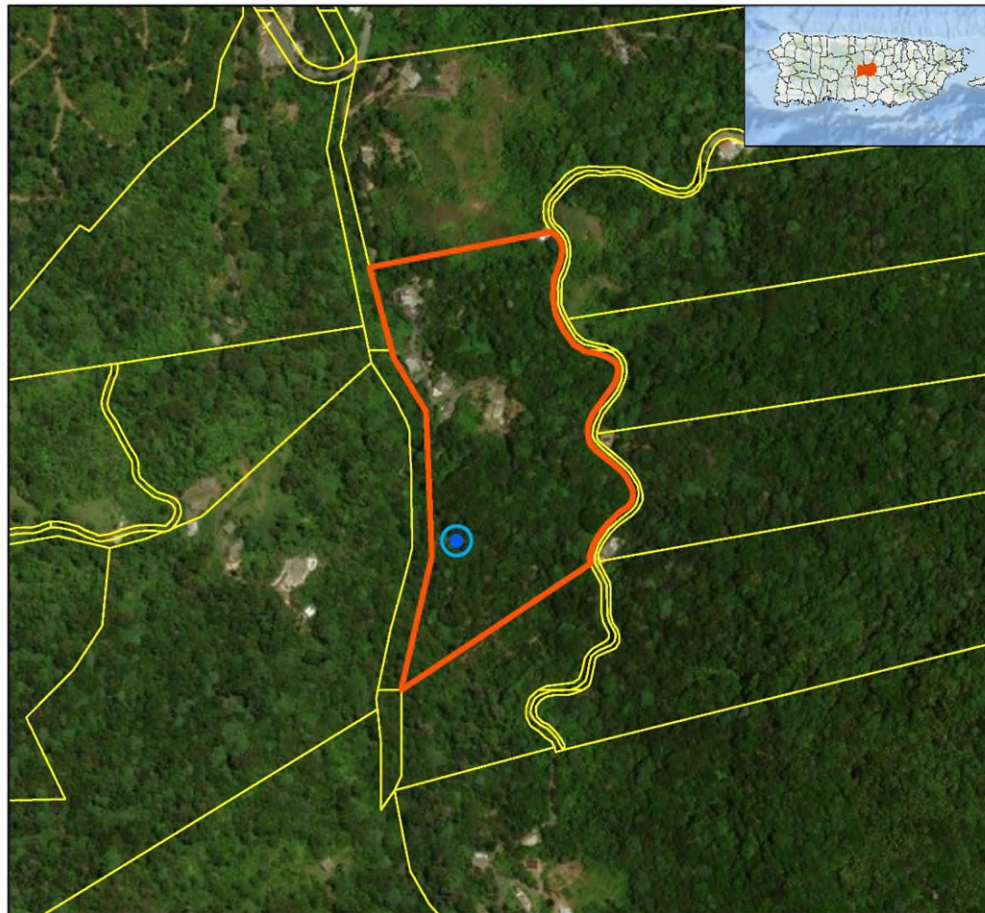
Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

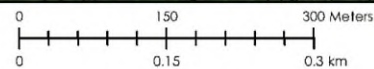
Lat: 18.215009, Lon: -66.495709

Area of Potential Effect Puerto Rico Department of Housing ReGrow



Legend:

- Applicant Structure
- Parcel-01423
- CRIM Parcels
- Area of Potential Effect (15 Mts.)



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA nGDC, and other contributors



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

1:5,000

Applicant: Wilfredo Ortiz Ramírez

Case ID: PR-RGRW-01423

City: Orocovis

Project (PR-RGRW-01423) Location - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corred. Interior 1 Suite J-3, Calle Ponce 554, Alamo, San Juan, P.R. 00920 Tel: (787) 753-0290

Application ID: PR-RGRW-01423

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

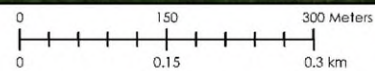
Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- Water Cistern and pump
- Parcel-01423
- CRIM Parcels



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA nGDC, and other contributors

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



Applicant: Wilfredo Ortiz Ramírez

Case ID: PR-RGRW-01423

City: Orocovis

Project (PR-RGRW-01423) Location – Soils Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Consil. Iberia 1 Suite J-3, Calle Perseus 55A, Aguadilla, San Juan, P.R. 00620 Tel: (787) 753-0290

Application ID: PR-RGRW-01423

Wilfredo Ortiz Ramírez

Carri 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Soils Map

Puerto Rico Department of Housing ReGrow



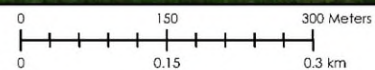
Legend:

- Applicant Structure
- Parcel-01423
- Soil Map Unit Symbol

Soil Map Unit Symbol

HtE - Humatas clay, 20 to 40 percent slopes

LsF - Los Guineos clay, 40 to 60 percent slopes



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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



1:5,000

Applicant: Wilfredo Ortiz Ramírez

Case ID: PR-RGRW-01423

City: Orocovis

Project (PR-RGRW-01423) Location with Previous Investigations - Aerial Map

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corporación 1 Suite J-3, Calle Ponce 564, Arroyo, San Juan, P.R. 00920 Tel: (787) 938-0590

Application ID: PR-RGRW-01423

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

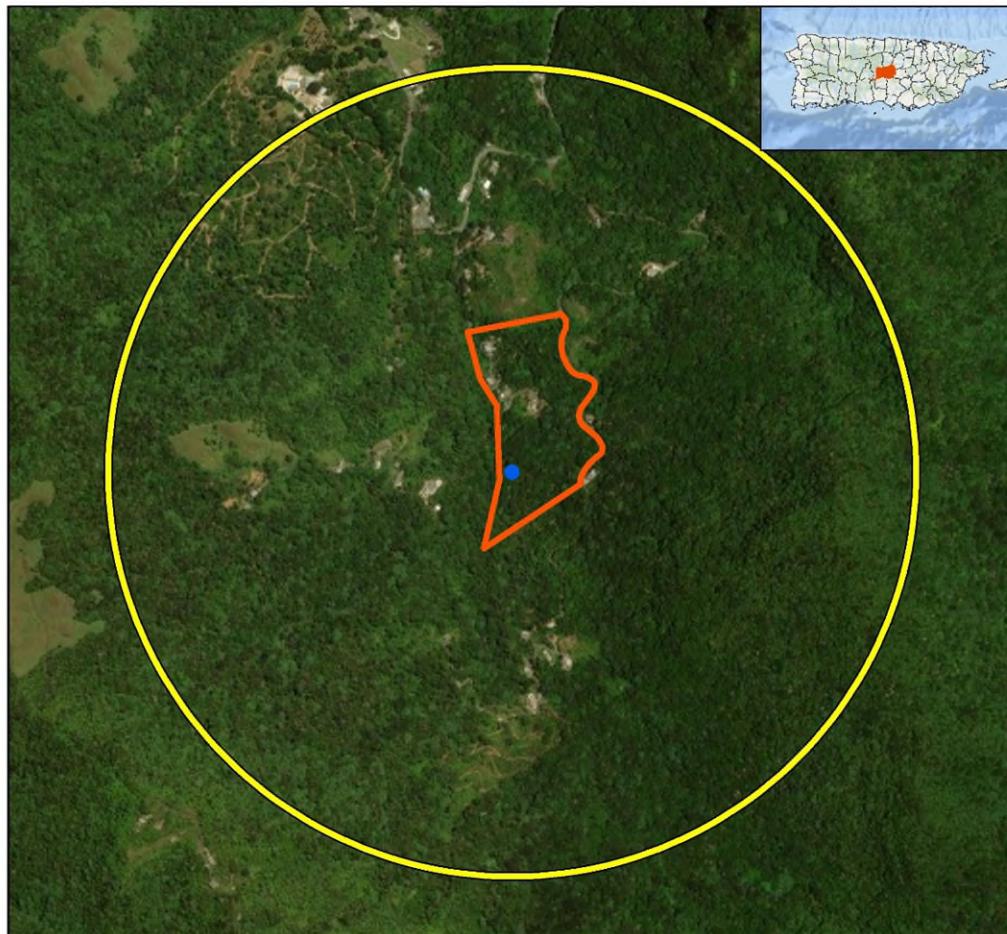
Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

