



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

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

**Project Information**

**Project Name:** PR-RGRW-02504

**HEROS Number:** 900000010344618

**State / Local Identifier:**

**Project Location:** , Cabo Rojo, PR 00623

**Additional Location Information:**

Location centroid: Latitude 18.026997, longitude -67.12394 at the address given above. Cadastral: 381-000-001-15-000

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

This project (PR-RGRW-02504) entails the award of a grant to Hacienda 7 Generaciones, Inc., a farm dedicated to growing vegetables, medicinal plants, aromatic plants, fruit among others, at Carr 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, PR 00623. Tax ID Number: 381-000-001-15-000. Coordinates (18.026997, -67.12394). The specific scope of work for this project includes the purchase of agriculture equipment including: tractor, pulverizer, seeds, rotary tiller, sprayer materials, sprayer complements, a Rubbermaid Storage Shed, handheld wand sprinklers, shears, bypass pruner, two sprayer tanks, three rakes, six shovels, three-hundred baskets, fertilizer, pesticides, plant pots, and planting trays. The shed will be placed on bare ground with no disturbance, as the applicant wants it to be mobile. Additionally, the applicant is going to repair the wiring of their existing fence, with no ground disturbance. The former and proposed land use is the same and the parcel is approximately 5 acres. Project Funding Amount: \$78,834.16.

**Level of Environment Review Determination:**

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

**Funding Information**

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

B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)
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**Estimated Total HUD Funded Amount:** \$78,834.16

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$78,834.16

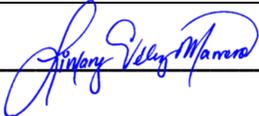
**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

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 mitigation measures as outlined in the Nationwide Standard Conservation Measures for birds will be implemented. See attached document.	N/A	

**Determination:**

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

**Preparer Signature:**  \_\_\_\_\_ **Date:** 01-September-2023

**Name / Title/ Organization:** Limary Velez Marrero / / Department of Housing - Puerto Rico

**Responsible Entity Agency Official Signature:**  \_\_\_\_\_ **Date:** 01-September-2023

**Name/ Title:** Limary Vélez Marrero / Permits and Environmental Compliance Specialist

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



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

**Project Information**

**Project Name:** PR-RGRW-02504

**HEROS Number:** 900000010344618

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

**State / Local Identifier:**

**RE Preparer:** Limary Velez Marrero

**Certifying Officer:** Limary Velez Marrero

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):** HORNE LLP

**Point of Contact:** Blas Guernica

**Project Location:** , Cabo Rojo, PR 00623

**Additional Location Information:**

Location centroid: Latitude 18.026997, longitude -67.12394 at the address given above.  
Cadastral: 381-000-001-15-000

**Direct Comments to:** [environmentcdbg@vienda.pr.gov](mailto:environmentcdbg@vienda.pr.gov)

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

This project (PR-RGRW-02504) entails the award of a grant to Hacienda 7 Generaciones, Inc., a farm dedicated to growing vegetables, medicinal plants, aromatic plants, fruit among others, at Carr 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, PR 00623. Tax ID Number: 381-000-001-

15-000. Coordinates (18.026997, -67.12394). The specific scope of work for this project includes the purchase of agriculture equipment including: tractor, pulverizer, seeds, rotary tiller, sprayer materials, sprayer complements, a Rubbermaid Storage Shed, handheld wand sprinklers, sheers, bypass pruner, two sprayer tanks, three rakes, six shovels, three-hundred baskets, fertilizer, pesticides, plant pots, and planting trays. The shed will be placed on bare ground with no disturbance, as the applicant wants it to be mobile. Additionally, the applicant is going to repair the wiring of their existing fence, with no ground disturbance. The former and proposed land use is the same and the parcel is approximately 5 acres. Project Funding Amount: \$78,834.16.

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

[PR-RGRW-02504 Scope.pdf](#)

[Agronomist Report.pdf](#)

**Level of Environmental Review Determination:**

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

**Determination:**

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

**Approval Documents:**

[PR-RGRW-02504 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
B-17-DM-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)
B-18-DE-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)
B-18-DP-72-0001	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)
B-19-DP-78-0002	Community Planning and Development (CPD)	Community Development Block Grants (Disaster Recovery Assistance)

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$78,834.16

**Estimated Total Project Cost:** \$78,834.16

**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)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 83,957 feet away. The project is in compliance with Airport Hazards requirements.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in a CBRS Unit. It is 9,883 feet from a protected area. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Map Number 72000C1565H, effective on 04/19/2005 :The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be

		mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is 8,529 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. With mitigation, identified in the mitigation section of this review, the project will be in compliance with the Endangered Species Act. According to the USFWS concurrence received on August 8th, 2023, the 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 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. The entity in charge of repairing the fence must adhere to the Nationwide Standard Conservation Measures. If there is a change in scope, obligations under section 7 must be reconsidered and the local USFWS office must be contacted.
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(7), HUD's approval of a project site, an incidental portion of which is situated in an adjacent floodplain when the proposed construction and landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding, seeding, etc.) do not occupy or modify the 100-year floodplain or the 500-year floodplain (for Critical Actions), appropriate provision is made for site drainage, and a covenant or comparable restriction is placed on the property's continued use to preserve the floodplain. The scope of work for this project is the repair of the wiring of an existing fence, the fence posts will remain where they are and not be altered. The project is not new construction and due to the nature of the repair there will be no ground disturbance. The conditions of the wetland will not be altered by the repair

		of the existing fence.
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project is covered by a Programmatic Agreement that includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	According to EPA, there are no sole source aquifers in Puerto Rico. Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990.
<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is located 473,295 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

**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 mitigation measures as outlined in the Nationwide Standard Conservation Measures for birds will be implemented. See attached document.	N/A		

### Project Mitigation Plan

The entity in charge of repairing the fence must adhere to the Nationwide Standard Conservation Measures. If there is a change in scope, obligations under section 7 must be reconsidered, and the local USFWS office must be contacted. The applicant or contractor must comply with all laws and regulations concerning the proper handling, storing, application, and disposal of Fertilizers and Pesticides. The applicant must follow the label instructions and requirements to prevent adverse environmental effects.

### Supporting documentation on completed measures

## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

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

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

No

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

Yes

### Screen Summary

#### Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The nearest airport RPZ/CZ is approximately 83,957 feet away. The project is in compliance with Airport Hazards requirements.

#### Supporting documentation

[PR-RGRW-02504 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 9,883 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-02504 CBRS.pdf](#)

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

Yes

No

## Flood Insurance

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

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

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

✓ Yes

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

[PR-RGRW-02504 Flood Map.pdf](#)

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

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

✓ No

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

Yes

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

Yes

✓ No

### **Screen Summary**

#### **Compliance Determination**

Flood Map Number 72000C1565H, effective on 04/19/2005 :The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

#### **Supporting documentation**

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

Yes

✓ No

## Air Quality

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

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

Yes

✓ No

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

### Screen Summary

#### **Compliance Determination**

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

#### **Supporting documentation**

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

Yes

✓ No

## Coastal Zone Management Act

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

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

Yes

No

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

### **Screen Summary**

#### **Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is 8,529 feet from the coastal zone. The project is in compliance with the Coastal Zone Management Act.

#### **Supporting documentation**

[PR-RGRW-02504 CZM.pdf](#)

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

Yes

No

## Contamination and Toxic Substances

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

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

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

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

None of the Above

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

No

**Explain:**

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

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

Yes

### Screen Summary

#### **Compliance Determination**

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

**Supporting documentation**

[PR-RGRW-02504 Toxics.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 mitigation measures as outlined in the Nationwide Standard Conservation Measures for birds will be implemented. See attached document.

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. According to the USFWS concurrence received on August 8th, 2023, the 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 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. The entity in charge of repairing the fence must adhere to the Nationwide Standard Conservation Measures. If there is a change in scope, obligations under section 7 must be reconsidered and the local USFWS office must be contacted.

#### **Supporting documentation**

[PR-RGRW-02504 USFWS Consultation Letter signed \(1\).pdf](#)  
[nationwide-standard-conservation-measures.pdf](#)  
[20230808\\_CDBG-DR RGRW-02504 Hacienda 7 Generaciones\\_drr\\_72023-Gen.pdf](#)

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

✓ Yes

No

## Explosive and Flammable Hazards

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

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

No

Yes

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

No

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

Yes

### **Screen Summary**

#### **Compliance Determination**

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

#### **Supporting documentation**

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

Yes

No

## Farmlands Protection

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

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

Yes

✓ No

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

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-02504 Farmland.pdf](#)

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

Yes

✓ No

## Floodplain Management

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

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

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

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

### **Screen Summary**

#### **Compliance Determination**

The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(7), HUD's approval of a project site, an incidental portion of which is situated in an adjacent floodplain when the proposed construction and landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding, seeding, etc.) do not occupy or modify the 100-year floodplain or the 500-year floodplain (for Critical Actions), appropriate provision is made for site drainage, and a covenant or comparable restriction is placed on the property's continued use to preserve the floodplain. The scope of work for this project is the repair of the wiring of an existing fence, the fence posts will remain where they are and not be altered. The project is not new construction and due to the nature of the repair there will be no ground disturbance. The conditions of the wetland will not be altered by the repair of the existing fence.

#### **Supporting documentation**

[PR-RGRW-02504 Flood Map\(1\).pdf](#)

[PR-RGRW-02504 ABFE.pdf](#)

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

Yes

✓ No

## Historic Preservation

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

### Threshold

#### Is Section 106 review required for your project?

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

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

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

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

I. First Tier Allowances B. BUILDINGS AND STRUCTURES 1. Repair, retrofit, and reconstruction of buildings, and structures less than forty-five (45) years old, unless located in or adjacent to a historic district. I. First Tier Allowances A. GROUND DISTURBING ACTIVITIES AND SITE MODIFICATION, when proposed activities described below substantially conform to the original footprint and/or are performed in previously disturbed soils, including the area where the activity is staged.

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

### Screen Summary

#### Compliance Determination

Based on the project description the project is covered by a Programmatic Agreement that

includes an applicable exemption that exempts this project from the requirements of Section 106. The project is in compliance with Section 106.

**Supporting documentation**

[PR-RGRW-02504 Historic.pdf](#)

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

Yes

✓ No

## Noise Abatement and Control

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

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

New construction for residential use

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

None of the above

### Screen Summary

#### **Compliance Determination**

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

#### **Supporting documentation**

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

Yes

No



## Sole Source Aquifers

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

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

Yes

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

No

### Screen Summary

#### **Compliance Determination**

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

#### **Supporting documentation**

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

Yes

No

**Wetlands Protection**

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

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

✓ No

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

Yes

**Screen Summary**

**Compliance Determination**

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

**Supporting documentation**

[PR-RGRW-02504 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 473,295 feet from the nearest Wild and Scenic River. The project is in compliance with the Wild and Scenic Rivers Act.

#### **Supporting documentation**

[PR-RGRW-02504 WSR.pdf](#)

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

Yes

No

**Environmental Justice**

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

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

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

Yes

✓ No

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

**Screen Summary**

**Compliance Determination**

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

**Supporting documentation**

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

Yes

✓ No



August 4, 2023

Edwin E Muñiz, Field Supervisor  
Caribbean Ecological Services Field Office  
U.S. Fish and Wildlife Service  
P.O. Box 491  
Boquerón, Puerto Rico 00622  
Email: [caribbean\\_es@fws.gov](mailto:caribbean_es@fws.gov)

**Re: Puerto Rico Department of Housing Re-Grow PR-RGRW-02504 Project – Hacienda 7 Generaciones, Inc. – Endangered Species Evaluation**

Dear Mr. Muñiz,

Horne, on behalf of the Puerto Rican Department of Housing (PRDOH), is requesting informal consultation with the U.S. Fish and Wildlife Service (USFWS) under the Endangered Species Act (ESA) (87 Stat. 884;16 U.S.C. 1531et seq.) 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 Re-Grow, PR-RGRW-02504, located at Carr. 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, PR 00623. The Project coordinates are latitude 18.026997, longitude -67.123940.

The proposed project in question, PR-RGRW-02504, is requesting funding under the PR Urban-Rural Agriculture Program (Re-Grow). The goal of the Re-Grow is to build agricultural capacity and focus on promoting and increasing food security island wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. The project scope includes the purchase of a shed, which will be placed on bare ground with no ground disturbance, and the repair/reinforcement of an existing fence surrounding the perimeter of the applicant's farm. The existing fence spans the perimeter of the property, approximately 140,407 feet around the property parcel and is made of wooden posts and wire. The applicant intends to use high tensile gauge wire to reinforce the existing fence. The farm in question is dedicated to growing vegetables, medicinal plants, aromatic plants, and fruit. The applicant also supplies packaged goods such as seeds and compost and teaches agricultural workshops.

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



Name of the Species	Threatened/Endangered/ Candidate
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered
Yellow-shouldered Blackbird ( <i>Agelaius xanthomus</i> )	Endangered

Critical Habitat
Yellow-shouldered Blackbird ( <i>Agelaius xanthomus</i> )

Based on the nature of the project, we have made the following determinations:

Species	Effect Determination	Conservation Measures to be Implemented
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	No Effect	Puerto Rican Boa General Project Design Guidelines
Yellow-shouldered Blackbird ( <i>Agelaius xanthomus</i> )	Not Likely to Adversely Affect (NLAA)	Nationwide Standard Conservation Measures

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

### Analysis of Endangered Species and Critical Habitat:

The parcel in question finds itself within a designated final critical habitat for the Yellow-Shouldered Blackbird (*Agelaius xanthomus*) (Appendix A, Figure 2). The Caribbean DKey, dated February 08, 2023, in the U.S. Fish and Wildlife Service's online IPaC application, was used to evaluate the potential impacts to federally listed species from this project. Based on the answers inputted into the DKey, it was determined that the proposed action will have "No Effect" determination on the Puerto Rican Boa. However, the determination key does not cover the Yellow-shouldered Blackbird. After a careful review of the scope of work, habitat conditions of the project area and identified resource needs for the species it has been determined that the proposed project scope is not likely to adversely affect (NLAA) the designated critical habitat for the Yellow-shouldered Blackbird.

### Existing Conditions:

The project area consists of an approximately 5-acre parcel located at Carr 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo. According to the U.S. Geological Survey National Land Cover Database (NLCD) (Appendix A, Figure 4) the majority of the project area consists of herbaceous plants, with some evergreen forest to the West and South of the parcel.



Historic aerial imagery shows that the parcel has been herbaceous farmland since the 1990s. Photographs of the project location are provided in Appendix B.

### **Physical and Biological Features (PBF):**

According to the 5-Year Review Summary and Evaluation of the Yellow-Shouldered Blackbird, the U.S. Fish and Wildlife Service (USFWS) determined that the species primarily resides in subtropical dry forests and has been seen migrating inland to subtropical wet forests during the non-breeding season to feed. In recent years, it has been observed that the species may use various types of nesting habitats such as mud flats and Salinas, offshore red mangrove cays, black mangrove forest, lowland pastures (dry coastal forest), suburban areas, coconut plantations, and coastal cliffs. Additionally, according to the Yellow-shouldered Blackbird (*Agelaius xanthomus*) Revised Recovery Plan, artificial nests have been seen to be a successful alternative for the species. Furthermore, the birds have recently started to nest in developed areas, such as under piers and in power plants, seemingly unaffected by human traffic. The Yellow-Shouldered Blackbirds are omnivorous, feeding mostly on insects and fruit. However, the bird has also been observed feeding on other sources of food such as cattle ration, human food leftovers (e.g., rice), and dog food.

Based on this research, it can be assumed that the yellow-shouldered blackbird may utilize the nearby forested areas to the south and west of the parcel for nesting grounds. Additionally, based on the feeding patterns of the species it can be concluded that the near surrounding areas could provide the bird with the nourishment it needs to survive. However, it is important to note that no ground disturbing activities will be taking place. The project activities will not involve the removal of any natural features on the property. The existing wooden posts on the fence will be utilized to secure the requested high tensile gauge wire. Therefore, the physical and Biological Features (PBF) essential to the conservation of the species will not be disturbed. However, it is recommended that nationwide standard conservation measures should be implemented with the goal of reducing impacts to birds and their habitats.

In conclusion, the effect of this project on protected species and critical habitat area was assessed given that the parcel in question finds itself within a designated final critical habitat for the Yellow-Shouldered Blackbird (*Agelaius xanthomus*). A species list was generated for the project area using the Information for Planning and Consultation (IPAC) tool and indicated the potential presence for endangered species and critical habitat. After reviewing the proposed activities to be completed at the proposed project location, it has been concluded that the project activities would not jeopardize or adversely affect the existence of any species listed under the Endangered Species Act (ESA) nor destroy or adversely modify the designated critical habitat for the Yellow-Shouldered Blackbird (*Agelaius xanthomus*). Furthermore, thorough review of aerial imagery, site inspection photos and all relevant data and documents attached to this



consultation package, have concluded that although the project area may support the habitat and feeding needs of the species, the project activities will not remove any natural features that could jeopardize the species. However, it is recommended that nationwide standard conservation measures should be implemented with the goal of reducing impacts to birds and their habitats. A “Not Likely to Adversely Affect” (NLAA) determination can be concluded for the proposed project site in question.

In order to complete this consultation process, we are requesting your concurrence for the NLAA determination included in this letter. For any questions or clarifications, please do not hesitate to contact us at the information below.

Thank you in advance for your consideration of this issue.

Cordially,

Juan Carlos Pérez-Bofill, PE, MEng.  
Director – Disaster Recovery CDBG-DR Program  
jcperez@vivienda.pr.gov | 787.274.2527 ext. 4320

#### **Attachments**

Appendix A – Maps  
Appendix B – Photographs of Location  
Appendix C – USFWS Information for Planning and Consultation

C: Angel G. López-Guzmán, MSEM – Deputy Director, Permits and Environmental Compliance Division  
Santa D. Ramírez Lebrón – Specialist, Permits and Environmental Compliance Division

#### **References:**

Caribbean Ecological Services Field Office, 2011, Puerto Rican Boa (*Epicrates inornatus*) 5-Year Review: Summary and Evaluation, accessed 6 July 2023, <<https://www.fws.gov/node/64561>>

Caribbean Ecological Services Field Office, 2018, Mariquita or yellow-shouldered blackbird (*Agelaius xanthomus*) 5-Year Review: Summary and Evaluation, accessed 6 July 2023, <<https://www.fws.gov/node/65351>>

U.S Fish and Wildlife Service, Nationwide Standard Conservation Measures, accessed 9 July, 2023,<<https://www.fws.gov/media/nationwide-standard-conservation-measures> >

U.S Fish and Wildlife Service, Southeast Region, 1983, Yellow-Shouldered Blackbird Revised Recovery Plan, accessed 9 July 2023, < [chrome-extension://efaidnbmninnibpcqajpcglclefindmkaj/https://ecos.fws.gov/docs/recovery\\_plan/961112a.pdf](chrome-extension://efaidnbmninnibpcqajpcglclefindmkaj/https://ecos.fws.gov/docs/recovery_plan/961112a.pdf) >



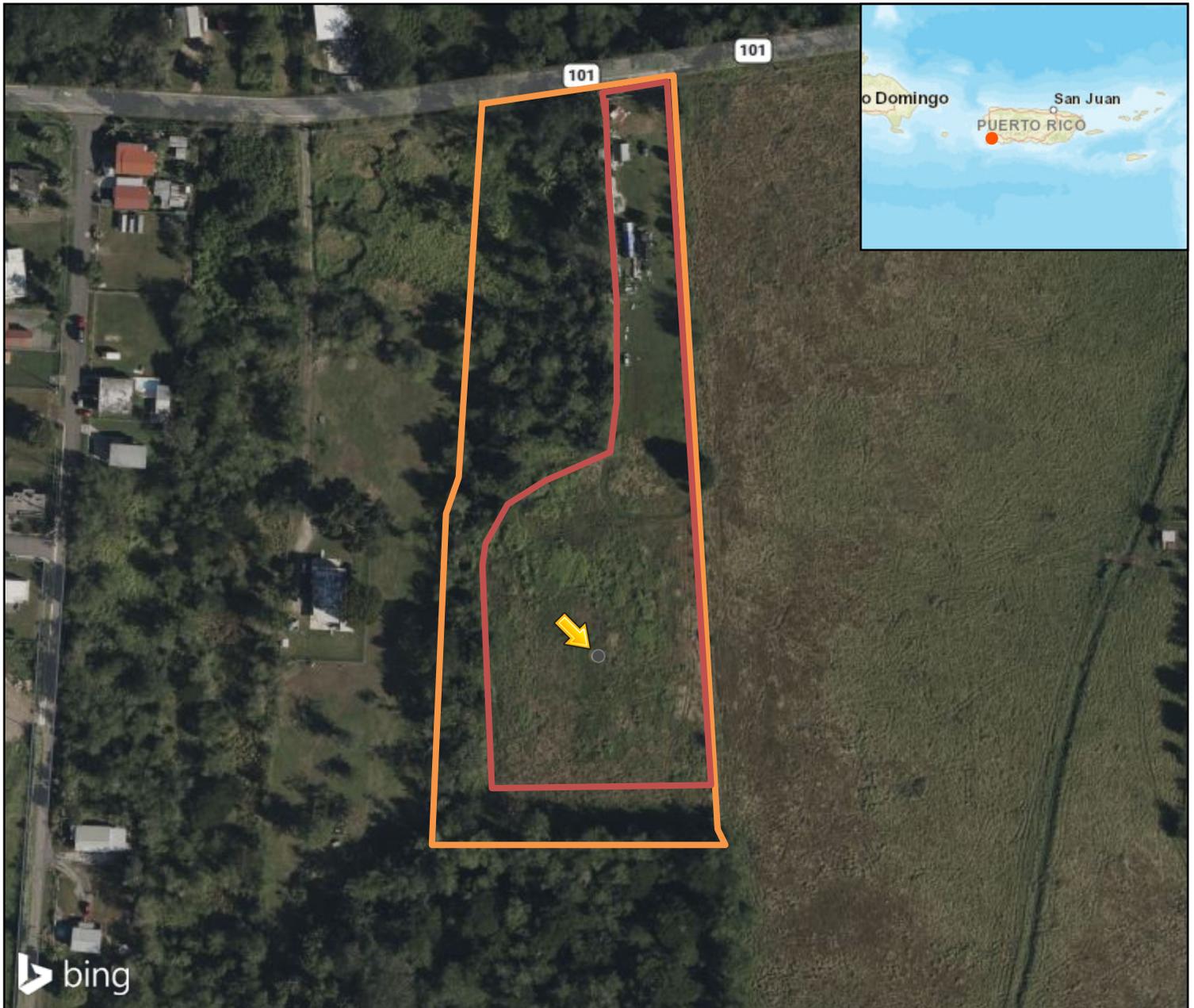
U.S. Geological Survey National Land Cover Database (NLCD), Maps | Data Basin. (n.d.). (C) Copyright 2023 Data Basin. <<https://databasin.org/maps/new/#datasets=e95aa06e05624f3087559eca884db034>>

## **Appendix A**

### **Maps**

**Figure 1**  
**Site Location Map**

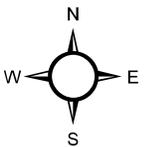
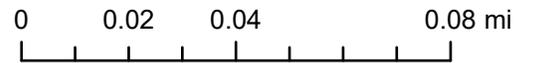
# PR-RGRW-02504 Site Map



Legend

Parcel

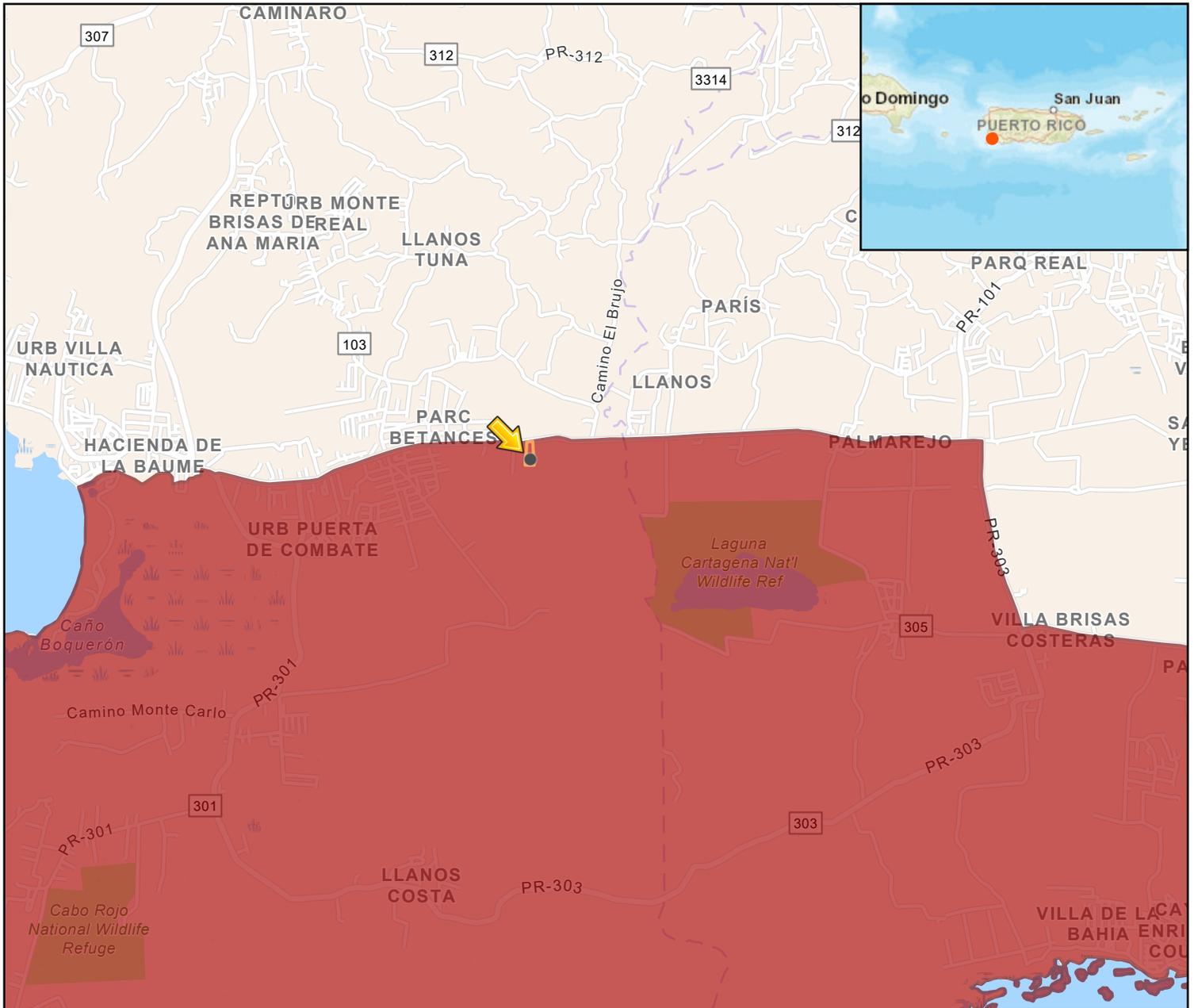
Fence Perimeter



## **Figure 2**

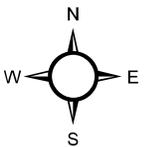
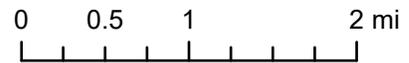
### **Endangered Species Map**

# PR-RGRW-02504 Endangered Species



**Legend**

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



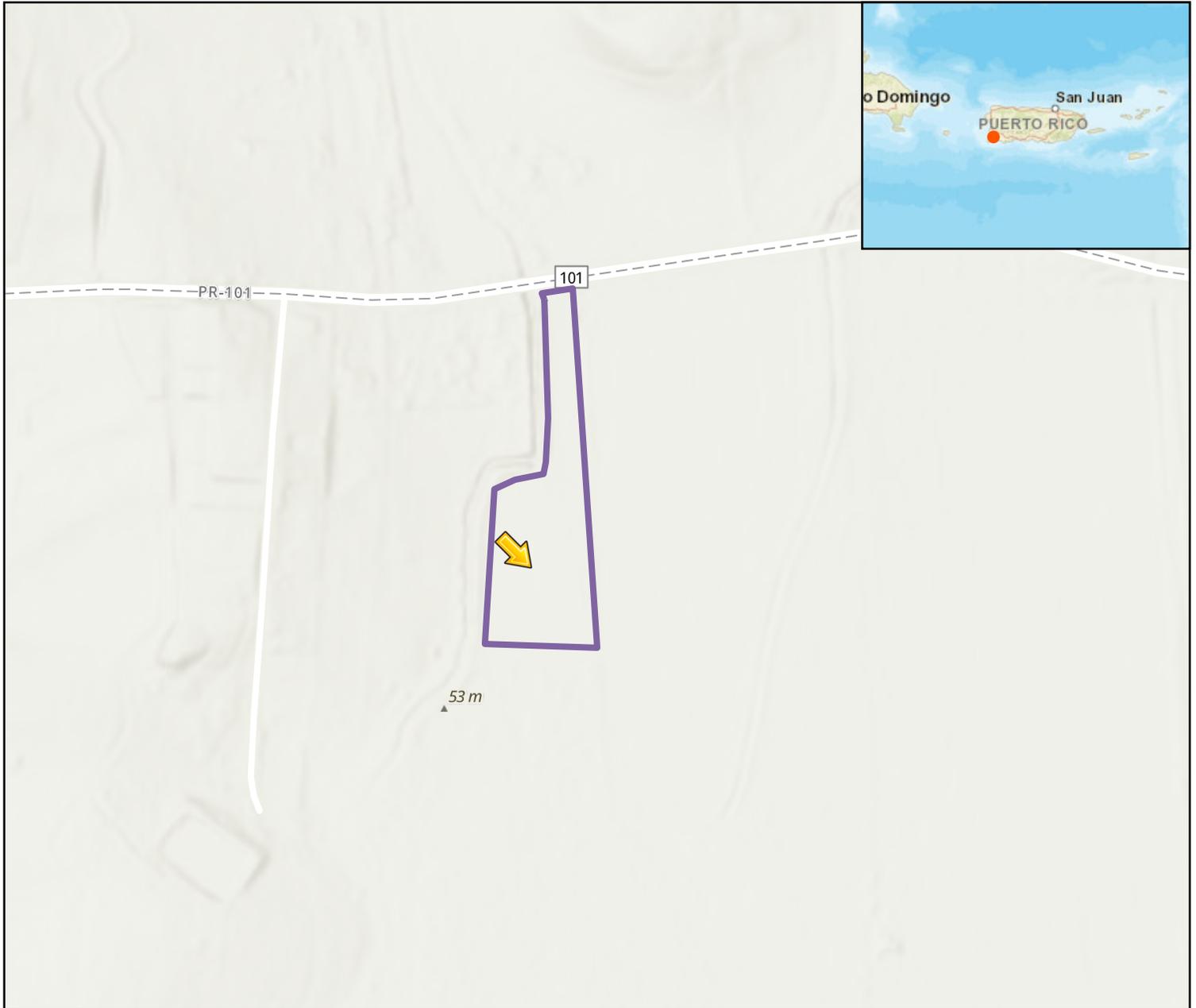
Endangered Species Habitat

U.S. Fish and Wildlife Service

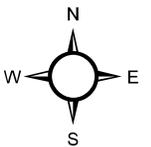
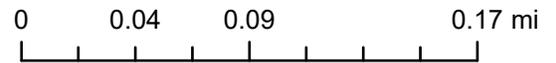
**Figure 3**