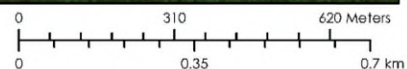
Previous Investigations Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- Water Cistern and pump
- Parcel-01423
- 0.5 Mile (0.8Km) Buffer



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



Source:

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

1:10,000

Applicant: Wilfredo Ortiz Ramírez

Case ID: PR-RGRW-01423

City: Orocovis

Project (PR-RGRW-01423) Location with Previous Investigations - Topographic Map

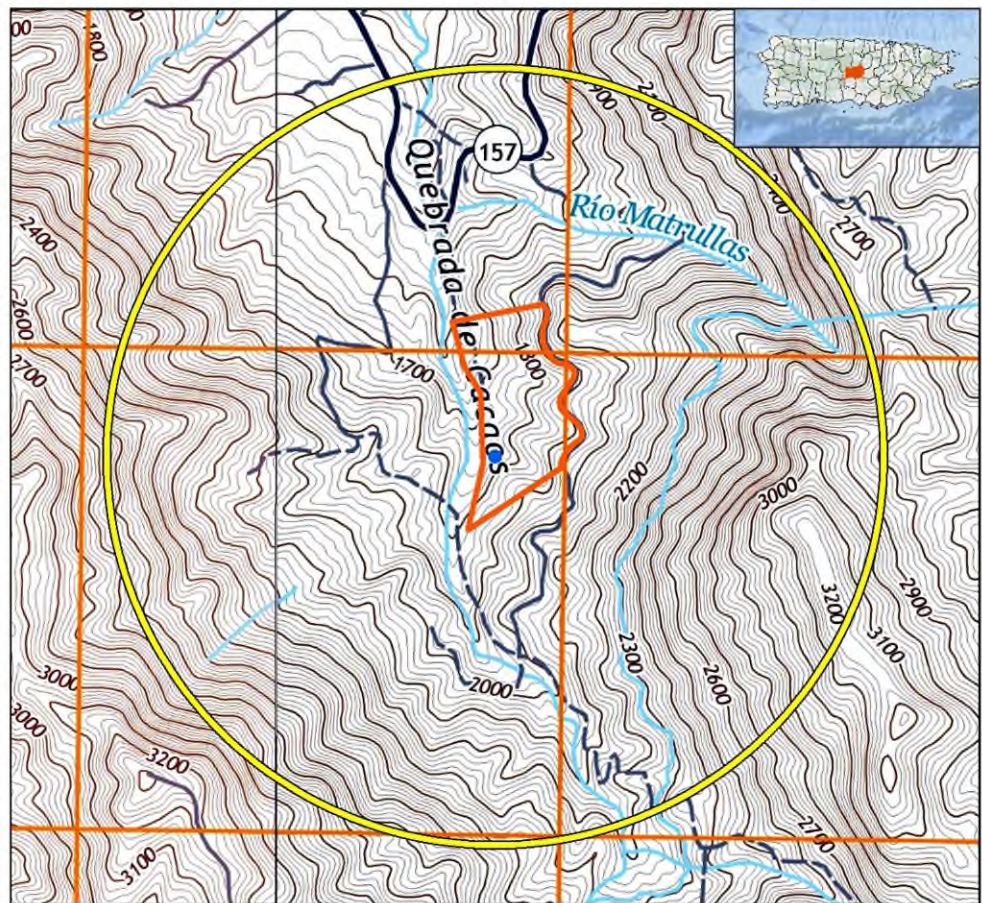
BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
(2010) - (2019) 7 SUITE 200, CAYO HENRIQUEZ, ASUETO, P.R. 00720 (787) 555-0500

Application ID: PR-RGRW-01423


Wilfredo Ortiz Ramírez
Car 157 km 4.3
Bo. Cacao
Orocovis, PR 00720
Catastro: 244-000-001-08
Lat: 18.215009, Lon: -66.495709

Previous Investigations Topographic Map


Puerto Rico Department of Housing ReGrow



Legend:

 Parcel-01423

 Applicant Structure

 0.5 Mile (0.8Km) Buffer

Quadrangle: Orocovis

0 310 620 Meters
0 0.35 0.7 km

Service Layer Credits: Esri, Garmin, GEBCO, NOAA N GDC, and other contributors.

Source:

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



Photograph Key

BYA BEHAR-YBARRA & ASSOCIATES LLC
CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
Corra. Iberia 1 Suite J-3, Cella Persico 354, Alcamar, San Juan, P.R. 00923 Tel: (787) 763-0290

Application ID: PR-RGRW-01423

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

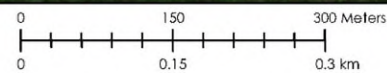
Location Aerial Map

Puerto Rico Department of Housing ReGrow



Legend

- Water Cistern and pump
- Parcel-01423
- CRIM Parcels



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA N.GDC, and other contributors

Source:

Centro de Recaudación de Ingresos Municipales (CRIM)
<https://catastro.crimprnet/cdprpc/>



1:5,000



Applicant: Wilfredo Ortiz Ramírez

Case ID: PR-RGRW-01423

City: Orocovis



Photo #: 1

Description (include direction): Area where the water cistern and pump cistern will be installed, looking southeast.


Date: August 23, 2024



Photo #: 2

Description (include direction): General area where the water cistern and pump will be installed, looking east.

Date: August 23, 2024

| | | |
|---|-----------------------|--|
| PUERTO RICO 2017 DISASTER RECOVERY, CDBG-DR PROGRAM ReGROW PUERTO RICO PROGRAM Section 106 NHPA Effect Determination | |  GOVERNMENT OF PUERTO RICO DEPARTMENT OF HOUSING |
| Applicant: Wilfredo Ortiz Ramírez | | |
| Case ID: PR-RGRW-01423 | City: Orocovis | |



| | |
|------------------------------|--|
| Photo #: 3 | Description (include direction): Area where the water cistern and pump cistern will be installed and area where the water intake is, looking northeast. |
| Date: August 23, 2024 | |

Radon Attachments



August 20, 2024

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

Via email: guerrero.carmen@epa.gov

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

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

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

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

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

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



August 20, 2024

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

Via email: silvina.cancelos@upr.edu

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

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

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Sincerely,

William O. Rodríguez Rodríguez, Esq.
Secretary

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



August 20, 2024

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

Via email: OIA@cdc.gov

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

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

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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary



August 20, 2024

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

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

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CDBG-DR/MIT Program
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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

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



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

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

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

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GOVERNMENT OF PUERTO RICO
DEPARTMENT OF HOUSING

August 20, 2024

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

Via email: hweyers@usgs.gov

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

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


William O. Rodríguez Rodríguez, Esq.
Secretary

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

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

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Sincerely,


William O. Rodríguez Rodríguez, Esq.
Secretary

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

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

Good morning, Sandra and others,

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

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

If you have any additional questions, please contact me.

Thank you and best regards,

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



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

Dear Ms. Medina Smaine,

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

Best regards,

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

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

Good afternoon. Ms. Medina

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

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

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

Saludos.