**Topographic Map**

# PR-RGRW-02504 Topographic Map



Legend



**Figure 4**

**Land Cover Map**



# PR-RGRW-02504 Land Cover

## Legend

### National Land Cover Database, land cover - Puerto Rico

- Barren Land
- Cultivated Crops
- Developed, High Intensity
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed, Open Space
- Emergent Herbaceous Wetlands
- Evergreen Forest
- Hay/Pasture
- Herbaceous
- Open Water
- Shrub/Scrub
- Woody Wetlands

New Drawing 5



## Map Details

### Datasets



**National Land Cover Database, land cover - Puerto Rico**  
<https://databasin.org/datasets/e95aa06e05624f3087559eca884db034/>

**Credits:** USGS National Land Cover Database 2001

**Layers:** layer 1

Hacienda 7 Generaciones, Inc.  
 Carr 101 Km 13.9 Barrio Llanos Costa  
 Cabo Rojo PR 00623  
 18.026997-67.123940

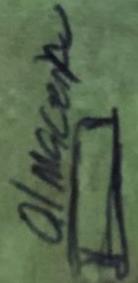
## **Appendix B**

### **Photographs of Location**

3.12.80 Cuenda

139

colindancias



verjas/cercas

colindancias

Subject  
Hacienda 7 Generaciones



## **Appendix C**

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



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
Post Office Box 491  
Boqueron, PR 00622-0491  
Phone: (787) 834-1600 Fax: (787) 851-7440  
Email Address: [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

In Reply Refer To:  
Project Code: 2023-0099415  
Project Name: PR-RGRW-02504

June 29, 2023

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

<https://www.fws.gov/southeast/pdf/letter/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:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.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](mailto: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
  - Migratory Birds
  - Wetlands
-

## **OFFICIAL SPECIES LIST**

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

This species list is provided by:

**Caribbean Ecological Services Field Office**

Post Office Box 491

Boqueron, PR 00622-0491

(787) 834-1600

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## PROJECT SUMMARY

Project Code: 2023-0099415

Project Name: PR-RGRW-02504

Project Type: Restoration / Enhancement - Agricultural

Project Description: The proposed project will be funded under the PR Department of Housing (PRDOH) Re-grow PR Urban-Rural Agriculture Program. The goal of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (Re-Grow) is to build agricultural capacity and focus on promoting and increasing food security island wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. The proposed scope involves the repair of a fence at Carr 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, PR 00623. The fence will go around the perimeter of the applicant's parcel, which is approximately 5 acres.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.02765015,-67.12401069904479,14z>



Counties: Cabo Rojo County, Puerto Rico

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

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

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

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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
Yellow-shouldered Blackbird <i>Agelaius xanthomus</i> There is <b>final</b> critical habitat for this species. Your location overlaps the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/7383">https://ecos.fws.gov/ecp/species/7383</a>	Endangered

## REPTILES

NAME	STATUS
Puerto Rican Boa <i>Chilabothrus inornatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6628">https://ecos.fws.gov/ecp/species/6628</a> General project design guidelines: <a href="https://ipac.ecosphere.fws.gov/project/NI6IM5GJEVBSXLRAEIY5HRUJJE/documents/generated/6941.pdf">https://ipac.ecosphere.fws.gov/project/NI6IM5GJEVBSXLRAEIY5HRUJJE/documents/generated/6941.pdf</a>	Endangered

## CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Yellow-shouldered Blackbird <i>Agelaius xanthomus</i> <a href="https://ecos.fws.gov/ecp/species/7383#crithab">https://ecos.fws.gov/ecp/species/7383#crithab</a>	Final

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# **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.

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# MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

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

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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.

## MIGRATORY BIRDS FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list

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of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical](#)

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[Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## 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.

RIVERINE

- [R4SBC](#)
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## **IPAC USER CONTACT INFORMATION**

Agency: Horne Government Services  
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Address: 269 Av. Juan Ponce de León  
City: San Juan  
State: PR  
Zip: 00917  
Email: blas.guernica@horne.com  
Phone: 9392144221

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Caribbean Ecological Services Field Office  
Post Office Box 491  
Boqueron, PR 00622-0491  
Phone: (787) 834-1600 Fax: (787) 851-7440  
Email Address: [CARIBBEAN\\_ES@FWS.GOV](mailto:CARIBBEAN_ES@FWS.GOV)

In Reply Refer To:  
Project code: 2023-0099415  
Project Name: PR-RGRW-02504

June 29, 2023

Subject: Consistency letter for the project named 'PR-RGRW-02504' 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 June 29, 2023, Blas Guernica used the Caribbean DKey; dated February 08, 2023, in the U.S. Fish and Wildlife Service's online [IPaC application](#) to evaluate potential impacts to federally listed species, from a project named 'PR-RGRW-02504'. The project is located in Cabo Rojo County, Puerto Rico (shown below).

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.02765015,-67.12401069904479,14z>



The following description was provided for the project 'PR-RGRW-02504':

The proposed project will be funded under the PR Department of Housing (PRDOH) Re-grow PR Urban-Rural Agriculture Program. The goal of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (Re-Grow) is to build agricultural capacity and focus on promoting and increasing food security island wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. The proposed scope involves the repair of a fence at Carr 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, PR 00623. The fence will go around the perimeter of the applicant's parcel, which is approximately 5 acres.

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

Species	Listing Status	Determination
Puerto Rican Boa ( <i>Chilabothrus inornatus</i> )	Endangered	No effect

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

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

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

**Note:** Projects located within the range of the Puerto Rican boa or the Virgin Islands tree boa might encounter these species during project activities. **This letter does not provide take to handle or move these species.** If relocation of the species is needed, please contact either the Puerto Rico Department of Natural Resources (DNER) at 787-724-5700, 787-230-5550, or 787-771-1124 for projects in Puerto Rico, or the Virgin Islands Department of Planning and Natural Resources, Division of Fish and Wildlife (DFW) at 340-775-6762 for projects in the Virgin Islands. Otherwise, contact the Caribbean Ecological Services Field Office (caribbean\_es@fws.gov) to determine whether the consultation needs to be reinitiated.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion. Effects to the other federally listed species or critical habitat as listed below should be considered as part of your ESA review for the project.

- Yellow-shouldered Blackbird *Agelaius xanthomus* Endangered

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

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

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## Action Description

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

### 1. Name

PR-RGRW-02504

### 2. Description

The following description was provided for the project 'PR-RGRW-02504':

The proposed project will be funded under the PR Department of Housing (PRDOH) Re-grow PR Urban-Rural Agriculture Program. The goal of the Re-Grow Puerto Rico Urban-Rural Agriculture Program (Re-Grow) is to build agricultural capacity and focus on promoting and increasing food security island wide and enhancing and expanding agricultural production related to economic revitalization and sustainable development activities. The proposed scope involves the repair of a fence at Carr 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, PR 00623. The fence will go around the perimeter of the applicant's parcel, which is approximately 5 acres.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@18.02765015,-67.12401069904479,14z>



## 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, etc.)

*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")?

*Yes*

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

**Automatically answered**

*Yes*

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## **IPAC USER CONTACT INFORMATION**

Agency: Horne Government Services  
Name: Blas Guernica  
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City: San Juan  
State: PR  
Zip: 00917  
Email: blas.guernica@horne.com  
Phone: 9392144221

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Department of Housing and Urban Development

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## NATIONWIDE STANDARD CONSERVATION MEASURES

Listed below are effective measures that should be employed at all project development sites nationwide with the goal of reducing impacts to birds and their habitats. These measures are grouped into three categories: General, Habitat Protection, and Stressor Management. These measures may be updated through time. We recommend checking the Conservation Measures website regularly for the most up-to-date list.

### 1. General Measures

- a. Educate all employees, contractors, and/or site visitors of relevant rules and regulations that protect wildlife. See the Service webpage on [Regulations and Policies](#) for more information on regulations that protect migratory birds.
- b. Prior to removal of an inactive nest, ensure that the nest is not protected under the Endangered Species Act (ESA) or the Bald and Golden Eagle Protection Act (BGEPA). Nests protected under ESA or BGEPA cannot be removed without a valid permit.
  - i. See the [Service Nest Destruction Policy](#)
- c. Do not collect birds (live or dead) or their parts (e.g., feathers) or nests without a valid permit. Please visit the [Service permits page](#) for more information on permits and permit applications.
- d. Provide enclosed solid waste receptacles at all project areas. Non-hazardous solid waste (trash) would be collected and deposited in the on-site receptacles. Solid waste would be collected and disposed of by a local waste disposal contractor. For more information about solid waste and how to properly dispose of it, see the [EPA Non-Hazardous Waste](#) website.
- e. Report any incidental take of a migratory bird, to the [local Service Office of Law Enforcement](#).
- f. Consult and follow applicable [Service industry guidance](#).

### 2. Habitat Protection

- a. Minimize project creep by clearly delineating and maintaining project boundaries (including staging areas).
- b. Consult all local, State, and Federal regulations for the development of an appropriate buffer distance between development site and any wetland or waterway. For more information on wetland protection regulations see the Clean Water Act sections [401](#) and [404](#).
- c. Maximize use of disturbed land for all project activities (i.e., siting, lay-down areas, and construction).
- d. Implement standard soil erosion and dust control measures. For example:
  - i. Establish vegetation cover to stabilize soil
  - ii. Use erosion blankets to prevent soil loss
  - iii. Water bare soil to prevent wind erosion and dust issues

### 3. Stressor Management

#### **Stressor: Vegetation Removal**

Conservation Goal: Avoid direct take of adults, chicks, or eggs.

**Conservation Measure 1:** Schedule all vegetation removal, trimming, and grading of vegetated areas outside of the peak bird breeding season to the maximum extent practicable. Use available resources, such as internet-based tools (e.g., the FWS's Information, Planning and Conservation system and Avian Knowledge Network) to identify peak breeding months for local bird species; or, contact local Service Migratory Bird Program Office for breeding bird information.

**Conservation Measure 2:** When project activities cannot occur outside the bird nesting season, conduct surveys prior to scheduled activity to determine if active nests are present within the area of impact and buffer any nesting locations found during surveys.

- 1) Generally, the surveys should be conducted no more than five days prior to scheduled activity.
- 2) Timing and dimensions of the area to be surveyed vary and will depend on the nature of the project, location, and expected level of vegetation disturbance.
- 3) If active nests or breeding behavior (e.g., courtship, nest building, territorial defense, etc.) are detected during these surveys, no vegetation removal activities should be conducted until nestlings have fledged or the nest fails or breeding behaviors are no longer observed. If the activity must occur, establish a buffer zone around the nest and no activities will occur within that zone until nestlings have fledged and left the nest area. The dimension of the buffer zone will depend on the proposed activity, habitat type, and species present and should be coordinated with the local or regional Service office.
- 4) When establishing a buffer zone, construct a barrier (e.g., plastic fencing) to protect the area. If the fence is knocked down or destroyed, work will suspend wholly, or in part, until the fence is satisfactorily repaired.
- 5) When establishing a buffer zone, a qualified biologist will be present onsite to serve as a biological monitor during vegetation clearing and grading activities to ensure no take of migratory birds occurs. Prior to vegetation clearing, the monitor will ensure that the limits of construction have been properly staked and are readily identifiable. Any associated project activities that are inconsistent with the applicable conservation measures, and activities that may result in the take of migratory birds will be immediately halted and reported to the appropriate Service office within 24 hours.
- 6) If establishing a buffer zone is not feasible, contact the Service for guidance to minimize impacts to migratory birds associated with the proposed project or removal of an active nest. Active nests may only be removed if you receive a permit from your local Migratory Bird Permit Office. A permit may authorize active nest removal by a qualified biologist with bird handling experience or by a permitted bird rehabilitator.

**Conservation Measure 3:** Prepare a vegetation maintenance plan that outlines vegetation maintenance activities and schedules so that direct bird impacts do not occur.

**Stressor: Invasive Species Introduction**

**Conservation Goal:** Prevent the introduction of invasive plants.

**Conservation Measure 1:** Prepare a weed abatement plan that outlines the areas where weed abatement is required and the schedule and method of activities to ensure bird impacts are avoided.

**Conservation Measure 2:** For temporary and permanent habitat restoration/enhancement, use only native and local (when possible) seed and plant stock.

**Conservation Measure 3:** Consider creating vehicle wash stations prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.

**Conservation Measure 4:** Remove invasive/exotic species that pose an attractive nuisance to migratory birds.

**Stressor: Artificial Lighting**

**Conservation Goal:** Prevent increase in lighting of native habitats during the bird breeding season.

**Conservation Measure 1:** To the maximum extent practicable, limit construction activities to the time between dawn and dusk to avoid the illumination of adjacent habitat areas.

**Conservation Measure 2:** If construction activity time restrictions are not possible, use down shielding or directional lighting to avoid light trespass into bird habitat (i.e., use a 'Cobra' style light rather than an omnidirectional light system to direct light down to the roadbed). To the maximum extent practicable, while allowing for public safety, low intensity energy saving lighting (e.g. low pressure sodium lamps) will be used.

**Conservation Measure 3:** Minimize illumination of lighting on associated construction or operation structures by using motion sensors or heat sensors.

**Conservation Measure 5:** Bright white light, such as metal halide, halogen, fluorescent, mercury vapor and incandescent lamps should *not* be used.

**Stressor: Human Disturbance**

**Conservation Goal:** Minimize prolonged human presence near nesting birds during construction and maintenance actions.

**Conservation Measure 1:** Restrict unauthorized access to natural areas adjacent to the project site by erecting a barrier and/or avoidance buffers (e.g., gate, fence, wall) to minimize foot traffic and off-road vehicle uses.

### **Stressor: Collision**

**Conservation Goal:** Minimize collision risk with project infrastructure and vehicles.

**Conservation Measure 1:** Minimize collision risk with project infrastructure (e.g., temporary and permanent) by increasing visibility through appropriate marking and design features (e.g., lighting, wire marking, etc.).

**Conservation Measure 2:** On bridge crossing areas with adjacent riparian, beach, estuary, or other bird habitat, use fencing or metal bridge poles (Sebastian Poles) that extend to the height of the tallest vehicles that will use the structure.

**Conservation Measure 3:** Install wildlife friendly culverts so rodents and small mammals can travel under any new roadways instead of over them. This may help reduce raptor deaths associated with being struck while tracking prey or scavenging road kill on the roadway.

**Conservation Measure 4:** Remove road-kill carcasses regularly to prevent scavenging and bird congregations along roadways.

**Conservation Measure 5:** Avoid planting “desirable” fruited or preferred nesting vegetation in medians or Rights of Way.

**Conservation Measure 6:** Eliminate use of steady burning lights on tall structures (e.g., >200 ft).

### **Stressor: Entrapment**

**Conservation Goal:** Prevent birds from becoming trapped in project structures or perching and nesting in project areas that may endanger them.

**Conservation Measure 1:** Minimize entrapment and entanglement hazards through project design measures that may include:

1. Installing anti-perching devices on facilities/equipment where birds may commonly nest or perch
2. Covering or enclosing all potential nesting surfaces on the structure with mesh netting, chicken wire fencing, or other suitable exclusion material prior to the nesting season to prevent birds from establishing new nests. The netting, fencing, or other material must have no opening or mesh size greater than 19 mm and must be maintained until the structure is removed.
3. Cap pipes and cover/seal all small dark spaces where birds may enter and become trapped.

**Conservation Measure 2:** Use the appropriate deterrents to prevent birds from nesting on structures where they cause conflicts, may endanger themselves, or create a human health and safety hazard.

1. During the time that the birds are trying to build or occupy their nests (generally , between April and August, depending on the geographic location), potential nesting

- surfaces should be monitored at least once every three days for any nesting activity, especially where bird use of structures is likely to cause take. It is permissible to remove non-active nests (without birds or eggs), partially completed nests, or new nests as they are built (prior to occupation). If birds have started to build any nests, the nests shall be removed before they are completed. Water shall not be used to remove the nests if nests are located within 50 feet of any surface waters.
2. If an active nest becomes established (i.e., there are eggs or young in the nest), all work that could result in abandonment or destruction of the nest shall be avoided until the young have fledged or the nest is unoccupied. Construction activities that may displace birds after they have laid their eggs and before the young have fledged should not be permitted. If the project continues into the following spring, this cycle shall be repeated. When work on the structure is complete, all netting shall be removed and properly disposed of.

**Stressor: Noise**

**Conservation Goal:** Prevent the increase in noise above ambient levels during the nesting bird breeding season.

**Conservation Measure 1:** Minimize an increase in noise above ambient levels during project construction by installing temporary structural barriers such as sand bags

**Conservation Measure 2:** Avoid permanent additions to ambient noise levels from the proposed project by using baffle boxes or sound walls.

**Stressor: Chemical Contamination**

**Conservation Goal:** Prevent the introduction of chemicals contaminants into the environment.

**Conservation Measure 1:** Avoid chemical contamination of the project area by implementing a Hazardous Materials Plan. For more information on hazardous waste and how to properly manage hazardous waste, see the [EPA Hazardous Waste](#) website.

**Conservation Measure 2:** Avoid soil contamination by using drip pans underneath equipment and containment zones at construction sites and when refueling vehicles or equipment.

**Conservation Measure 3:** Avoid contaminating natural aquatic and wetland systems with runoff by limiting all equipment maintenance, staging laydown, and dispensing of fuel, oil, etc., to designated upland areas.

**Conservation Measure 4:** Any use of pesticides or rodenticides shall comply with the applicable [Federal and State laws](#).

1. Choose [non-chemical](#) alternatives when appropriate
2. Pesticides shall be used only in accordance with their registered uses and in accordance with the manufacturer's instructions to limit access to non-target species.

3. For general measures to reducing wildlife exposure to pesticides, see EPA's [Pesticides: Environmental Effects](#) website.

**Stressor: Fire**

**Conservation Goal:** Minimize fire potential from project-related activities.

**Conservation Measure 1:** Reduce fire hazards from vehicles and human activities (e.g., use spark arrestors on power equipment, avoid driving vehicles off road).

**Conservation Measure 2:** Consider fire potential when developing vegetation management plans by planting temporary impact areas with a palette of low-growing, sparse, fire resistant native species that meet with the approval of the County Fire Department and local FWS Office.

# USFWS Puerto Rican boa Conservation Measures

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## *Puerto Rican Boa*

Generated July 03, 2023 07:04 PM UTC, IPaC v6.94.0-rc4





## 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 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 Puerto Rican 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 like roadsides or houses, especially if near their habitat in rural areas. This 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 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. The PR boa is considered more active at night. Thus, in order to maximize its detection, the species should be searched at nights prior to habitat disturbance.
5. Once the area has been searched for PR boas, vegetation should first be cleared by hand to the maximum extent possible. Vegetation should be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow boas present on site to move away on their own to adjacent available habitat. Any stone walls or naturally occurring rock piles must be carefully dismantled by hand as these are refuges for the snake. This will allow any boas present to vacate the site without injury.
6. 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.

7. If a PR boa is found within any of the working or construction areas, activities should stop at that area and information recorded (see #6). **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 #: ((787) 724-5700, (787) 230-5550, (787) 771-1124). If immediate relocation is not an option, project-related activities at this 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.
8. If a PR boa is captured by the PRDNER, record the name of the PRDNER staff and information on where the PR boa will be taken. This information should be reported to the Service.
9. 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 #7). If not possible, the animal should be left alone until it leaves the vehicle on its own.
10. 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.
11. If a dead PR boa is found, immediately cease all work in that area and record the information accordingly (see #6). 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 that 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.
12. 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:

- Marelisa Rivera, Deputy Field Supervisor
  - Email: [marelisa\\_rivera@fws.gov](mailto: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](mailto:jose_cruz-burgos@fws.gov)
  - Office phone (786) 244-0081 or mobile (305) 304-1386



## United States Department of the Interior

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In Reply Refer to:  
FWS/R4/CESFO/72023-Gen

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

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

Re: CDBG-DR RGRW-02504 Hacienda 7  
Generaciones, Cabo Rojo, Puerto Rico

Dear Mr. Pérez-Bofill

Thank you for your letter dated August 04, 2023, requesting comments 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.).

Horne on behalf of the Puerto Rico Department of Housing (PRDOH) is proposing to repair and reinforce the existing fence surrounding the perimeter of Hacienda 7 Generaciones (the Applicant) and also purchase and install a shed on bare ground with no ground disturbance. The proposed project is located at PR-101 Km. 13.9, Bo. Llanos Costa (18°01'37.2"N 67°07'26.2"W) in the municipality of Cabo Rojo, Puerto Rico.

Using the Information for Planning and Consultation (IPaC) system the proponent has determined that the proposed project lies within the range of Puerto Rican boa (*Epicrates inornatus* now known as *Chilabothrus inornatus*) and yellow-shouldered blackbird (*Angelaius xanthomus*) and its critical habitat.

The Caribbean Determination Key (DKey) in the U.S. Fish and Wildlife Service's (the Service) online IPaC application was used to evaluate the potential impacts to federally listed species for this project. Based on the answers provided, a consistency letter was obtained for the Puerto Rican boa which determined that the proposed actions for this project would have "No Effect" (NE) for this specie. As for the yellow-shouldered blackbird and its critical habitat, since a DKey has not been developed a consultation is required.

Based on the nature of the project, the proponent has determined that the proposed project may affect, but is not likely to adversely affect the yellow-shouldered blackbird and its critical habitat, since the farm is currently dedicated to agricultural purposes, such as, growing vegetables, medicinal plants, aromatic plants, fruit among others. Also, the Nationwide Standard Conservation Measures will be implemented in case an encounter with the specie occurs.

We have reviewed the information provided in your letter and our files, and concur with your determination that the proposed project may affect, but is not likely to adversely affect the yellow-shouldered blackbird and its critical habitat. Also, the Service acknowledge receipt of the NE DKey consistency letter for the Puerto Rican boa.

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 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.

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

Sincerely yours,

Edwin E. Muñiz  
Field Supervisor

drr

cc:  
Steve Swick, Horne



August 18, 2023

**To: José Luis Rivera Rivera**  
Deputy Director for Economic Recovery Grant Management  
Re-Grow PR Urban Rural Agriculture Program

**Re: Endangered Species Concurrence - Conservation Measures**  
Hacienda 7 Generaciones, Inc. (Case ID: PR-RGRW-02504)

Dear Mr. Rivera Rivera:

This memorandum is to notify the Re-Grow PR Urban-Rural Agriculture Program (Re-Grow Program) that on August 4, 2023, for the case PR-RGRW-02504, 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 of Install a shed on bare ground and repair the wiring of the existing fence for *Hacienda 7 Generaciones, Inc.*, an agricultural business, located at Carr. 101 Km 13.9 Barrio Llanos Costa, Cabo Rojo, Puerto Rico. (18.026997, -67.12394)

The proposed project consists of the purchase of a shed, which will be placed on bare ground with no ground disturbance, and the repair/reinforcement of an existing fence surrounding the perimeter of the applicant’s farm. The existing fence spans the perimeter of the property, approximately 140,407 feet around the property parcel, and is made of wooden posts and wire. The applicant intends to use high-tensile gauge wire to reinforce the existing fence. The farm in question is dedicated to growing vegetables, medicinal plants, aromatic plants, and fruit.

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

<b>Common name</b>	<b>Scientific name</b>	<b>Status</b>
Yellow-shouldered Blackbird	<i>Agelaius xanthomas</i>	Endangered
Puerto Rican Boa	<i>Chilabothrus inornatus</i>	Endangered

*In the project area were Critical habitats of the Yellow-shouldered Blackbird.*

The United States Fish and Wildlife Service (USFWS) Caribbean Ecological Services Field Office reviewed the information provided and their files, and on August 08, 2023, concurred with the determination that the proposed project **may affect, but is not likely to adversely affect (NLAA)** the above mentioned species.

USFWS NLAA concurrence is conditioned to the following the *Nationwide Standard Conservation Measures* will be implemented in case an encounter with the specie occurs.

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 compliance with the mitigation measures and the species identification, please, find attached the Nationwide Standard Conservation Measures and The Caribbean Endangered and Threatened Animals Fact Sheets for Puerto Rican Boa and Yellow-shouldered Blackbird.

USFWS Caribbean Ecological Services Field Office key contact information:

- 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

Should you have any questions, please contact Angel G. López-Guzmán at (787)274-2527 or via e-mail at [a.lopez@vivienda.pr.gov](mailto:a.lopez@vivienda.pr.gov).

Sincerely,



Angel G. López-Guzmán  
Deputy Director, Permits and Environmental Compliance

## NATIONWIDE STANDARD CONSERVATION MEASURES

Listed below are effective measures that should be employed at all project development sites nationwide with the goal of reducing impacts to birds and their habitats. These measures are grouped into three categories: General, Habitat Protection, and Stressor Management. These measures may be updated through time. We recommend checking the Conservation Measures website regularly for the most up-to-date list.

### 1. General Measures

- a. Educate all employees, contractors, and/or site visitors of relevant rules and regulations that protect wildlife. See the Service webpage on [Regulations and Policies](#) for more information on regulations that protect migratory birds.
- b. Prior to removal of an inactive nest, ensure that the nest is not protected under the Endangered Species Act (ESA) or the Bald and Golden Eagle Protection Act (BGEPA). Nests protected under ESA or BGEPA cannot be removed without a valid permit.
  - i. See the [Service Nest Destruction Policy](#)
- c. Do not collect birds (live or dead) or their parts (e.g., feathers) or nests without a valid permit. Please visit the [Service permits page](#) for more information on permits and permit applications.
- d. Provide enclosed solid waste receptacles at all project areas. Non-hazardous solid waste (trash) would be collected and deposited in the on-site receptacles. Solid waste would be collected and disposed of by a local waste disposal contractor. For more information about solid waste and how to properly dispose of it, see the [EPA Non-Hazardous Waste](#) website.
- e. Report any incidental take of a migratory bird, to the [local Service Office of Law Enforcement](#).
- f. Consult and follow applicable [Service industry guidance](#).

### 2. Habitat Protection

- a. Minimize project creep by clearly delineating and maintaining project boundaries (including staging areas).
- b. Consult all local, State, and Federal regulations for the development of an appropriate buffer distance between development site and any wetland or waterway. For more information on wetland protection regulations see the Clean Water Act sections [401](#) and [404](#).
- c. Maximize use of disturbed land for all project activities (i.e., siting, lay-down areas, and construction).
- d. Implement standard soil erosion and dust control measures. For example:
  - i. Establish vegetation cover to stabilize soil
  - ii. Use erosion blankets to prevent soil loss
  - iii. Water bare soil to prevent wind erosion and dust issues

### 3. Stressor Management

#### **Stressor: Vegetation Removal**

Conservation Goal: Avoid direct take of adults, chicks, or eggs.

**Conservation Measure 1:** Schedule all vegetation removal, trimming, and grading of vegetated areas outside of the peak bird breeding season to the maximum extent practicable. Use available resources, such as internet-based tools (e.g., the FWS's Information, Planning and Conservation system and Avian Knowledge Network) to identify peak breeding months for local bird species; or, contact local Service Migratory Bird Program Office for breeding bird information.

**Conservation Measure 2:** When project activities cannot occur outside the bird nesting season, conduct surveys prior to scheduled activity to determine if active nests are present within the area of impact and buffer any nesting locations found during surveys.

- 1) Generally, the surveys should be conducted no more than five days prior to scheduled activity.
- 2) Timing and dimensions of the area to be surveyed vary and will depend on the nature of the project, location, and expected level of vegetation disturbance.
- 3) If active nests or breeding behavior (e.g., courtship, nest building, territorial defense, etc.) are detected during these surveys, no vegetation removal activities should be conducted until nestlings have fledged or the nest fails or breeding behaviors are no longer observed. If the activity must occur, establish a buffer zone around the nest and no activities will occur within that zone until nestlings have fledged and left the nest area. The dimension of the buffer zone will depend on the proposed activity, habitat type, and species present and should be coordinated with the local or regional Service office.
- 4) When establishing a buffer zone, construct a barrier (e.g., plastic fencing) to protect the area. If the fence is knocked down or destroyed, work will suspend wholly, or in part, until the fence is satisfactorily repaired.
- 5) When establishing a buffer zone, a qualified biologist will be present onsite to serve as a biological monitor during vegetation clearing and grading activities to ensure no take of migratory birds occurs. Prior to vegetation clearing, the monitor will ensure that the limits of construction have been properly staked and are readily identifiable. Any associated project activities that are inconsistent with the applicable conservation measures, and activities that may result in the take of migratory birds will be immediately halted and reported to the appropriate Service office within 24 hours.
- 6) If establishing a buffer zone is not feasible, contact the Service for guidance to minimize impacts to migratory birds associated with the proposed project or removal of an active nest. Active nests may only be removed if you receive a permit from your local Migratory Bird Permit Office. A permit may authorize active nest removal by a qualified biologist with bird handling experience or by a permitted bird rehabilitator.

**Conservation Measure 3:** Prepare a vegetation maintenance plan that outlines vegetation maintenance activities and schedules so that direct bird impacts do not occur.

**Stressor: Invasive Species Introduction**

**Conservation Goal:** Prevent the introduction of invasive plants.

**Conservation Measure 1:** Prepare a weed abatement plan that outlines the areas where weed abatement is required and the schedule and method of activities to ensure bird impacts are avoided.

**Conservation Measure 2:** For temporary and permanent habitat restoration/enhancement, use only native and local (when possible) seed and plant stock.

**Conservation Measure 3:** Consider creating vehicle wash stations prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.

**Conservation Measure 4:** Remove invasive/exotic species that pose an attractive nuisance to migratory birds.

**Stressor: Artificial Lighting**

**Conservation Goal:** Prevent increase in lighting of native habitats during the bird breeding season.

**Conservation Measure 1:** To the maximum extent practicable, limit construction activities to the time between dawn and dusk to avoid the illumination of adjacent habitat areas.

**Conservation Measure 2:** If construction activity time restrictions are not possible, use down shielding or directional lighting to avoid light trespass into bird habitat (i.e., use a 'Cobra' style light rather than an omnidirectional light system to direct light down to the roadbed). To the maximum extent practicable, while allowing for public safety, low intensity energy saving lighting (e.g. low pressure sodium lamps) will be used.

**Conservation Measure 3:** Minimize illumination of lighting on associated construction or operation structures by using motion sensors or heat sensors.

**Conservation Measure 5:** Bright white light, such as metal halide, halogen, fluorescent, mercury vapor and incandescent lamps should *not* be used.

**Stressor: Human Disturbance**

**Conservation Goal:** Minimize prolonged human presence near nesting birds during construction and maintenance actions.

**Conservation Measure 1:** Restrict unauthorized access to natural areas adjacent to the project site by erecting a barrier and/or avoidance buffers (e.g., gate, fence, wall) to minimize foot traffic and off-road vehicle uses.

### **Stressor: Collision**

**Conservation Goal:** Minimize collision risk with project infrastructure and vehicles.

**Conservation Measure 1:** Minimize collision risk with project infrastructure (e.g., temporary and permanent) by increasing visibility through appropriate marking and design features (e.g., lighting, wire marking, etc.).

**Conservation Measure 2:** On bridge crossing areas with adjacent riparian, beach, estuary, or other bird habitat, use fencing or metal bridge poles (Sebastian Poles) that extend to the height of the tallest vehicles that will use the structure.

**Conservation Measure 3:** Install wildlife friendly culverts so rodents and small mammals can travel under any new roadways instead of over them. This may help reduce raptor deaths associated with being struck while tracking prey or scavenging road kill on the roadway.

**Conservation Measure 4:** Remove road-kill carcasses regularly to prevent scavenging and bird congregations along roadways.

**Conservation Measure 5:** Avoid planting “desirable” fruited or preferred nesting vegetation in medians or Rights of Way.

**Conservation Measure 6:** Eliminate use of steady burning lights on tall structures (e.g., >200 ft).

### **Stressor: Entrapment**

**Conservation Goal:** Prevent birds from becoming trapped in project structures or perching and nesting in project areas that may endanger them.