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

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

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

Estimada Melanie Medina

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

Atentamente

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



Bubble Dynamics Lab
University of Puerto Rico - Mayaguez



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

September 23, 2024

VIA EMAIL

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

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

Dear Honorable Secretary Rodriguez Rodriguez:

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

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

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

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

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

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

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

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

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

2

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

Sincerely,

**CARMEN
GUERRERO
PEREZ**

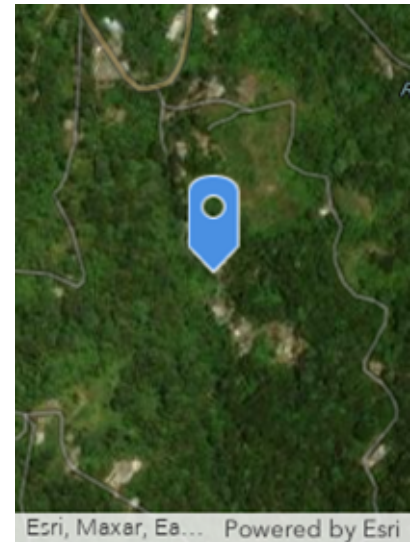
Carmen R. Guerrero Pérez
Director

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

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

APPLICANT/LOCATION INFORMATION

| | |
|-----------------|------------------------|
| Applicant ID: | PR-RGRW-01423 |
| Applicant Name: | Wilfredo Ortiz Ramirez |
| Parcel ID: | 244-000-001-08 |
| Latitude: | 18.217067 |
| Longitude: | -66.496192 |
| Street Address: | |
| Municipio: | Orocovis |
| Zip Code: | 00720 |
| Site Inspector: | Egon Gonzalez |
| Date of Visit: | August 7, 2023 |
| Time of Visit: | 10:48 |
| Building Type: | |



FIELD OBSERVATIONS

| Question | Answer | Notes |
|--|--------|---|
| A. Is the structure in use? | No | |
| B. Is the structure a greenhouse? | No | |
| C. Is Electricity connected? (Utilities or Well) | No | No electricity in parcel. Water pump will be run with generator |
| D. Is water connected? (Utilities or Well) | Yes | Water is provided by community water well |
| 1. Are there signs of poor housekeeping on site? (mounds of rubble, garbage, storm debris, solid waste, petroleum products, paint, pesticides, cleaning fluids, vehicle batteries, abandoned vehicles, pits, pools, ponds of hazardous substances, etc.) | No | |
| 2. Are there any 55-gallon drums visible on site? If yes, are they leaking? | No | |
| 3. Are there any (or signs of any) underground storage tanks on the property? | No | |
| 4. Are there signs of AST on the parcel or adjacent parcel? If yes, list approximate size and contents, if known. | No | |
| 5. Is there any stained soil or pavement on the parcel? | No | |
| 6. Is a water drainage system in use? | No | |
| 7. Is a warehouse in use for storage of Fertilizer or Pesticides? | No | |
| 8. Are there any groundwater monitoring wells on the site or adjacent parcel? | No | |
| 9. Is there evidence of a faulty septic system? | No | |
| 10. Is there distressed vegetation on the parcel? | No | |
| 11. Is there any visible indication of mold? | No | |
| 12. Is there any visible evidence of asbestos, chipping, and flaking or peeling paint, or hazardous materials present in or on the structure? | No | |
| 13. Are any additional site hazards observed? | No | |
| 14. Is there any permanent standing water, such as a pond or stream, located on the site (do not include ponding from recent rain / weather events)? | No | |
| 15. Does the subject property have water frontage? | No | |
| 16. Is there any indication of the presence of wetlands? | No | |
| 17. Are there any obvious signs of animals or birds nesting on or near the site? | No | |
| 18. Is the applicant aware of any significant historical event or persons associated with the structure, or of it being located in a historic district/area? | No | |
| 19. Is a historic marker present? | No | |

Streetscape #1

Photo Direction:

Comments:



Streetscape #2

Photo Direction:

Comments:



Address

Photo Direction:

Comments: Entrance



Architectural Details 1

Photo Direction:

Photo Description: Transit and UTV
Storage Coordinates: 18.217194, -
66.496189



Architectural Details 2

Photo Direction:

Photo Description: Transit and UTV
Storage



Architectural Details 3

Photo Direction:

Photo Description: Water cistern
Coordinates: 18.214295, -66.495286



Architectural Details 4

Photo Direction:

Photo Description: Water cistern



Architectural Details 5

Photo Direction:

Photo Description: Entrance



Architectural Details 6

Photo Direction:

Photo Description: Guineo Niño



Architectural Details 7

Photo Direction:

Photo Description: Guineo Niño



Architectural Details 8

Photo Direction:

Photo Description: Water pipes will be laid over ground



Architectural Details 9

Photo Direction:

Photo Description: Existing cistern with water lines over ground



Architectural Details 10

Photo Direction:

Photo Description: Overview Guineo Niño



Architectural Details 11

Photo Direction:

Photo Description: Water cistern and pump



Architectural Details 12

Photo Direction:

Photo Description: Water cistern and pump



Architectural Details 13

Photo Direction:

Photo Description: Concrete base 7ft
x 7ft 4inches thick



Architectural Details 14

Photo Direction:

Photo Description: Plantains



Architectural Details 15

Photo Direction:

Photo Description: Water provided by
community water well



Architectural Details 16

Photo Direction:

Photo Description: Water cistern site



Architectural Details 17

Photo Direction:

Photo Description: Water stream



Architectural Details 18

Photo Direction:

Photo Description: Water stream



Architectural Details 19

Photo Direction:

Photo Description: Water stream



Architectural Details 20

Photo Direction:

Photo Description:



Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

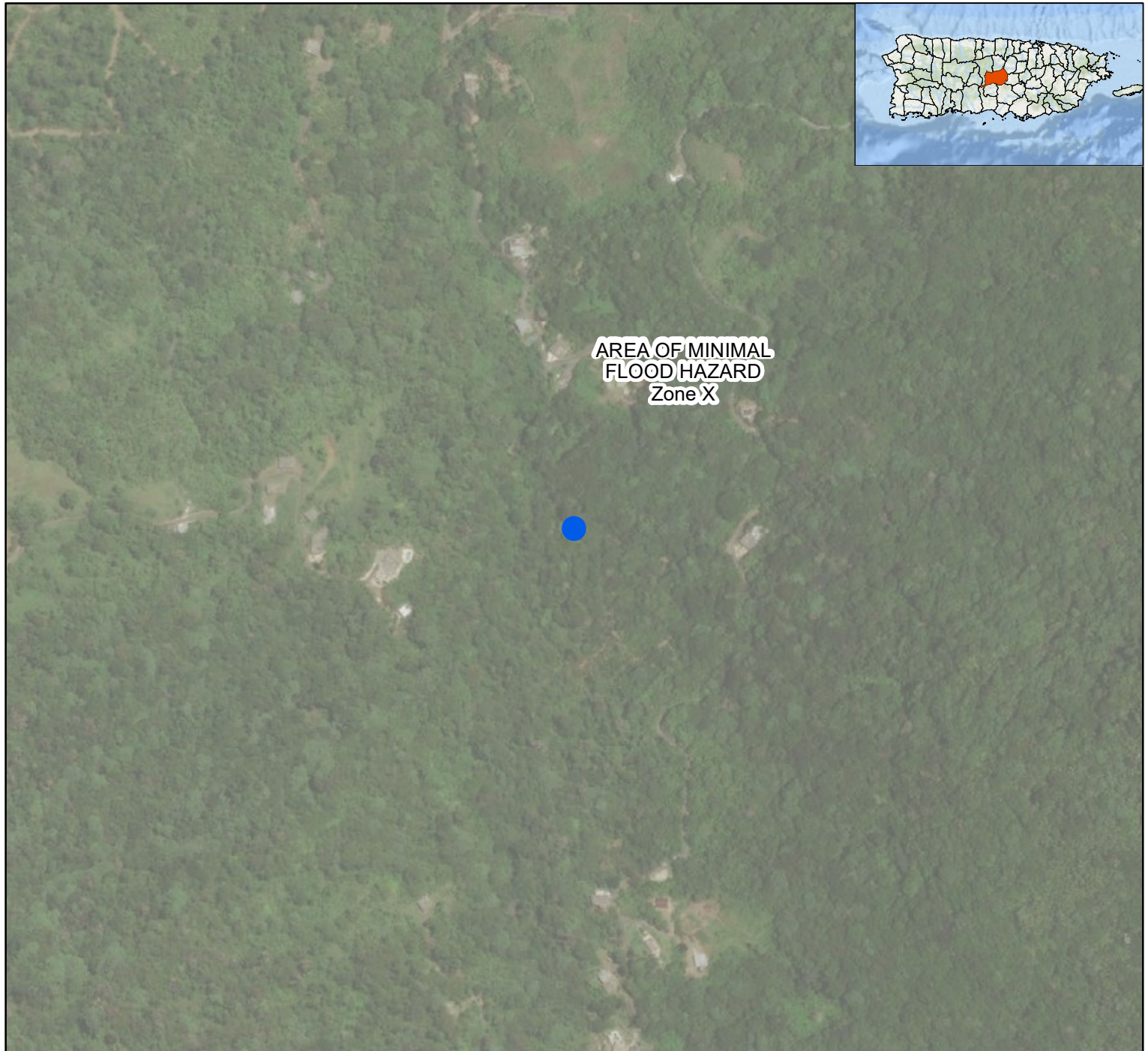
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 9