**Conservation Measure 1:** Minimize entrapment and entanglement hazards through project design measures that may include:

1. Installing anti-perching devices on facilities/equipment where birds may commonly nest or perch
2. Covering or enclosing all potential nesting surfaces on the structure with mesh netting, chicken wire fencing, or other suitable exclusion material prior to the nesting season to prevent birds from establishing new nests. The netting, fencing, or other material must have no opening or mesh size greater than 19 mm and must be maintained until the structure is removed.
3. Cap pipes and cover/seal all small dark spaces where birds may enter and become trapped.

**Conservation Measure 2:** Use the appropriate deterrents to prevent birds from nesting on structures where they cause conflicts, may endanger themselves, or create a human health and safety hazard.

1. During the time that the birds are trying to build or occupy their nests (generally , between April and August, depending on the geographic location), potential nesting

- surfaces should be monitored at least once every three days for any nesting activity, especially where bird use of structures is likely to cause take. It is permissible to remove non-active nests (without birds or eggs), partially completed nests, or new nests as they are built (prior to occupation). If birds have started to build any nests, the nests shall be removed before they are completed. Water shall not be used to remove the nests if nests are located within 50 feet of any surface waters.
2. If an active nest becomes established (i.e., there are eggs or young in the nest), all work that could result in abandonment or destruction of the nest shall be avoided until the young have fledged or the nest is unoccupied. Construction activities that may displace birds after they have laid their eggs and before the young have fledged should not be permitted. If the project continues into the following spring, this cycle shall be repeated. When work on the structure is complete, all netting shall be removed and properly disposed of.

**Stressor: Noise**

**Conservation Goal:** Prevent the increase in noise above ambient levels during the nesting bird breeding season.

**Conservation Measure 1:** Minimize an increase in noise above ambient levels during project construction by installing temporary structural barriers such as sand bags

**Conservation Measure 2:** Avoid permanent additions to ambient noise levels from the proposed project by using baffle boxes or sound walls.

**Stressor: Chemical Contamination**

**Conservation Goal:** Prevent the introduction of chemicals contaminants into the environment.

**Conservation Measure 1:** Avoid chemical contamination of the project area by implementing a Hazardous Materials Plan. For more information on hazardous waste and how to properly manage hazardous waste, see the [EPA Hazardous Waste](#) website.

**Conservation Measure 2:** Avoid soil contamination by using drip pans underneath equipment and containment zones at construction sites and when refueling vehicles or equipment.

**Conservation Measure 3:** Avoid contaminating natural aquatic and wetland systems with runoff by limiting all equipment maintenance, staging laydown, and dispensing of fuel, oil, etc., to designated upland areas.

**Conservation Measure 4:** Any use of pesticides or rodenticides shall comply with the applicable [Federal and State laws](#).

1. Choose [non-chemical](#) alternatives when appropriate
2. Pesticides shall be used only in accordance with their registered uses and in accordance with the manufacturer's instructions to limit access to non-target species.

3. For general measures to reducing wildlife exposure to pesticides, see EPA's [Pesticides: Environmental Effects](#) website.

**Stressor: Fire**

**Conservation Goal:** Minimize fire potential from project-related activities.

**Conservation Measure 1:** Reduce fire hazards from vehicles and human activities (e.g., use spark arrestors on power equipment, avoid driving vehicles off road).

**Conservation Measure 2:** Consider fire potential when developing vegetation management plans by planting temporary impact areas with a palette of low-growing, sparse, fire resistant native species that meet with the approval of the County Fire Department and local FWS Office.

# Boa puertorriqueña o culebrón

*Epicrates inornatus*



Distribución 

## Información biológica

### Reproducción

La mayoría de las culebras de la familia Boidae, tienen dos estructuras llamadas espolones, uno a cada lado de la de la apertura cloacal. Estos espolones son en realidad los remanentes de las extremidades posteriores. En la región de la apertura cloacal, se encuentran los órganos sexuales. El macho vibra los espolones sobre la hembra para inducirla a tomar una postura apropiada para copular (unirse sexualmente). En ocasiones, se reproducen en grupos de varios machos con una hembra. Es muy difícil distinguir a simple vista el sexo de un culebrón. Aunque por lo general el macho es más pequeño, la mejor forma de identificar el sexo es determinando la presencia de hemipenes. Este es el nombre del órgano sexual masculino de los lagartos y las culebras. Como el hemipene no se nota a simple vista, los especialistas en reptiles y anfibios (herpetólogos) tienen que manipular el individuo para detectarlo y así determinar el sexo del animal.

El cortejo puede durar varias horas y pueden copular por varias horas adicionales o hasta un día completo. La cópula generalmente ocurre entre los meses de febrero a mayo. Contrario a la mayoría de los reptiles, el culebrón no pone e incuba huevos, sino que es ovovivípara o sea, pare sus crías completamente desarrolladas. Su periodo de gestación va de 152 a 193 días. El número promedio de crías que produce un culebrón es de 18 y éstos tienen un tamaño corporal promedio de 16 pulgadas (41 cm aprox.).

### Hábitat

Cerca de la mitad de Puerto Rico, 46.3%, se considera hábitat potencial para la boa de Puerto Rico. Sólo el 9% de ese terreno está protegido. Aunque la presencia de la especie se ha informado en todos los ecosistemas

**Familia:** Squamata  
**Orden:** Boidae

## Descripción

La boa puertorriqueña o culebrón es la culebra más grande de Puerto Rico. Esta especie endémica, alcanza hasta siete pies (aprox. 2 metros) de largo, aunque algunas personas alegan haber visto ejemplares de mayor tamaño. El color es variable, puede ser color marrón pálido u oscuro, color gris o negro. También tiene una serie de manchas o barras negras a lo largo de la parte dorsal y el vientre negrozco.

La boa no es venenosa y no ataca al ser humano. Por el contrario, el culebrón es tímido y al detectar la presencia humana su reacción natural es huir. Aunque generalmente es dócil, algunos adultos pueden intentar morder. Esta conducta ocurre, sin embargo, cuando se les molesta o el organismo se siente en peligro.

EN PELIGRO

de la isla, la misma es más abundante en la zona kárstica del norte de Puerto Rico. Existe también en áreas de la zona montañosa de Puerto Rico y es menos frecuentemente en la zona seca del sur.

## Dieta

Las boas jóvenes se alimentan de lagartijos, anfibios, insectos y otros vertebrados. Las culebras adultas se alimentan principalmente de ratas pero también pueden consumir aves pequeñas, lagartos y murciélagos. Para cazar murciélagos, las boas se cuelgan en las entradas de algunas cuevas. El culebrón atrapa su presa con la boca y luego usa su cuerpo para constreñirla (apretarla). Esto significa que para cazar, enrosca a su víctima con parte de su cuerpo y la aprieta hasta asfixiarla. El culebrón consume a su presa entera, generalmente empezando por la cabeza. Debido a que sus mandíbulas se pueden separar, tienen la capacidad de engullir presas más grandes que el ancho de su cuerpo. Se considera una especie beneficiosa, pues ayuda en el control de animales indeseables como ratas y ratones. Ocasionalmente, pueden comer algunos animales domésticos pequeños, como aves de corral y conejos pequeños.

## Distribución

Existe una alta probabilidad de encontrar esta especie en todos los municipios de Puerto Rico. No obstante, todavía no se ha documentado su presencia en todos.

## Amenazas

La boa puertorriqueña enfrenta diversas amenazas. Algunas de ellas son naturales y otras están relacionadas a las actividades humanas. A continuación, se presenta una lista de las amenazas para esta especie:

- La principal amenaza a esta especie es la destrucción y modificación del hábitat para desarrollo turístico, agrícola y residencial. Esto tiene como consecuencia los siguientes factores:
  - extracción de corteza terrestre – Las maquinarias que se utilizan para sacar y mover tierra aplastan, cortan y matan a las boas puertorriqueñas.
  - fragmentación de hábitat – Su hábitat queda separado en diferentes parchos. La interacción entre los miembros de la especie

y su supervivencia se ve afectada. Se vuelven más vulnerables. La fragmentación por la construcción de carreteras puede causar mortalidad cuando las boas cruzan dichas carreteras.

- Depredadores naturales potenciales tales como: el guaraguao colirrojo (*Buteo jamaicensis*), el guaraguao de bosque (*Buteo platypterus brunneus*), el zorzal pardo (*Margarops fuscatus*), el zorzal patirrojo (*Turdus plumbeus*) y el pájaro bobo mayor (*Coccyx vieilloti*)
- Depredadores exóticos potenciales tales como: los gatos ferales y domésticos (*Felis catus*) y la mangosta (*Herpestes javanicus*).
- Parásitos potenciales tales como pulgas (*Amblyomma* spp., *Boophilus* spp.) y ácaros (*Ornithodoros portorricensis*). Estos afectan mayormente a individuos que habitan en áreas de pastoreo.
- Persecución, acoso y muerte causada por los humanos
- Competencia con especies exóticas introducidas (e.g., boa de cola roja)

## Medidas de conservación

La boa puertorriqueña fue incluida en la lista federal de especies en peligro de extinción en el año 1970 y el plan de recuperación de esta especie se escribió en 1986. Recientemente, se han realizado varias investigaciones que arrojan nueva e importante información sobre la biología y distribución del culebrón. El conocimiento adecuado de la distribución y abundancia de la especie ayudan a delinear estrategias para la protección de la misma.

En el año 2011, se identificó la necesidad de estudios sobre esta especie. Varias investigaciones están en curso para evaluar la distribución de la especie, estimar su abundancia relativa y afinar protocolos de relocalización. Estudios recientes resaltan la importancia de la conservación de los sistemas de cuevas donde esta especie habita y los ecosistemas asociados a éstas debido a que protegiéndolos se protege una gran porción de la diversidad genética que esta especie presenta en las poblaciones de Puerto Rico.

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.

## Recomendaciones

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La ciudadanía debe asumir una actitud positiva y sensible hacia esta especie de nuestra fauna nativa. Como todas las culebras de Puerto Rico, el culebrón tiene la fama injustificada de ser peligrosa, lo cual no es cierto. Muchas personas que ven estas culebras reaccionan impulsivamente con la intención de matarlas, a pesar de ser inofensivas.

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## Información adicional

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EN PELIGRO

# Mariquita de Puerto Rico

*Agelaius xanthomus*



Distribución

copa, hecho de yerbas secas o algas y forrado de material vegetal blando. Estos nidos son construidos en árboles, generalmente, de forma agregada para protegerse de los depredadores. Todo el proceso de incubación es realizado por la hembra. Sin embargo, la pareja comparte la alimentación de los pichones.

## Hábitat

La mariquita anida principalmente en árboles de mangle negro (*Avicennia germinans*) y en la palma de coco (*Cocos nucifera*). También anida en: el árbol de algarroba (*Hymenaea courbari*), el mangle rojo (*Rhizophora mangle*), la palma real (*Roystonea borinquena*) y el úcar (*Bucida buceras*), entre otros. En las islas de Mona y Monito, anida en las cavidades de sus acantilados de roca caliza expuesta. Antes y después de la época reproductiva, la mariquita tiende a encontrarse en los mangles, en vegetación con bayahonda (*Prosopis pallida*), en el úcar (*Bucida buceras*) y en el guayacán (*Guaiacum officinale*).

## Dieta

La mariquita se alimenta tanto de material animal como vegetal y puede ser clasificada como un insectívoro arbóreo.

## Distribución

La mariquita es un ave endémica, o sea, que sólo existe en Puerto Rico. En el pasado, esta especie fue abundante por toda la Isla. Su presencia se ha documentado en los siguientes lugares de Puerto Rico: Adjuntas, Aguadilla, Arecibo, Añasco, Barranquitas, Cabo Rojo, Caguas, Carolina, Cataño, Cayey, Ceiba, Ciales, Cidra, Coamo, Fajardo, Florida, Guánica, Guayama, Guayanilla, Hormigueros, Juncos, Lajas, Lares, Loíza, Mayagüez, Mona, Monita, Naguabo, Salinas, San Germán, San Juan, Utuado, Vieques, Peñuelas, Ponce, Rincón, Río Grande, San Sebastián, Santa Isabel y Yauco.

**Familia:** Icteridae  
**Orden:** Passeriformes

## Descripción

La mariquita de Puerto Rico, también conocida como capitán, es un ave de color negro brillante y manchas amarillas en el hombro de cada ala. Los adultos alcanzan un tamaño aproximado de 8 pulgadas (20 centímetros). La hembra es un poco más pequeña que el macho. Los pichones se asemejan a los adultos pero son de color negro más opaco.

## Información biológica

Esta especie es una de las nueve especies del género *Agelaius*. Existen dos subespecies: *Agelaius xanthomus xanthomus*, conocida sólo en la isla grande de Puerto Rico y en Vieques, y *Agelaius xanthomus monensis*, que se encuentra solamente en la Isla de Mona y en la Isla de Monito.

## Reproducción

El período de anidación se extiende desde abril hasta agosto. El nido es una estructura en forma de

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En la década de 1970, la población sufrió un descenso dramático, estimándose aproximadamente en 2,400 individuos en todo Puerto Rico, concentrados en tres poblaciones principales: las mariquitas de la costa suroeste de Puerto Rico (Bosque Estatal de Boquerón y La Parguera, Lajas), el grupo del sureste de Puerto Rico (Antigua Base Naval Roosevelt Roads) y la población de las islas de Mona y Monito. Hoy día, el Bosque Estatal de Boquerón, el sur de Puerto Rico (ej. Salinas-Guayama) y las islas de Mona y Monito contienen las poblacionales principales de la especie.

## Amenazas

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Las principales amenazas para esta especie son:

- Pérdida de hábitat por la destrucción y la modificación de bosques costeros en el suroeste de Puerto Rico como resultado del uso agrícola y el desarrollo residencial y turístico de esas áreas.
- Depredación por parte de especies tales como:
  - Zorzal pardo (*Margarops fuscatus*)
  - Falconcito común (*Falco sparverius*)
  - Gatos silvestres (*Felis catus*)
  - Falcón migratorio (*Falco columbarius*)
  - Guaraguao colirrojo (*Buteo jamaicensis*)
  - Mangosta (*Herpestes auropunctatus*)
  - Iguana verde (*Iguana iguana*)
  - Ratas (*Rattus rattus*)
- Parasitismo de nidos:
  - Tordo lustroso (*Molothrus bonariensis*) – Este organismo parasita los nidos de la mariquita, es decir, pone sus huevos en el nido de esta ave. Esto afecta el éxito de reproducción de la mariquita.
- Parásitos que causan abandono parental (En presencia de estos parásitos, los adultos abandonan el nido y no regresan.):
  - Ácaros (*Ornithonyssus bursa* y *Androlaelaps casalis*)
  - Piojos (*Philopterus agelaii*, *Machaerilaemus sp.*, y *Myrsidea sp.*)
- Enfermedades:
  - Viruela avícola – Este es un tipo de virus que les provoca lesiones que les afecta la visión, la respiración y los procesos de alimentación.

## Medidas de conservación

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La mariquita de Puerto Rico fue incluida en la lista

federal de especies en peligro de extinción en 1976 y se designó el suroeste de Puerto Rico, el pueblo de San Germán, la antigua base naval de Roosevelt Roads en Ceiba, y la Isla de Mona como hábitat crítico para la especie.

El Servicio Federal de Pesca y Vida Silvestre escribió el primer Plan de Recuperación para la Mariquita de Puerto Rico en el año 1983 y una segunda versión en 1996. En el año 2011, se evaluó el estatus de la especie.

Dentro de la distribución de la especie, el Refugio Nacional de Pesca y Vida Silvestre, el sistema de mangles de la Reserva Natural de la Parguera y el Bosque Estatal de Boquerón son áreas protegidas a perpetuidad (para siempre).

El Proyecto de Recuperación de la Mariquita de Puerto Rico se estableció en 1984. Desde su fundación, el proyecto ha creado estructuras artificiales para la anidación de la especie. La creación de estas estructuras tiene el propósito de reducir la depredación de los nidos y mejorar el monitoreo de los mismos. Para la temporada reproductiva de 1985, el proyecto tenía dos nidos en estructuras artificiales. Hoy día, existen unos 255 nidos en estructuras modernas. Tras casi 30 de años de crearse este proyecto, los nidos en estructuras artificiales han producido, aproximadamente, unos 7,326 volantones (pichones que salen del nido) de mariquitas. El Departamento de Recursos Naturales y Ambientales (DRNA) ha documentado entre 668 y 846 mariquitas en los conteos post-reproducción de los años 2011 y 2012.

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.

## Referencias

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## Información adicional

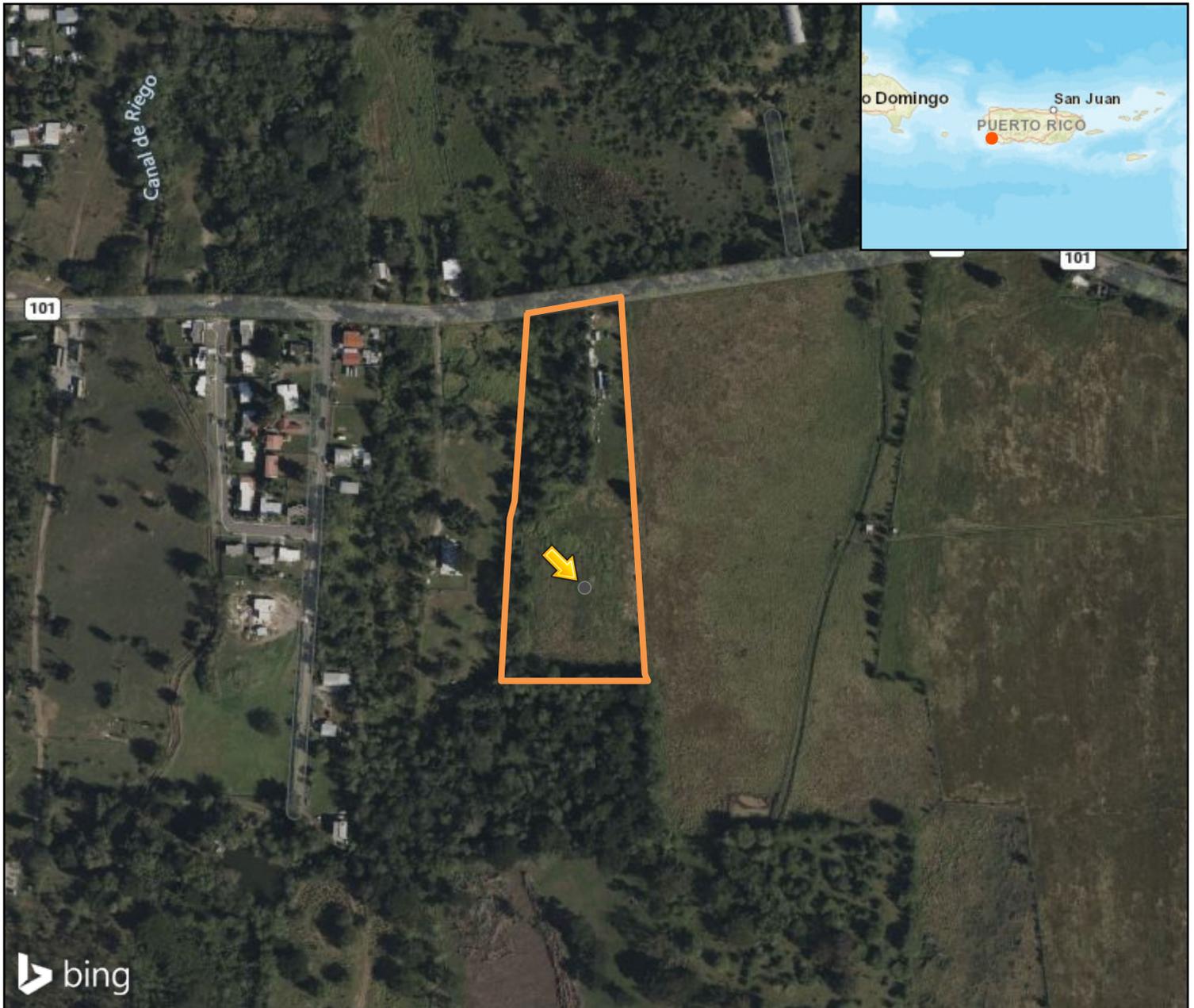
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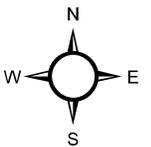
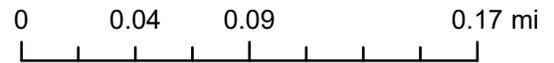
EN PELIGRO

# PR-RGRW-02504 ABFE



**Legend**

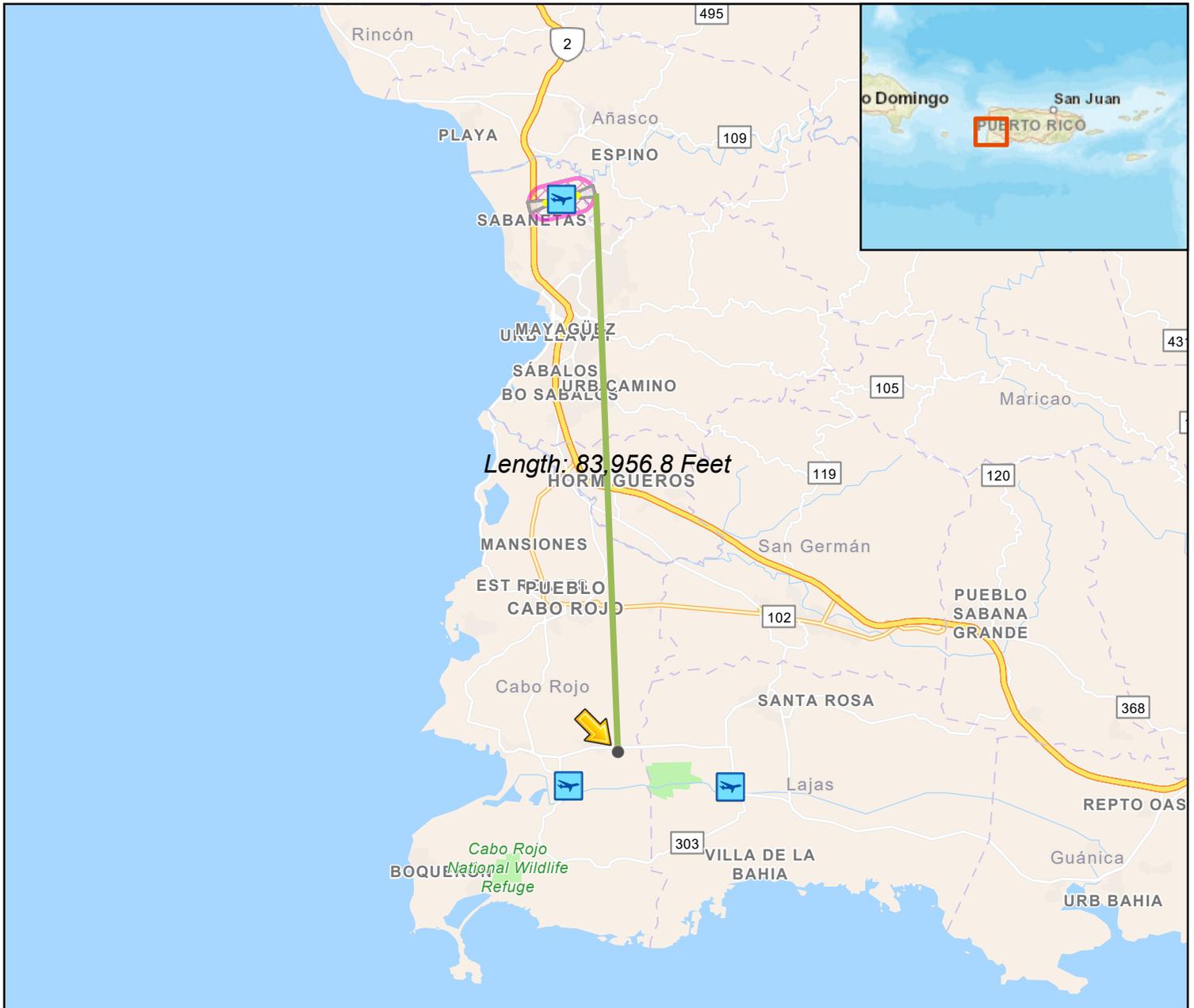
- |  |   |
|--|---|
|  A                             |  Coastal A Zone and Floodway                             |
|  AO                            |  Zone/BFE Boundary                                       |
|  AE                            |  1% Annual Chance Flood                                  |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



FEMA Map Service

ABFE

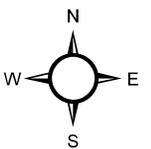
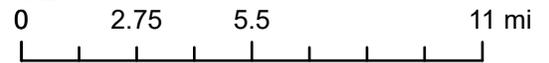
# PR-RGRW-02504 Airports



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## Legend

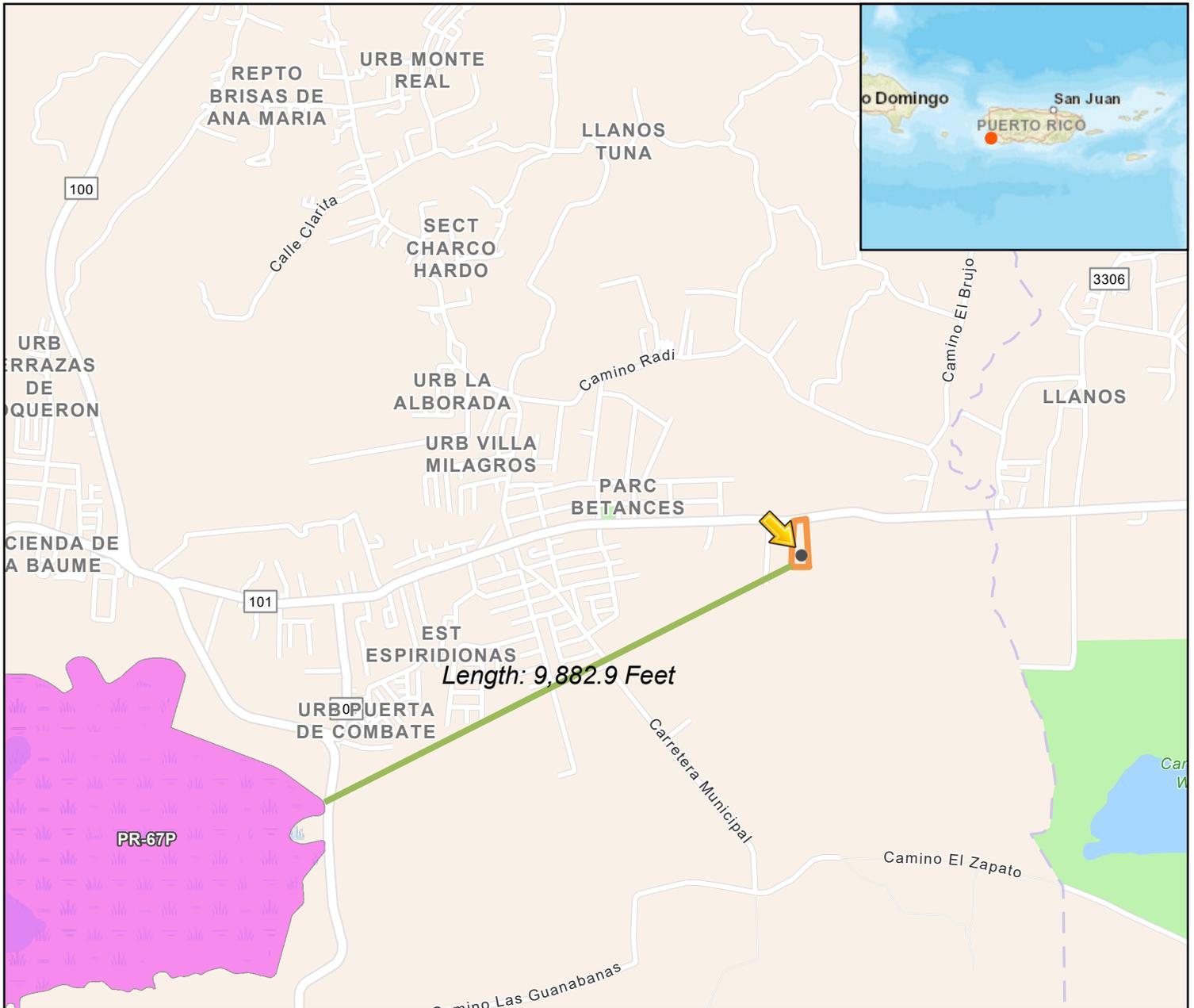
- Civilian Airports 2,500ft Buffer
- Military Accident Potential Zones APZ 2
- Military Accident Potential Zones APZ 1
- Runway Protection Zones
- Airport Runways
- Major
- Minor Airport



Runway Protection Zones

Major Civil and Military Airports

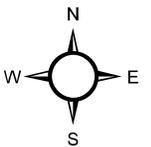
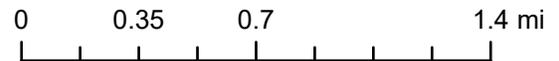
# PR-RGRW-02504 CBRS



**Legend**

- Otherwise Protected Area
- System Unit

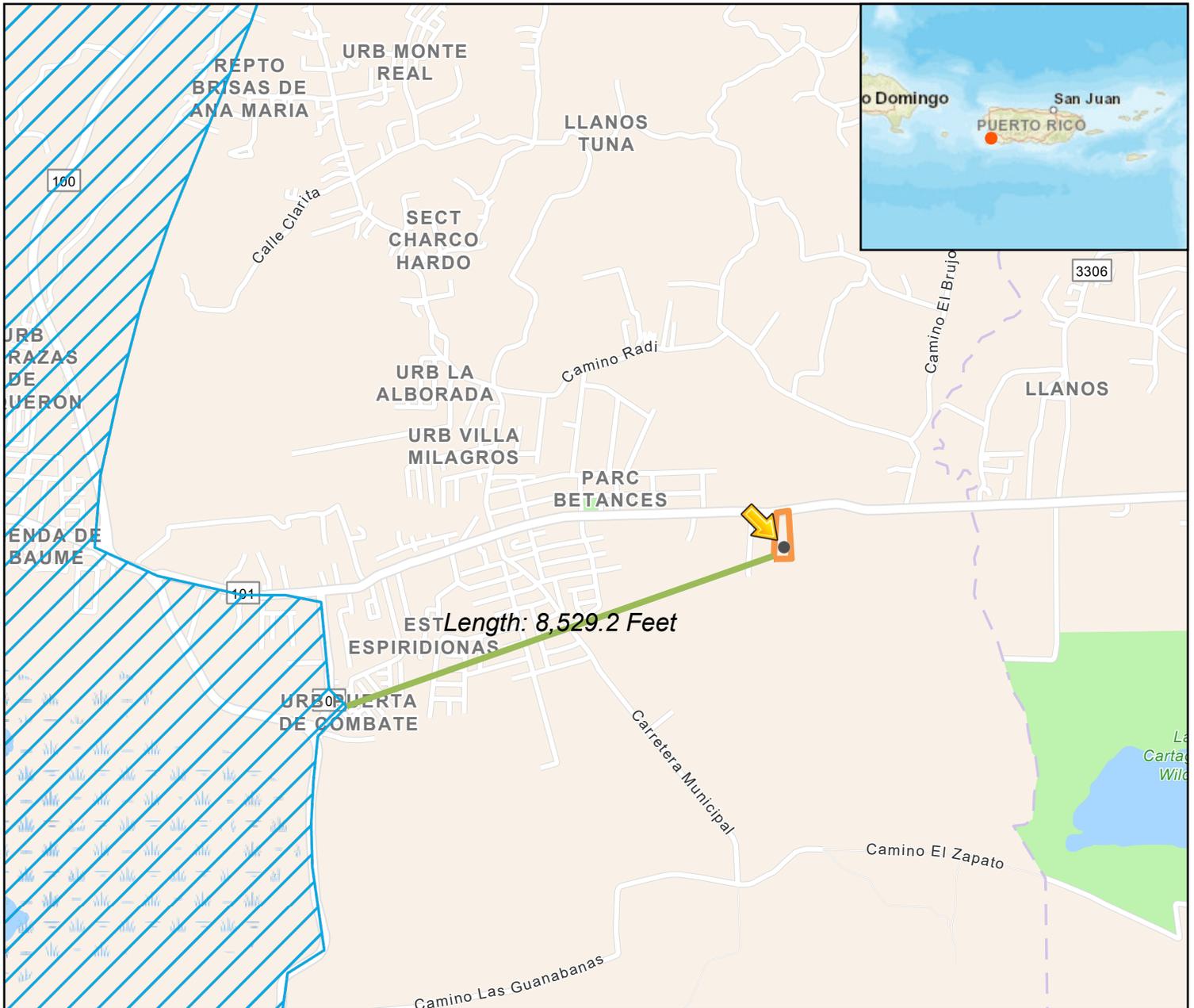
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U.S. Fish and Wildlife Service