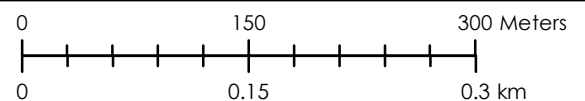
Advisory Base Flood Elevation

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01423
- Flood Zone**
- A
- 0.2% Annual Chance Flood
- ▨ Floodway
- ▨ Floodway
- Area of Minimal Flood Hazard Zone X



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

Federal Emergency Management Agency (FEMA),
Junta de Planificacion de Puerto Rico (JP),
Mapas de Niveles de Inundacion Base Recomendados,
<https://maps.jp.pr.gov/>



1:5,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

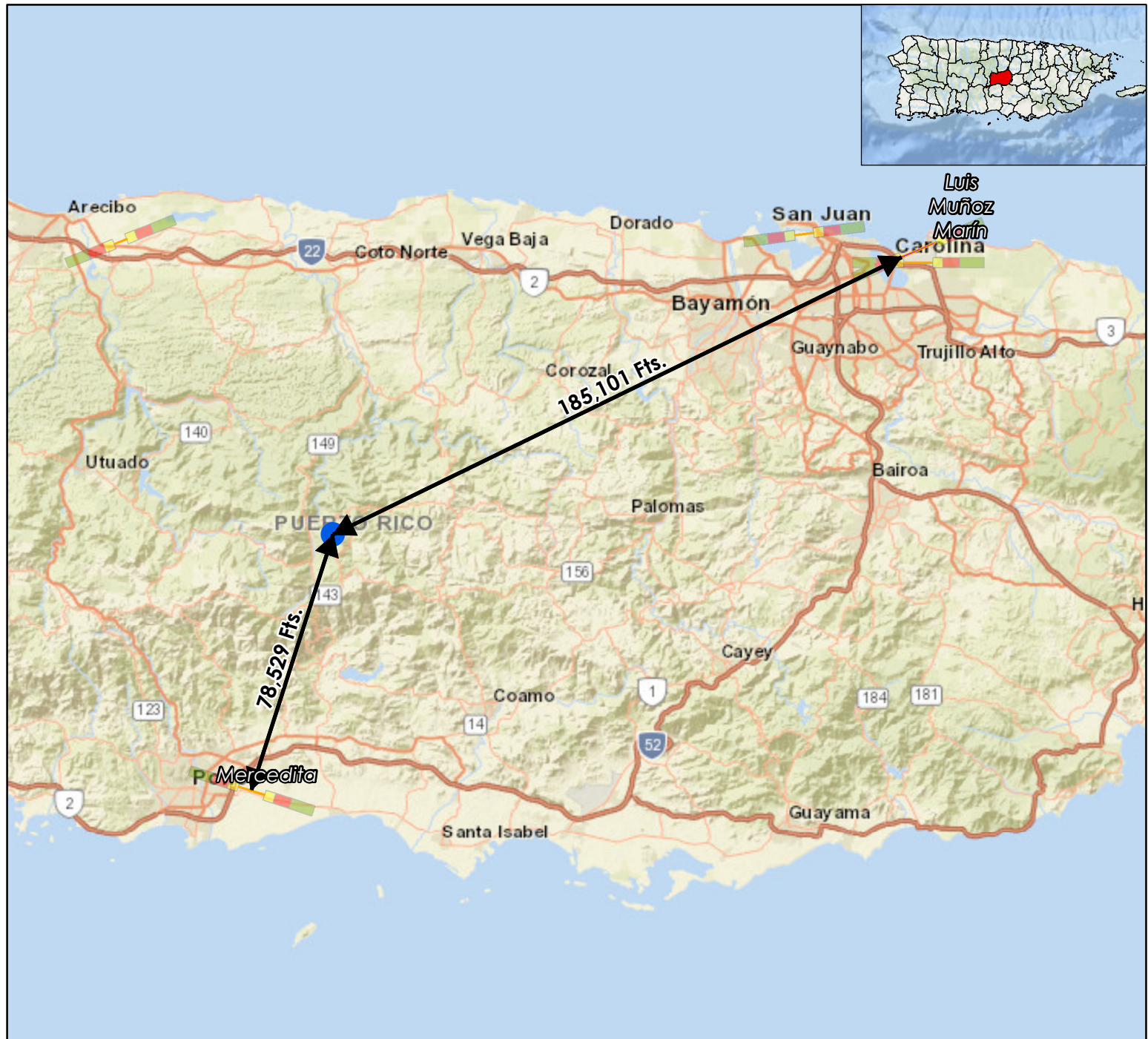
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 2

Airports

Puerto Rico Department of Housing ReGrow

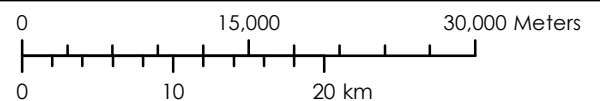


Legend:

- PR-RGRW-01423
- SJU Military Runway
- Civil Runway

Accident Potential Zone

- APZ 1
- APZ 2
- Clear Zone



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

Source:

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



1:500,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

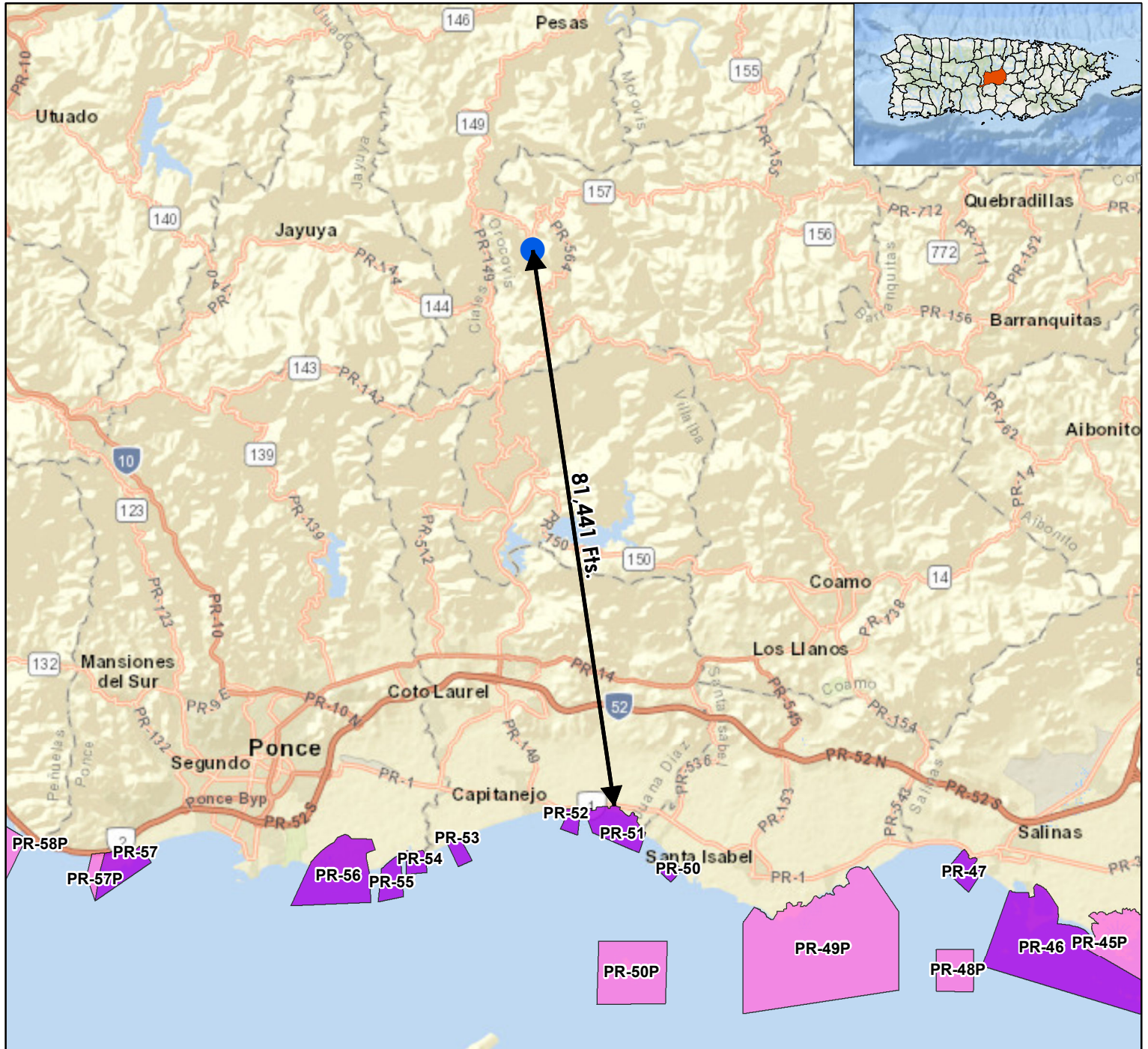
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 3

Coastal Barrier Resources System

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-01423

Coastal Barrier Resources System (CBRS)

Otherwise Protected Area

System Unit

0 7,700 15,400 Meters
0 8.5 17 km

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

Source:

U.S. Fish and Wildlife Service (FWS)
<https://www.fws.gov/program/coastal-barrier-resources-act> 1:250,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

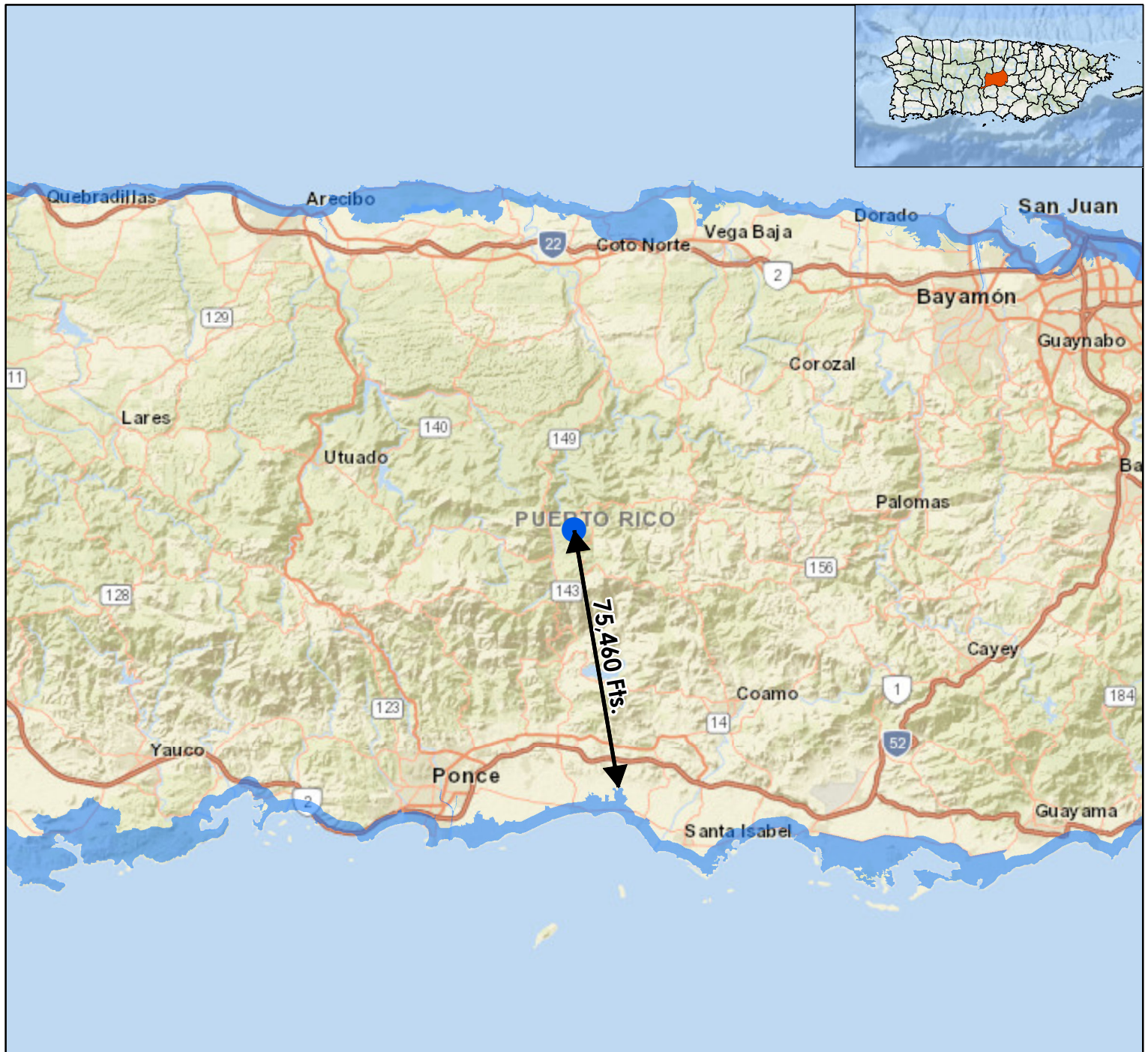
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 5

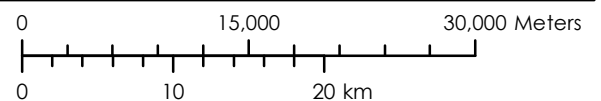
Coastal Zone Management

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01423
- Coastal Zone Management Act Boundary



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

Source:

NOAA Office for Coastal Management (NOAA/OCM)
<https://www.fisheries.noaa.gov/inport/item/53132>