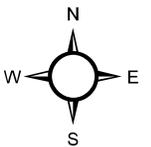
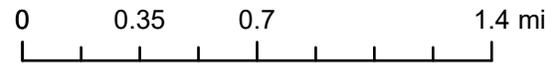
Coastal Barrier Resources Act Program

# PR-RGRW-02504 CZM



**Legend**

 Coastal Zone Management Act Boundary

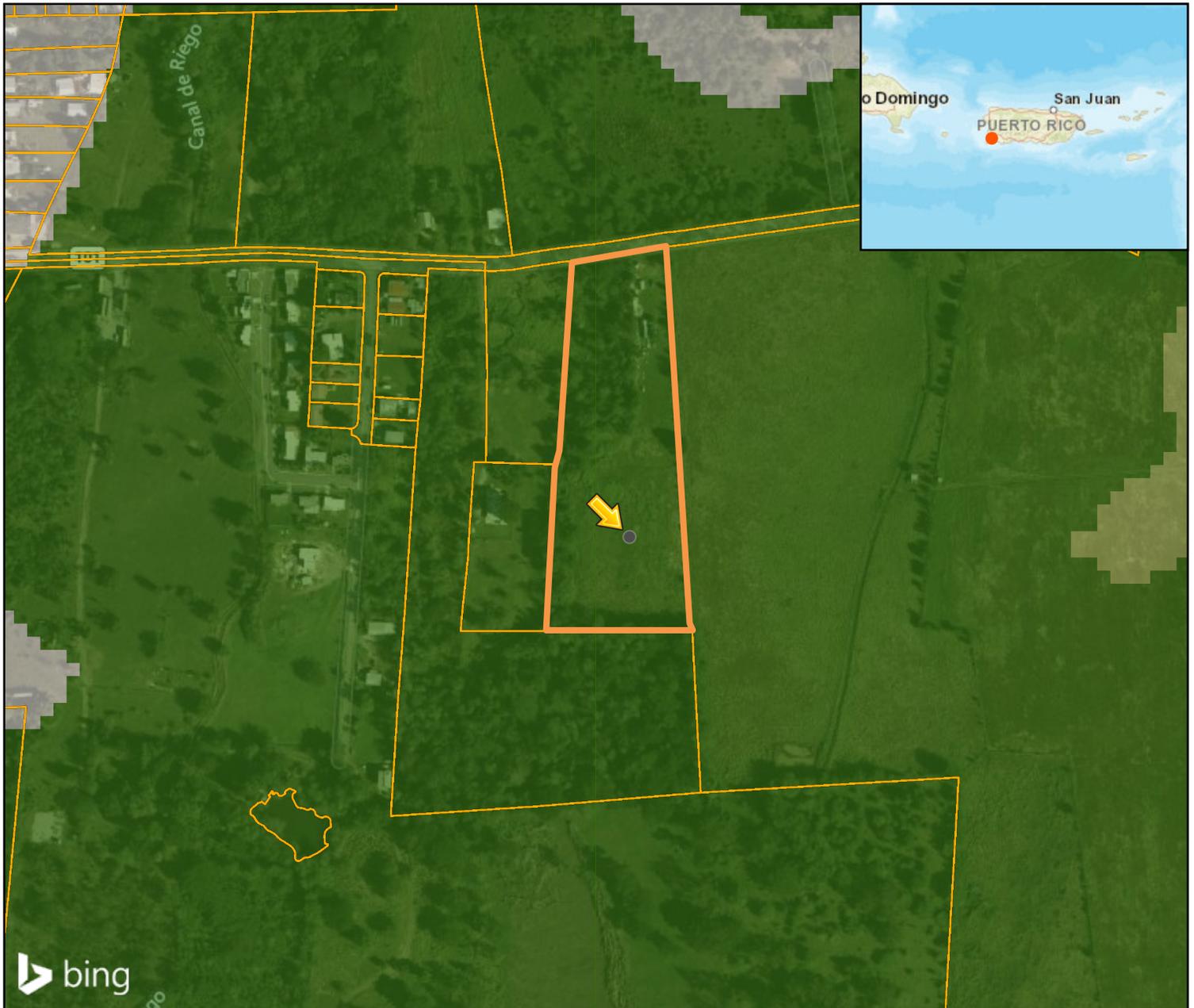


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NOAA

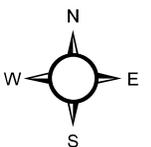
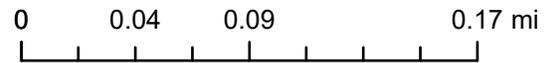
Coastal Zone Management Act

# PR-RGRW-02504 Farmland



## Legend

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



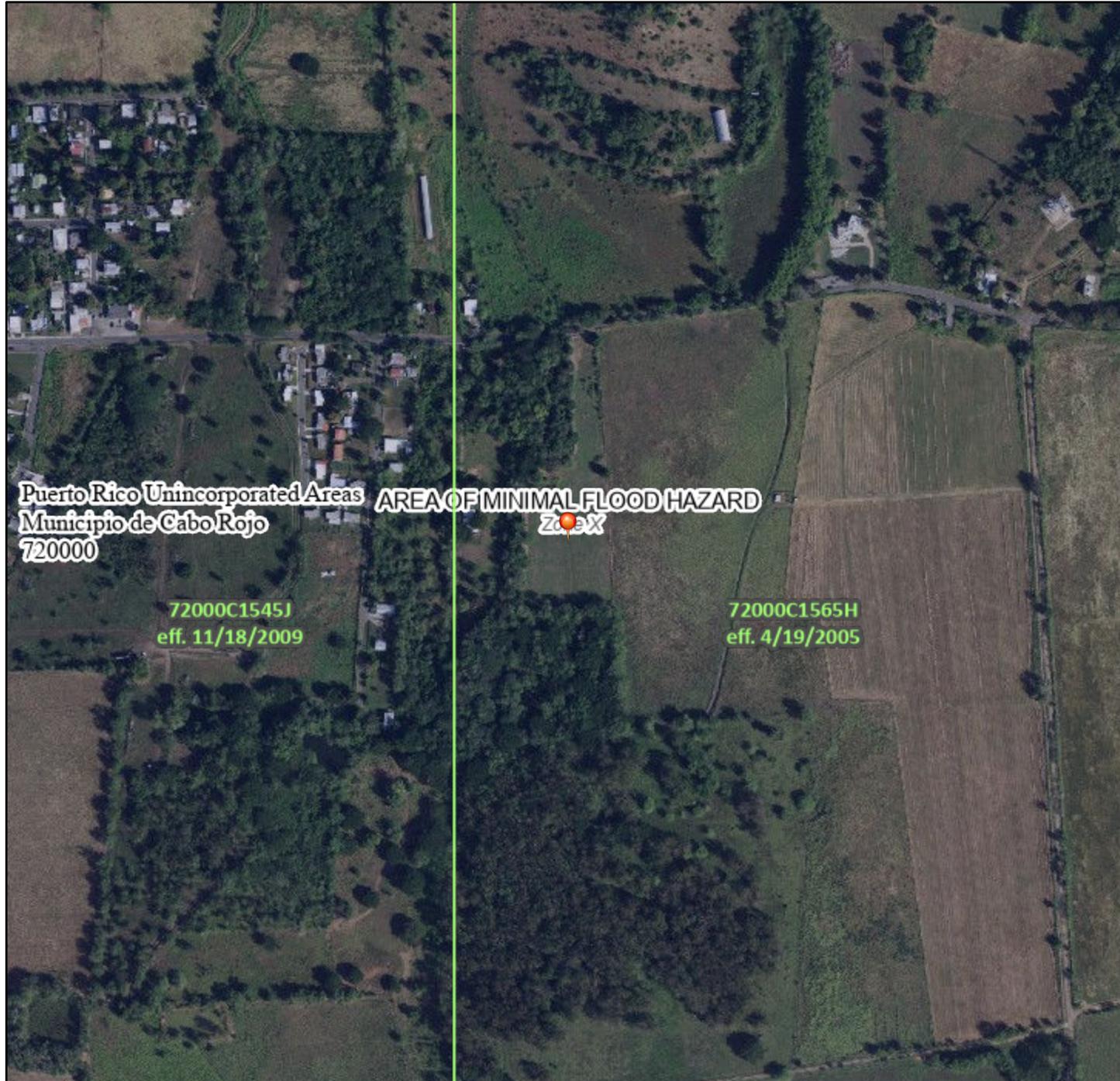
USGS USA Soils

Farmland dataset

# National Flood Hazard Layer FIRMMette



67°7'45"W 18°1'54"N



1:6,000

67°7'7"W 18°1'20"N

Basemap Imagery Source: USGS National Map 2023

## Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
MAP PANELS		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

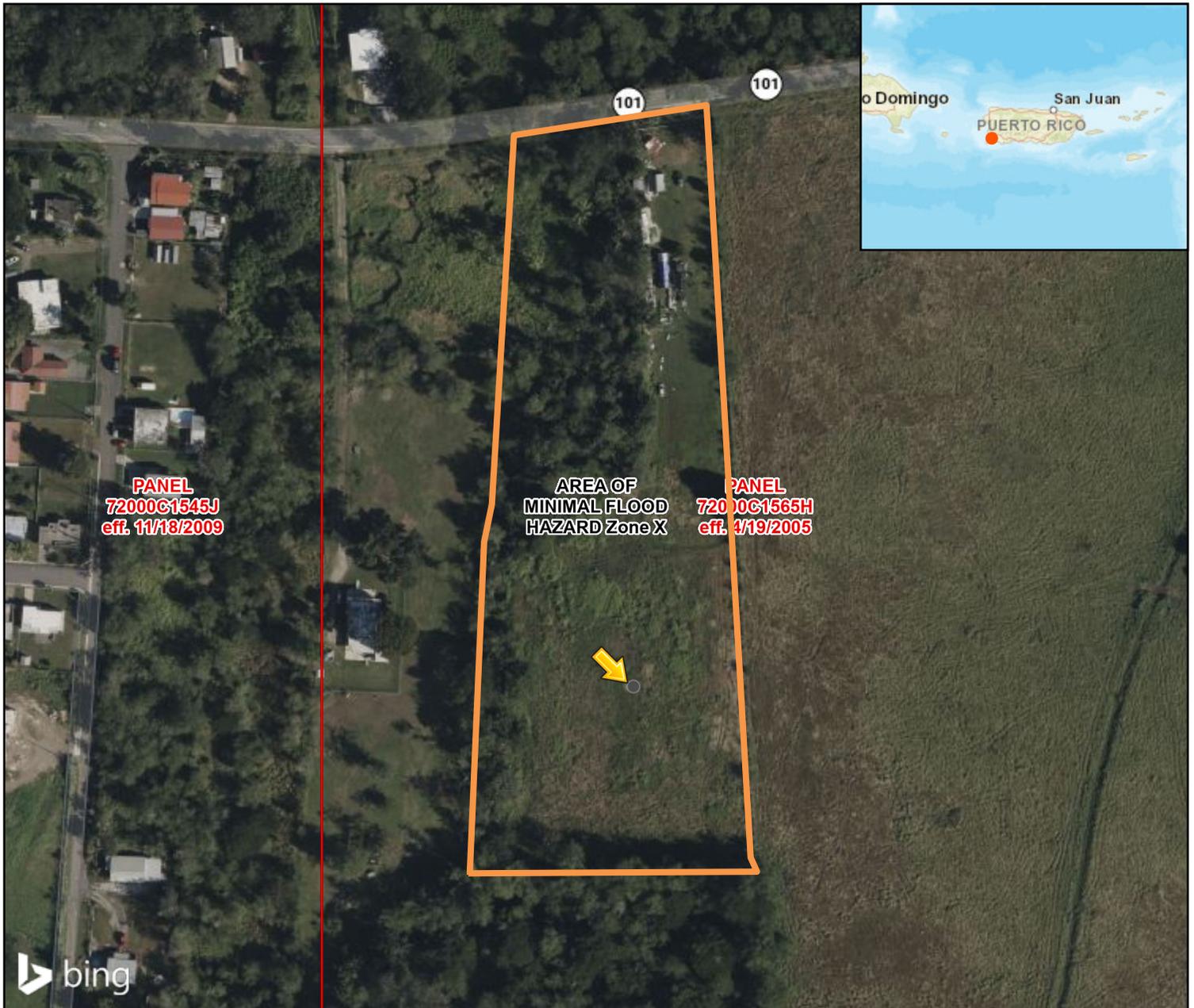


This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **8/15/2023 at 3:53 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

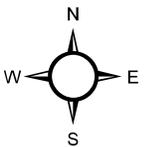
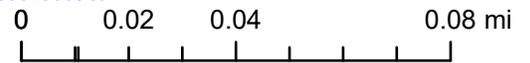
# PR-RGRW-02504 Flood Map



<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

## Legend

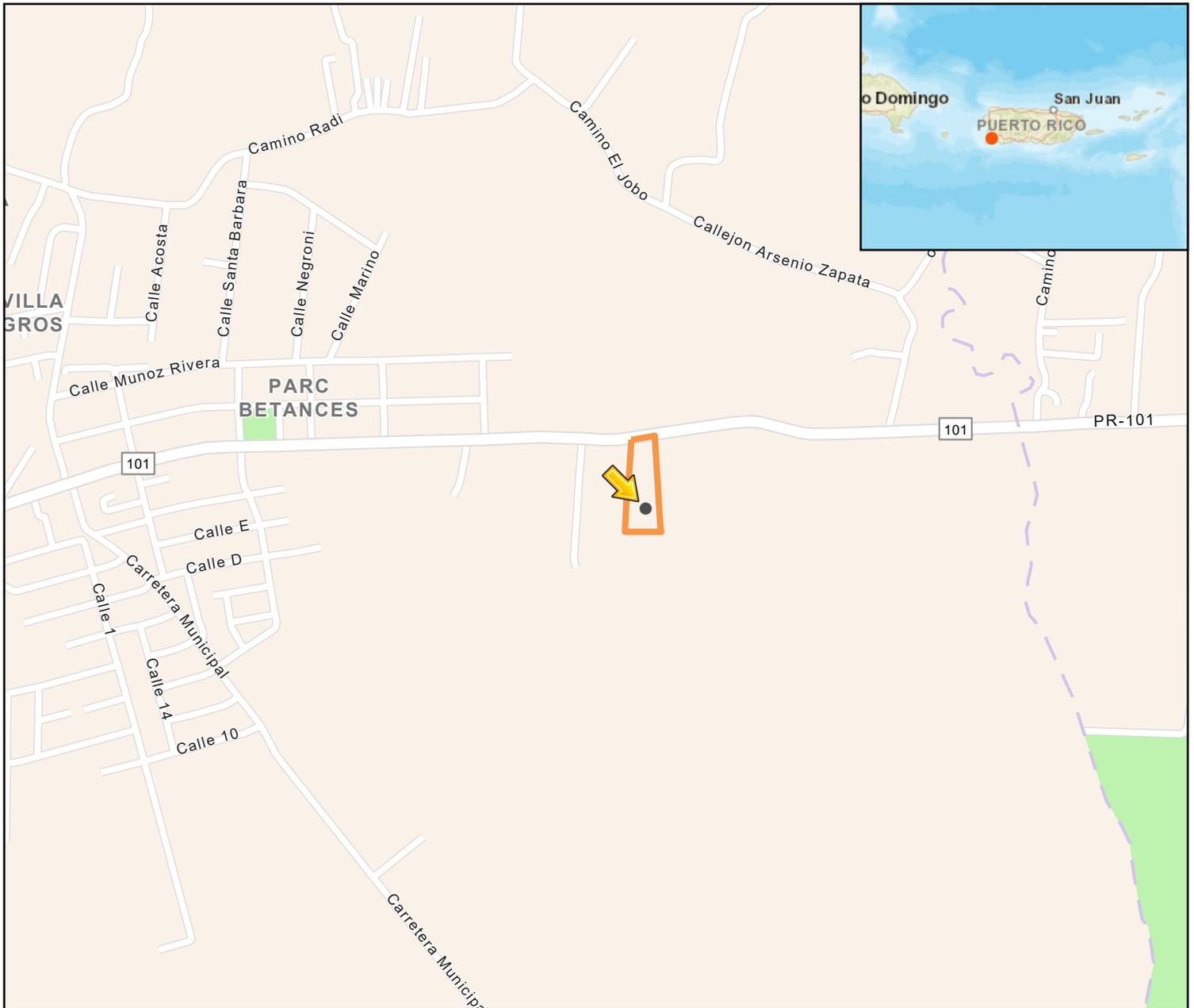
-  1% Annual Chance Flood Hazard
-  Regulatory Floodway
-  Special Floodway
-  Area of Undetermined Flood Hazard
-  0.2% Annual Chance Flood Hazard
-  Future Conditions 1% Annual Chance Flood Hazard
-  Area with Reduced Risk Due to Levee
-  FEMA Floodzone Panels - Effective



FEMA Map Service

Flood Insurance Rate Maps

# PR-RGRW-02504 Historic

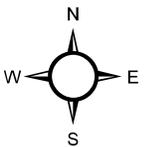
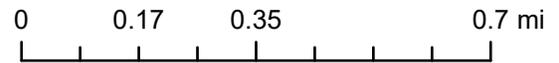


**Legend**

- National Historic Landmark
  - National Register of Historic Places
  - Removed from National Register of Historic Places
- 
- National Historic Landmark
  - National Register of Historic Places
  - Removed from National Register of Historic Places
  - Traditional Urban Centers

National Register Of Historic Places Points

National Register of Historic Places Polygons

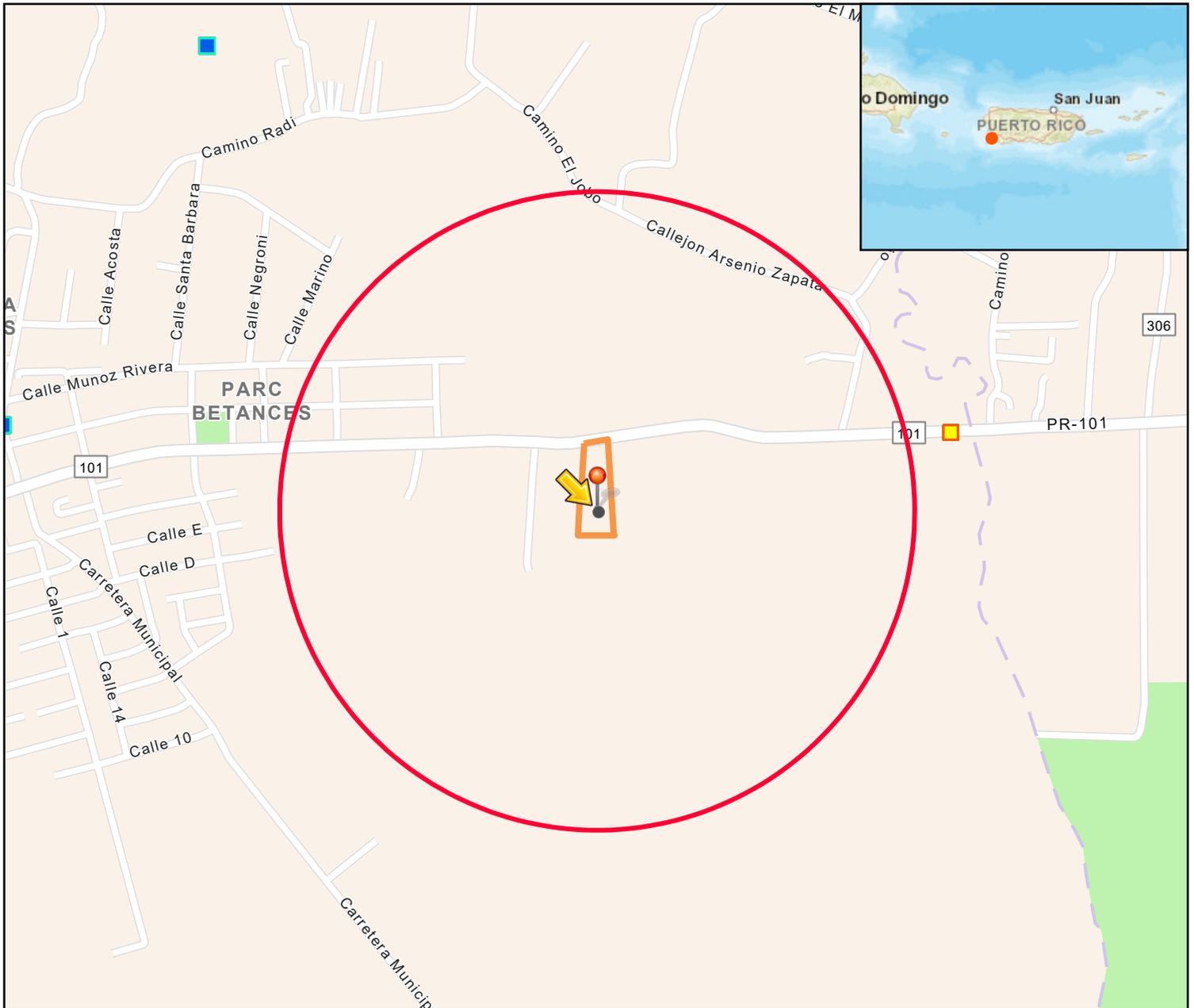


National Register of Historic Places

Local Historic Areas digitized by Horne

<https://arcgis.home.com/portal/apps/experiencebuilder/experience/?id=883eb165a91d411996af67b92f45a429>  
<https://sigejp.pr.gov/portal/apps/webappviewer/index.html?id=b36c00df6e064b6a8f70a6593cf64b7e>  
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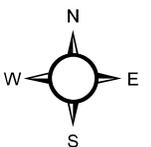
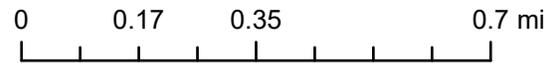
# PR-RGRW-02504 Toxics



## Legend

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

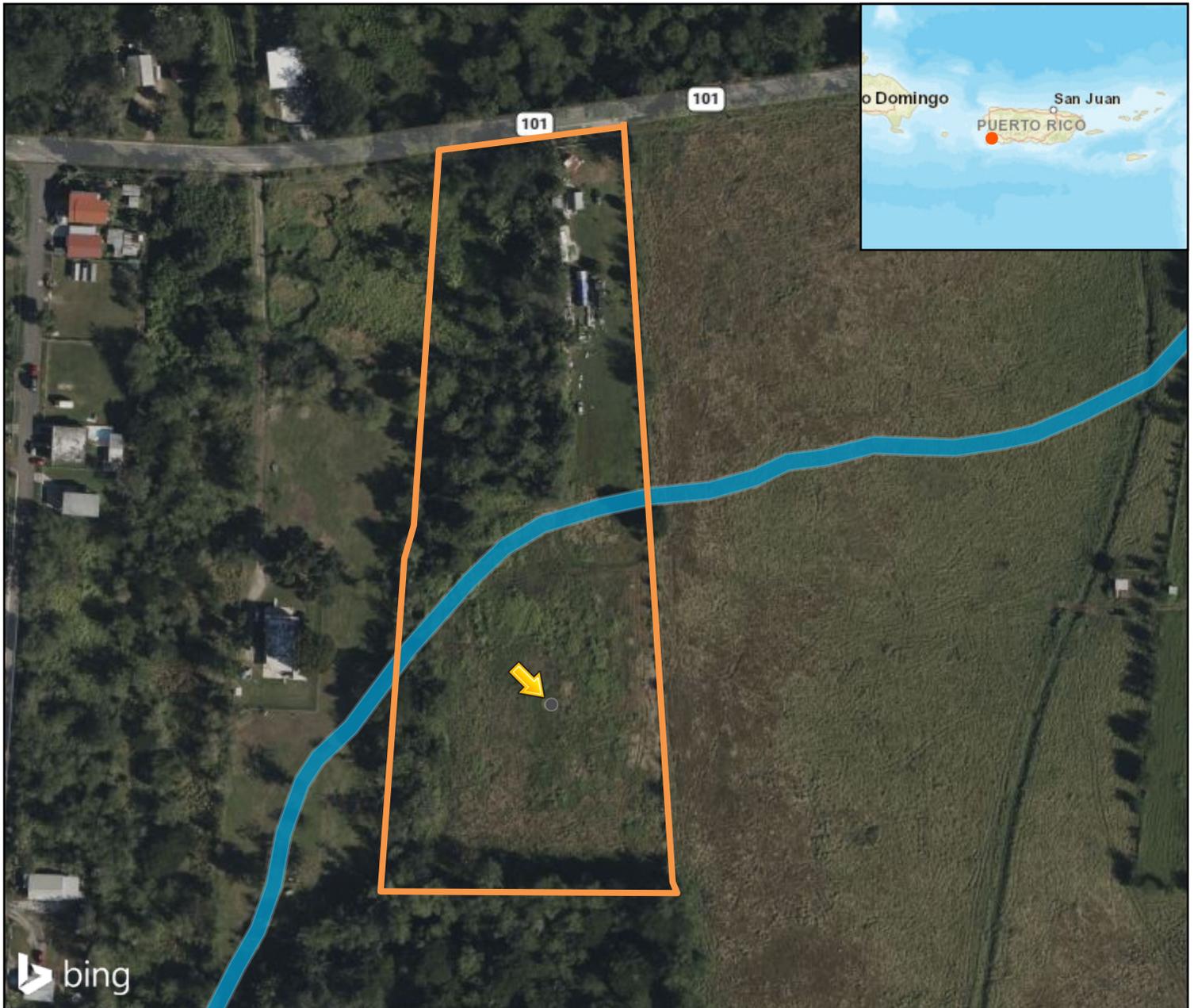
<https://ejscreen.epa.gov/mapper/>



Envirofacts Facility Locations

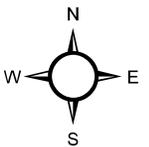
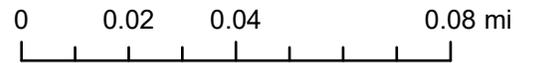
EPA

# PR-RGRW-02504 Wetlands



### Legend

 Riverine

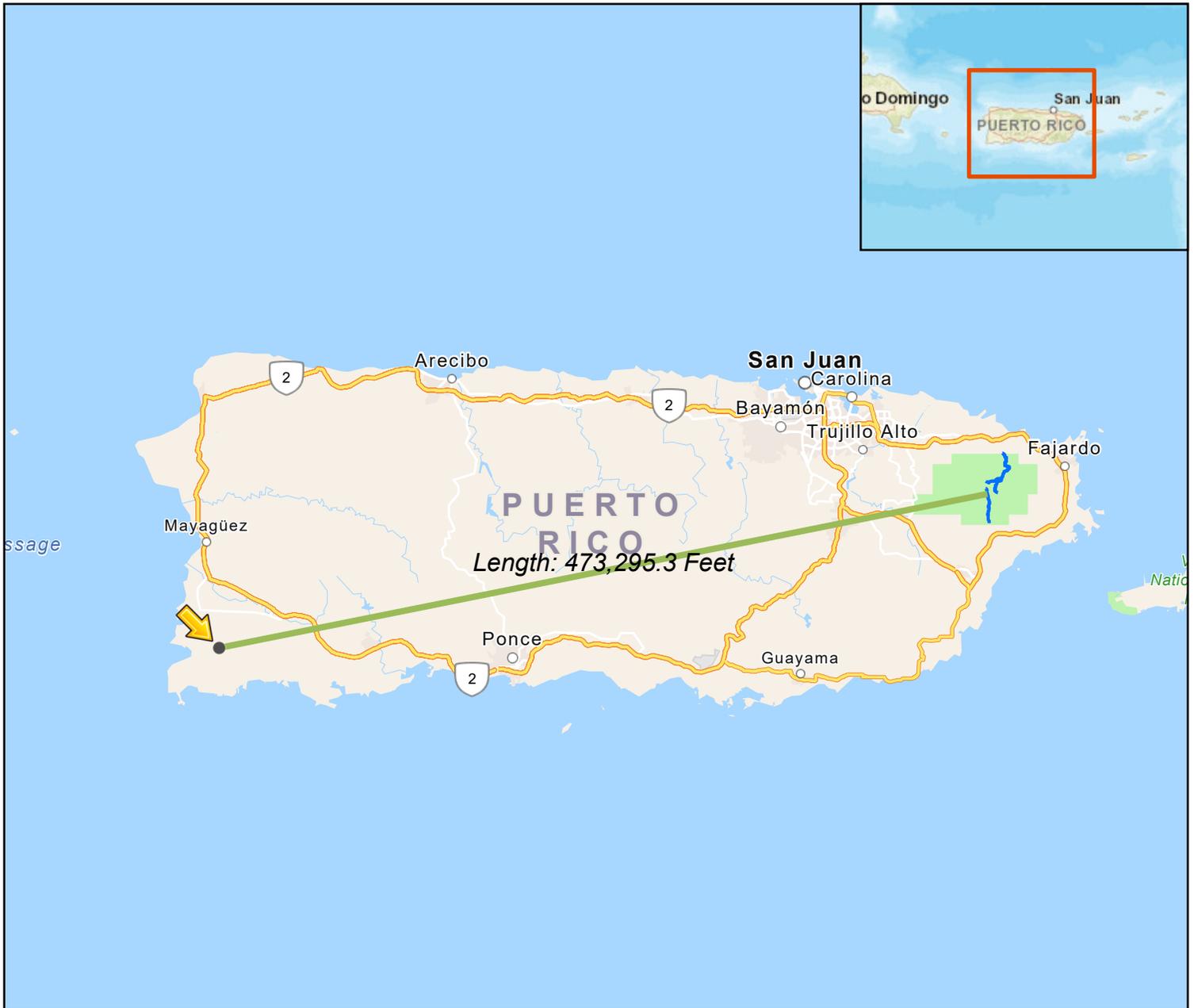


<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

National Wetlands Inventory

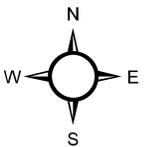
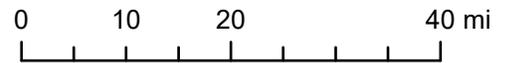
U.S. Fish and Wildlife Service

# PR-RGRW-02504 WSR



### Legend

— Wild and Scenic Rivers



<https://nps.maps.arcgis.com/apps/View/index.html?appid=ff42a57d0aae43c49a88daee0e353142>

National Wild and Scenic River System

National Park Service