1:500,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 8

Farmland Protection

Puerto Rico Department of Housing ReGrow

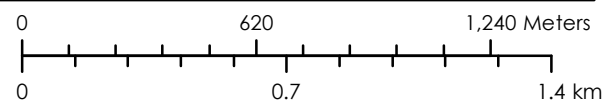


Legend:

● PR-RGRW-01423

Farm Class

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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

1:20,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

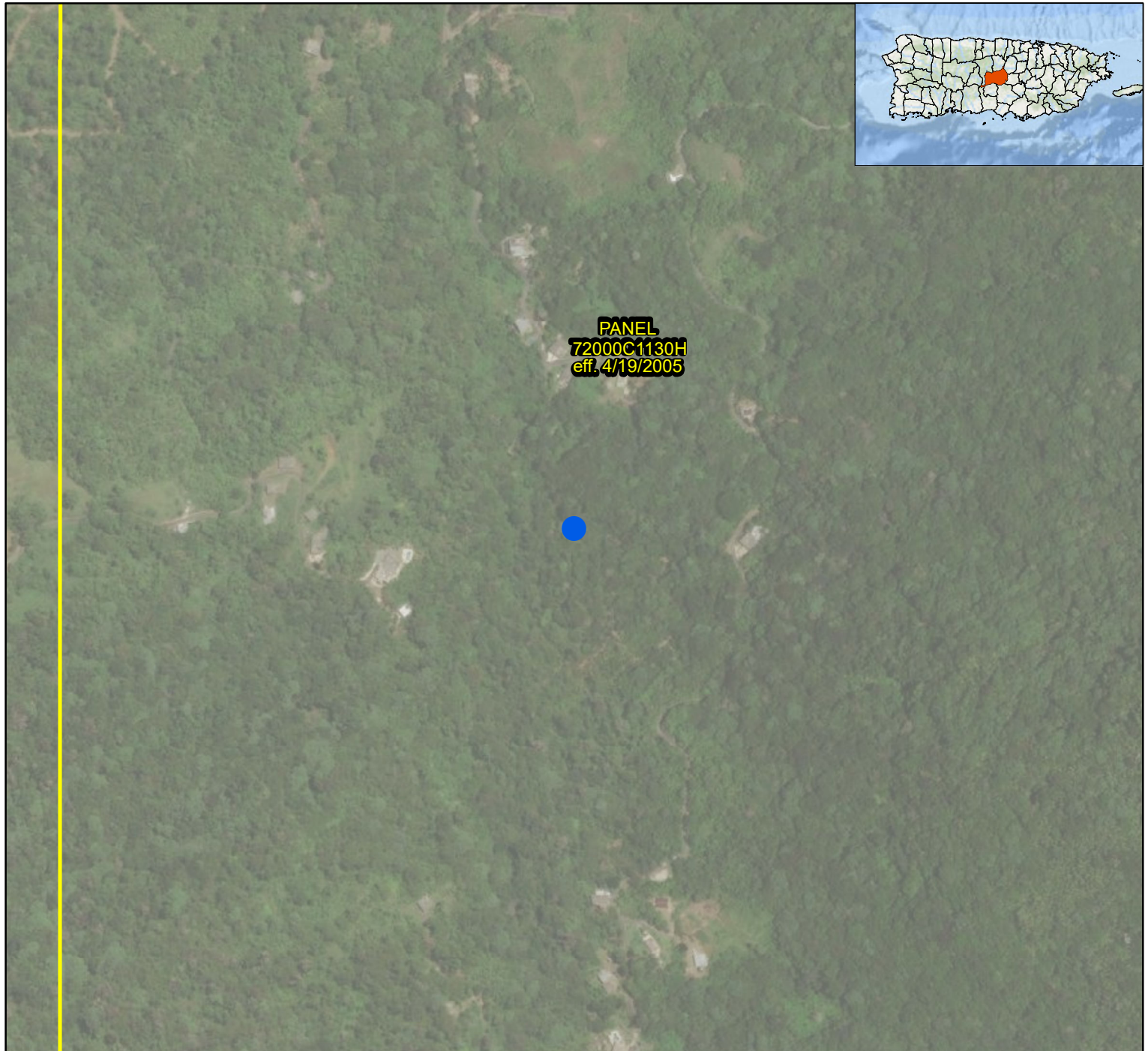
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 4

Flood Insurance Rate Map

Puerto Rico Department of Housing ReGrow



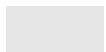
Legend:



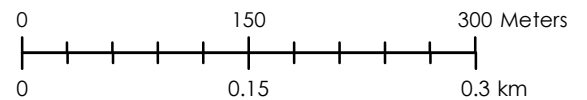
PR-RGRW-01423



FIRM Panel



Zone X Zone A, V, A99



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

Federal Emergency Management Agency (FEMA)
<https://msc.fema.gov/portal/home>



1:5,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

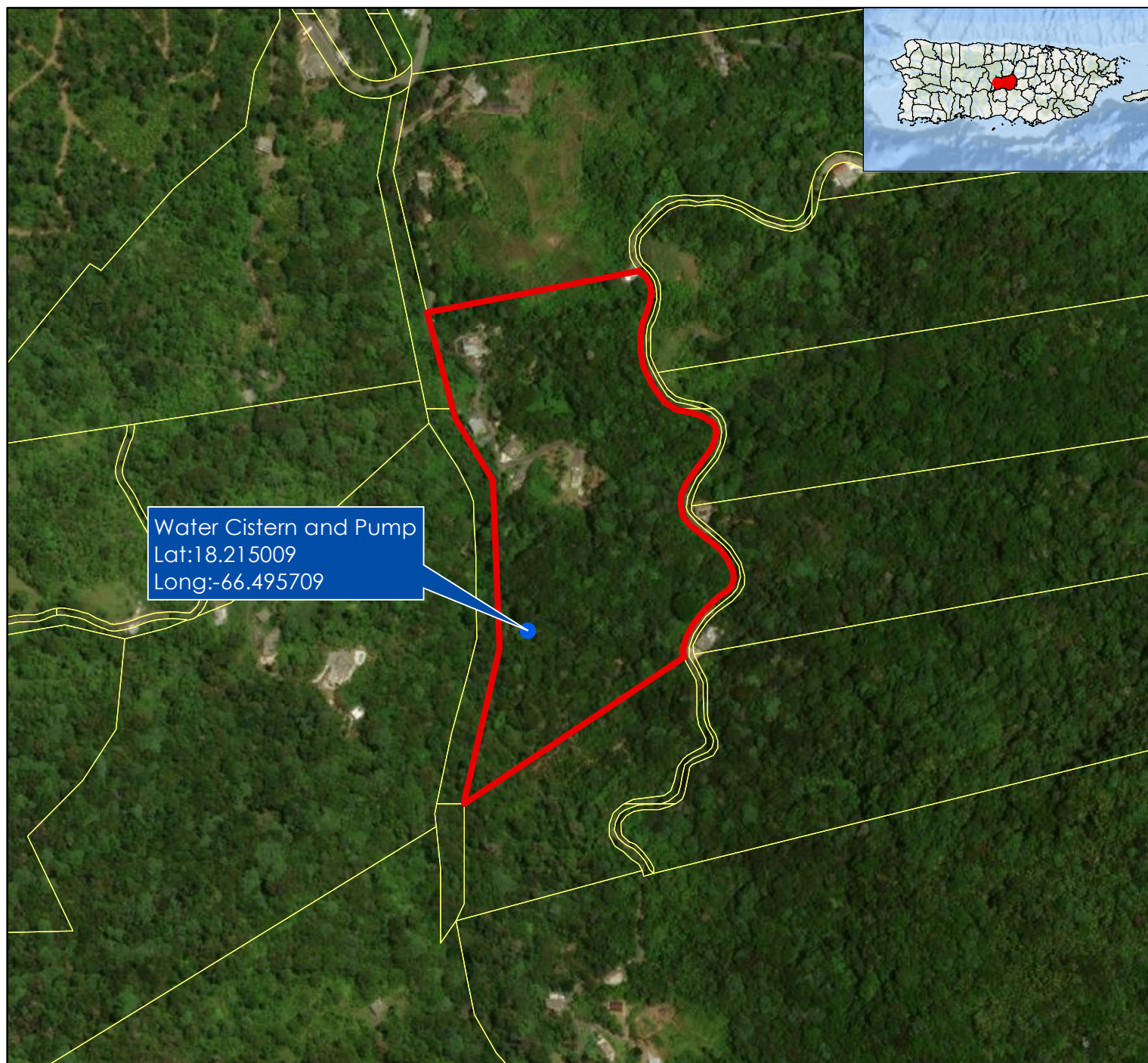
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 1

Location: Aerial Map

Puerto Rico Department of Housing ReGrow



Legend:

- Applicant Structure
- Parcel-01423
- CRIM_PARCELAS_2018

0 150 300 Meters
0 0.15 0.3 km

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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



1:5,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 11

EPA Sole Source Aquifers

Puerto Rico Department of Housing ReGrow



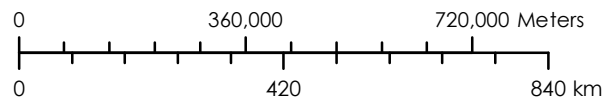
Legend:



PR-RGRW-01423



EPA Sole Source Aquifers



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors



Source:

U.S. Environmental Protection Agency
<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>

1:12,000,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

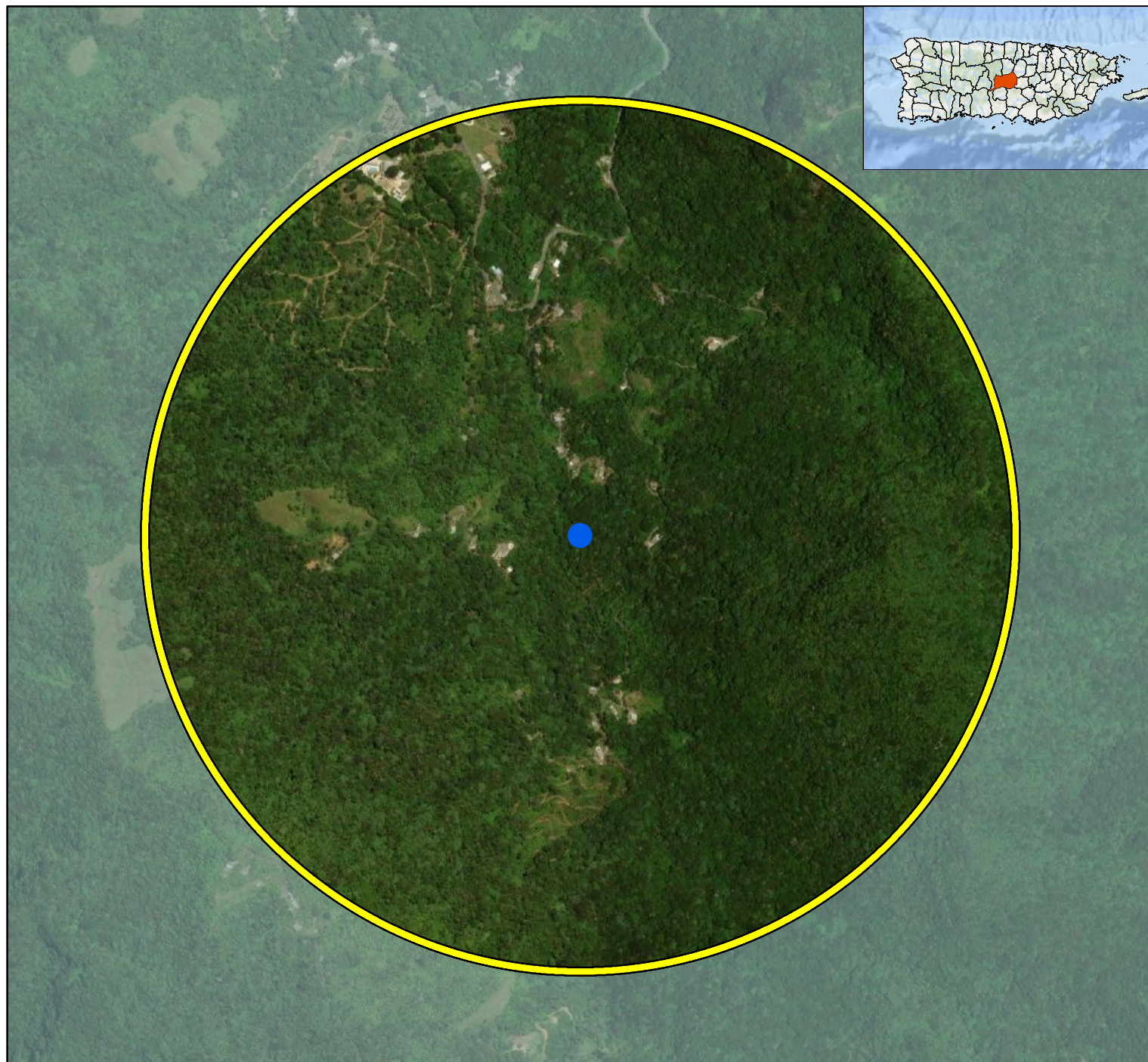
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 6

Toxic and Hazardous Facilities

Puerto Rico Department of Housing ReGrow



Legend:

● PR-RGRW-01423

□ 3,000 Ft. Buffer

● FACILITY INTERESTS

● ICIS

● NCDB

● NPDES

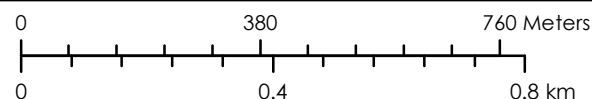
● NPDES MAJOR

● RCRA

● RCRA ACTIVE

● RCRA INACTIVE

● RCRA LQG



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

EPA Facility Registry Service (FRS)
<https://www.epa.gov/frs>



1:12,000

Wilfredo Ortiz Ramírez

Carr 157 km 4.3

Bo. Cacao

Orocovis, PR 00720

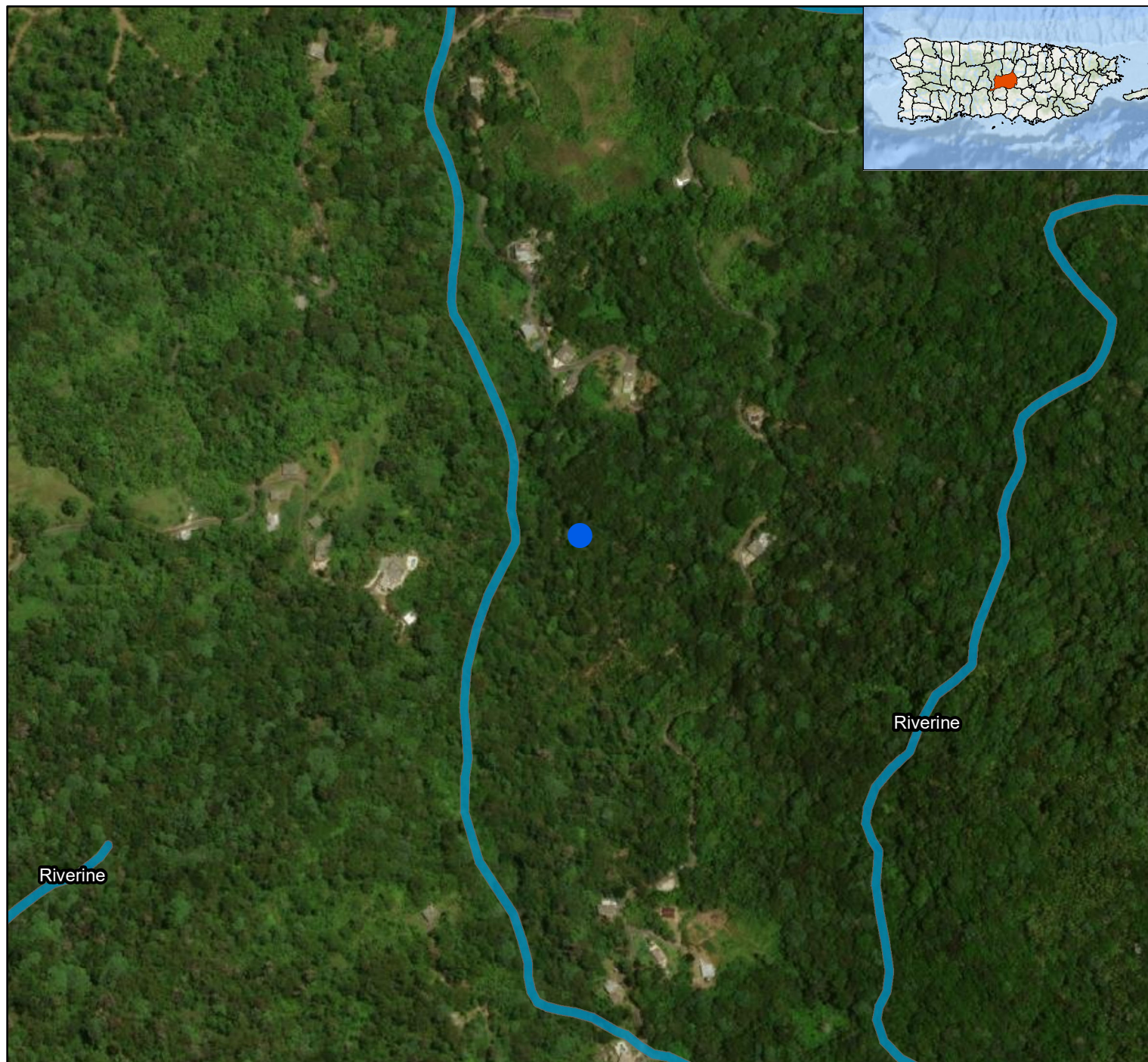
Catastro: 244-000-001-08

Lat: 18.215009, Lon: -66.495709

Figure 12

Wetlands Map

Puerto Rico Department of Housing ReGrow



Legend:

 PR-RGRW-01423

National Wetlands Inventory

 Riverine

0 150 300 Meters
0 0.15 0.3 km

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Source:

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



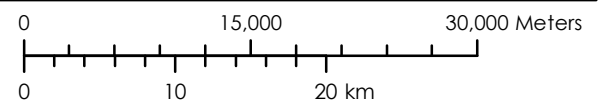
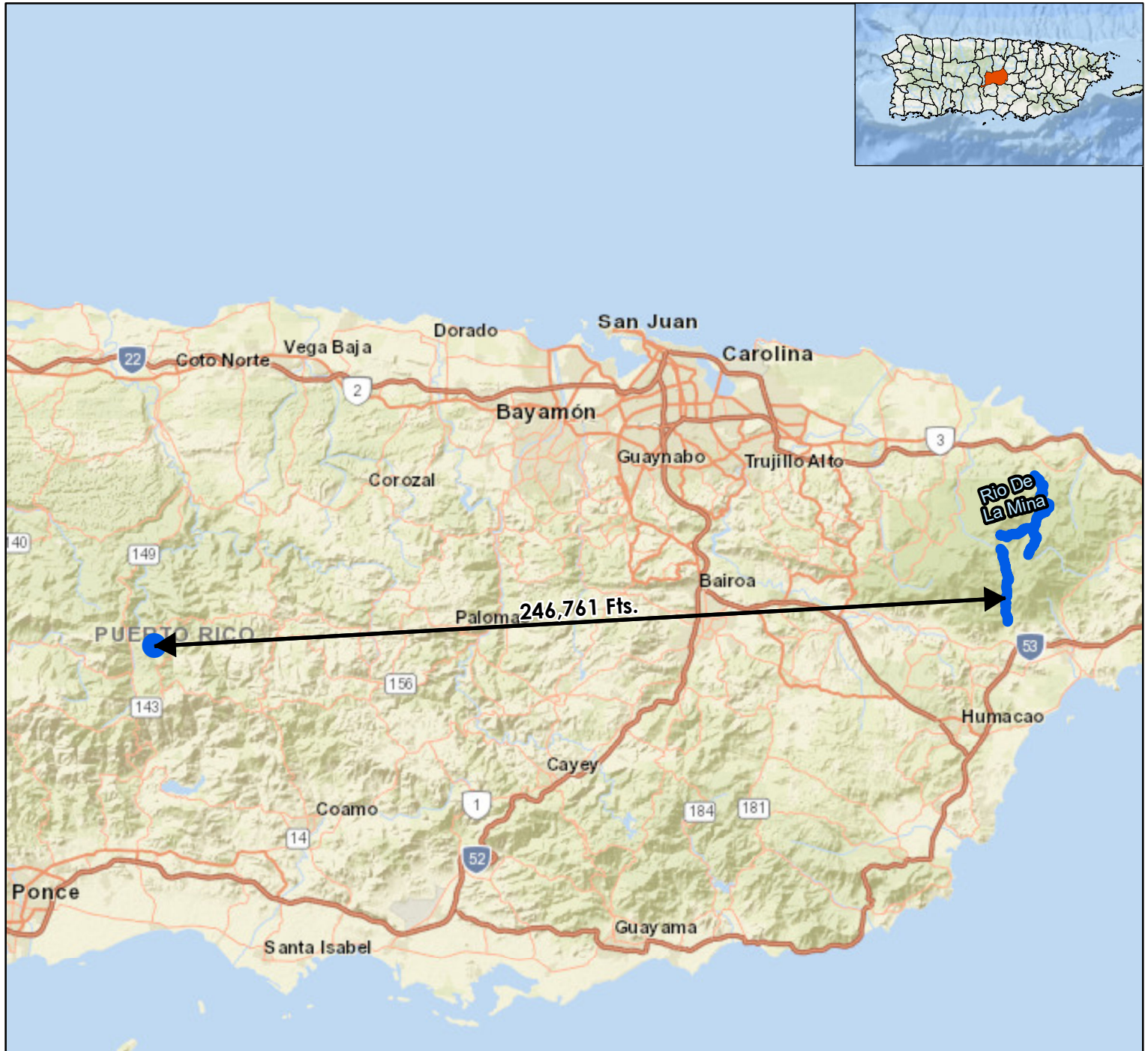
1:5,000

Marcos A. Arce Ruiz
Carr. 140 Km. 38.9
Bo. Tetuan Parc. 4
Utua, PR 00641
Catastro: 190-000-006-09
Lat: 18.259976, Lon: -66.624072

Figure 13

Wild and Scenic Rivers

Puerto Rico Department of Housing ReGrow



Legend:

- PR-RGRW-01423
- Wild and Scenic Rivers

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

Source:

FWS National Wild and Scenic Rivers System
<https://www.rivers.gov/mapping-gis.php>



1:500,000